

Application Number:	23/10476 Outline Planning Permission
Site:	LAND NORTH OF MANOR ROAD, MILFORD-ON-SEA
Development:	Outline planning application for up to 170 homes and other associated works, including landscaping, Alternative Natural Recreational Greenspace and open space; principal vehicular accesses from Manor Road (Outline application with access details only)
Applicant:	Pennyfarthing Homes Ltd
Agent:	tor&co Limited
Target Date:	02/08/2023
Case Officer:	Ian Rayner
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	The Strategic Significance of the proposed development, due to the application being of notable public interest, and the recommendation is contrary to the views of the local Councillors and the Parish Council.

1 SUMMARY OF THE MAIN ISSUES

This is a significant development proposal which relates to one of the Council's Strategic Site Allocations.

The key issues are:

- 1) The Principle of development, having regard to local and national planning policies, including Green Belt policy.
- 2) 5-year land supply and the tilted balance.
- 3) Affordable Housing and Housing Mix.
- 4) The number of units; 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) Flooding and drainage.
- 7) Ecological impacts: in terms of on-site impacts and achieving Biodiversity Net Gain; in terms of wider off-site impacts on designated sites; and in terms of achieving nutrient neutrality in respect of nitrates.
- 8) The transportation impacts of the development, including the suitability of the access arrangements and whether sustainable travel modes are adequately promoted.

- 9) Air quality, noise and amenity Impacts.
- 10) Heritage impacts.
- 11) Infrastructure provision, including education requirements.
- 12) Whether the proposals constitute a sustainable and safe development.

2 SITE DESCRIPTION

The application site

2.1 The application site extends to 11.92 hectares and is an area of agricultural / horticultural land on the northern edge of Milford-on-Sea. The site is set to the north of Manor Road, to the east of Barnes Lane and to the west of Lymington Road (the B3058).

2.2 The site has a largely open, rural character. There are, however, a group of large glasshouses and associated horticultural buildings set into the site on its western side. These glasshouses are no longer in active use.

2.3 The site is split down the middle by a surfaced track that extends northwards from Manor Road up to the east side of the horticultural buildings. The track also provides access to a telecommunications mast and base station that are set to the east side of the horticultural buildings. The mast and base station do not form part of the application site. The track also functions as a public footpath, which continues northwards (as an unsurfaced path), before eventually linking to Barnes Lane.

2.4 The site is divided into a number of individual fields, which are all currently laid to grassland, and with only very low-level grazing currently taking place. The fields are relatively flat and level, and within the site are generally bounded by barbed wire fences. Around the edges of the site, there are some mature hedged / treed boundaries. There is also a belt of trees and vegetation immediately to the north side of the horticultural buildings, whilst there is also a small copse between the west side of the glasshouses and Barnes Lane.

The areas surrounding the application site

2.5 On its southern side, the application site largely wraps around the property 'Arundel', which is the only residential dwelling on the north side of Manor Road. Arundel, is 2-storeys high, and the plot is the subject of a separate redevelopment proposal.

2.6 On the south side of Manor Road are a line of detached dwellings, typically set back from the road in generous sized garden plots. The dwellings are of varying architectural styles and include a mix of 2-storey properties, 1.5-storey dwellings and single-storey bungalows. The road has an attractive, sylvan character, with the hedgerow trees along the application site's boundary with Manor Road including a number of semi-mature or mature oak trees.

2.7 The section of Barnes Lane to the west of the application has an attractive, rural character. The lane is relatively narrow, tree-lined, and is set below the level of the fields within the application site. The west side of Barnes Lane is lined by detached dwellings set within large garden plots with a rural aspect to the rear.

2.8 The application site is slightly elevated above the level of Lymington Road. Opposite the site's eastern boundary, on the eastern side of Lymington Road, is the Milford-on-Sea Church of England Primary School, whilst immediately to the south of this is 'The Swifts' a recently built residential development that includes areas of public open space. There are a pair of bus stops along this section of Lymington Road, as well as a pedestrian crossing, facilitating pedestrian access to the school.

2.9 On the site's northern side, alongside Lymington Road, is a detached property 'South Lawn Lodge' set within a large plot, beyond which is the South Lawn Hotel. An access drive to Newlands Manor, set within a wide wooded strip of land, runs along part of the northern and eastern boundaries of the site.

2.10 The northernmost field within the application site has an entirely rural aspect, albeit that there is a discrete group of business and residential units just to the north-west, with access onto Barnes Lane.

3 PROPOSED DEVELOPMENT

3.1 The submitted application comprises the following:

"Outline planning application for up to 170 homes and other associated works, including landscaping, Alternative Natural Recreational Greenspace and open space; principal vehicular accesses from Manor Road."

The application has been submitted as an outline planning application with all matters reserved, except for the means of access to the highway network.

3.2 Aside from a Site Location Plan, the application is supported by 4 access plans for detailed approval, comprising:

- An access strategy plan proposing that the development be served by 3 separate vehicular access points onto Manor Road, as well as a separate pedestrian and cycle access onto Lymington Road;
- A detailed plan of the proposed eastern access onto Manor Road, which would be a completely new access that is designed to be one of the primary access points serving the development;
- A detailed plan of the proposed central access, which would entail alterations to the existing agricultural access track and public footpath. This central access is also designed to be a main access serving the development;
- A detailed plan of the proposed western access, which would be a more low-key access point, entailing alterations to an existing field access, and which is intended to serve only a small number of dwellings in the south-western corner of the site.

3.3 The application is accompanied by two 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 would be provided and the areas where Alternative Natural Recreational Greenspace (ANRG) would be provided. Approximate locations of SUDS, including underground flood storage, are also indicated.

b) a storey heights parameter plan, which defines the intended scale of residential development across the site - and which is shown to be mainly 2-storey, but with 5 feature buildings of up to 2.5 storeys.

3.4 The application is also supported by 4 illustrative plans: an illustrative masterplan that provides an indication of how the development could be laid out; a landscape Strategy Plan that sets out the landscape principles for the built-up area of the site and the public open space; an ANRG Strategy Plan that illustrates how the ANRG could be laid out, along with green principles; and finally, a parameter plan suggesting likely densities across the site.

3.5 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 Planning Supporting Statement incorporating an Affordable Housing Statement, a High-Speed Broadband Statement, a Renewable and Low Carbon Statement and a Sustainability Statement
- A Design and Access Statement
- A Statement of Community Involvement
- An Ecological Impact Assessment
- A Biodiversity Net Gain Report
- Information to inform a Habitats Regulations Assessment
- An Historic Environment Assessment
- An Arboricultural Survey
- A Landscape and Visual Impact Assessment
- A Transport Assessment
- A Framework Travel Plan
- A Flood Risk Assessment and Drainage Strategy
- An Air Quality Assessment
- An ANRG Delivery Framework Document

3.6 The application has been amended since its original submission. The application initially proposed 'up to 190' dwellings and a quantum of 3-storey development.

4 RELEVANT PLANNING HISTORY

Planning History affecting the application site

4.1 Request for an EIA Screening Opinion in respect of a proposed residential development of up to 170 dwellings and public open space, including Alternative Natural Recreational Greenspace (21/11238) - EIA not required - 19/10/2021

Planning History affecting adjacent land

4.2 Redevelopment of site (Arundel) with three dwellings; access and parking; landscaping (22/10980) - resolution to grant planning permission at July 2023 Planning Committee

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR9: Development on land within a Minerals Safeguarding Area or Minerals Consultation Area

Policy HOU1: Housing type, size, tenure and choice
Policy HOU2: Affordable housing
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV2: The South West Hampshire Green Belt
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy Strategic Site 7: Land north of Manor Road, Milford on Sea

Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character
SPG - Milford-on-Sea Village Design Statement
SPD - Parking Standards
SPD - Mitigation Strategy for European Sites
SPD - Air Quality in New Development. Adopted June 2022

Relevant Legislation

Relevant Advice

Chap 12: Achieving well designed places

Constraints

SSSI IRZ All Consultations
NFSFRA Surface Water
Small Sewage Discharge Risk Zone - RED
Tree Preservation Order: 39/G14

Plan Policy Designations

New Housing Land Allocations
Built-up Area (part)
Green Belt (part)

6 PARISH / TOWN COUNCIL COMMENTS

Milford-on-Sea Parish Council: Recommend REFUSAL

Overview

- The Government abolished its mandatory target of building 300,000 new homes a year in December 2022 and several local councils are looking now to revise their now outdated local plans as the requirement for specific numbers has been removed. Milford-on-Sea Parish Council asks the New Forest District Council to urgently review this site SS7 and reconsider the impact of such an inappropriate development located in an already busy village. The Parish Council was opposed to this site being included in the Local Plan, although the Councillors recognise a need for affordable housing in Milford on Sea.

Gross overdevelopment of the site

- Building 170 new homes on this site does not address the core issue of overdevelopment versus housing need. Regarding overdevelopment, specifically the massing and density, the proposed development of 170 homes, including

properties of 2.5 storeys, is not appropriate for a 'sylvan setting' in the street scene. This application is deemed excessive and should be refused.

- The Parish Council is acutely aware that some 51 local families seek affordable housing and that developing "not less than 110 homes" would adequately meet that need.
- The Parish Council deems this proposal would have a detrimental impact on the current street scene and would cause the loss of its existing sylvan view. The protection of existing trees is imperative, as is the retention of existing hedges.

Street scene and Master Planning

- Insufficient consideration is given to the character of the village and the surroundings of this site. This application proposes an inappropriate urban density. Masterplanning objectives for the site as stated in the Local Plan Part 1 are not met by this application, namely – "to create a well-designed extension to the village that..." a) respects and reinforces the strong rural character of Manor Road and Barnes Lane, b) protects road margins and creates frontages of similar character along these lanes and c) creates a compact pattern of perimeter blocks, well designed buildings, and intimate streets, with enough garden space internally and along the frontages to create a sylvan setting characteristic of the local area,

Highway Safety

Highway safety is an issue of great concern and what is shown in this outline application is totally inadequate to gain approval:

- The traffic survey is out of date. A full safety audit and parking survey needs to be conducted with conditions in place prior to any type of planning approval.
- The safety of families and their children coming to and from school is paramount, and the proposal offers no such assurances.
- An emissions and air pollution survey needs to be conducted around the school site bordering the B3058.
- Without such audits and surveys the Parish Council are not convinced that the 3 entry/exit points illustrated are acceptable from this site onto Manor Road.
- The SE corner entry/exit point of the site onto Manor Rd will create a safety hazard for the community and traffic on the B3058 passing the school.
- A dedicated construction site entrance should be mandatory from the NE corner of the site, beyond the school, to be used exclusively by heavy works traffic for the duration of the construction.
- Hours of working and lorry movements must be agreed with the school before outline permission is granted.
- A solution to the increased traffic problems at Everton crossroads should not be 'Reserved Matters' – it must be operational before any building traffic arrives on site.
- Of extreme concern to the Parish Council and residents of Milford-on-Sea is the lack of sufficient infrastructure in place to support a development of this magnitude: the need for more school places; the need for expanded health services; the lack of bus services and the greatly increased volume of car traffic along narrow rural lanes. This proposal will cause an impossible strain on the environment.

Works

Parking cannot be tolerated in Manor Road, Manor Close, Knowland Drive or other adjoining roads. Management and placement of construction vehicles for the duration of the building must be controlled.

Drainage

Any proposed building works on this site would have an enormous impact on the already struggling and inadequate sewerage system that currently serves the village. Therefore, the Parish Council needs to consider the details of how the developer would provide a new main drain directly to the Efford sewage treatment plant at this outline application stage; these details should not be deferred until 'Reserved Matters'.

Considering the correspondence from Southern Water (dated December 4th), we insist that the entire sewage issue be resolved and conditioned prior to any planning approval.

Conditions

The parish council wishes to see conditions imposed to ensure the developer will not leave the site in an inferior state, prior to any outline being approved. No topsoil should be removed from the site but should be moved if necessary and stored in bunds.

Biodiversity

This proposal carries a biodiversity net loss, and therefore environmental objectives will not be met. The adjoining informal recreation areas, within the green belt, must not be despoiled and must be available for their enjoyment before people take up residence in Swallowfields.

7 COUNCILLOR COMMENTS

Cllr Reid:

Comments on original submission

Supports the objection of the Parish Council with the following additional comments:

1. How will sustainable economic growth be achieved in Milford, in accordance with policy STR6, given an influx of c400 working age people from the proposed 190 dwellings and a lack of space identified for economic growth?
2. How will the strategic transport priorities actually contribute to a reduction in private transport use from the c400 working age people?
3. It is inconceivable to expect residents leaving the site to travel west to do so via the Lymington Road. Motorists travelling west will surely use Barnes Lane to access and egress the site.
4. What improvements are being proposed by the highway authority to provide safe pedestrian site access and egress, especially for young families walking to the local school who may have a child in hand and another in a pushchair?
5. Whilst recognising an S106 contribution will be required from each SS development, what discussions have been held with other Authorities to plan for a significant increase in the population from all SS5-SS11 developments in the South Coastal Towns, rather than the sites individually, which I estimate to be in the order of 1400-1500 dwellings and in excess of 3,000 people.

Comments on Amended plan submission

I strongly object to this application for these reasons:

1. The developer has spent a large amount of time producing a vast number of documents to support this resubmission. It is not possible for individuals to read, understand, cross-refer and formulate a response in two weeks. To ensure equality of treatment, respondents should be given the same amount of time to formulate and submit their responses. This is particularly important where road safety and the safety of pedestrians and cyclists is concerned and for residents who do not have organisational colleagues to assist in their analysis and response.
2. Whilst it is recognised the Local Plan sits within the hierarchy of legal planning documents, the requirement for specific numbers was removed by parliament.
3. Reducing the number of properties to 170 does not address the fundamental issues around overdevelopment, loss of sylvan view due to the unnecessary destruction of a number of healthy trees, road traffic and safety of pedestrians & cyclists and other issues raised by residents.
4. Other representees have identified a magnitude of local plan policies they assert are not met by this proposed development so I will not repeat here. However, paragraph 4.3 of the Plan identifies three overarching objectives extracted from the NPPF. These are:
 - a. An economic objective,
 - b. A social objective, and
 - c. An environmental objective.

This application does not identify any local economic objectives, without which there could be increased local unemployment or increased road traffic as new residents have to travel long distances to work.

Given the large number of local objectors to the scale of this application it is quite clear that the social objective is not being met.

The applicant has stated there will be a biodiversity net loss resulting from this application; therefore the environmental objective will not be met.

I therefore believe the objectives specified in paragraph 4.3 of the Local Plan will not be met.

The Local Plan is not a subjective document, so please continue to negotiate with the developer to achieve an outcome that meets all relevant policies.

Cllr Jack Davies:

Object to this application as it currently stands. Having read the site-specific policy within the Local Plan, does not believe this application is plan-compliant.

The ANRG is not situated in the middle of the site and the houses are not looking onto it.

Consideration must also be given to the number of houses to be built on the site. 110 homes would be suitable for this site and the density would be in keeping with the neighbouring new-build estates (although not with the existing properties on Manor Road). However, 170 homes would be a large increase on the number that was suggested through the Local Plan and would worsen the already-poor traffic situation on Manor Road, Barnes Lane and Lymington Road.

Would like the committee to consider reducing the overall number of homes on the site to be as close to the 110 figure as possible. In addition, a reappraisal of the access in and out of the site will be needed to address resident concerns over increased traffic.

Overall, asks that the committee listens to the local residents in Milford, especially in the Manor Road and Barnes Lane area who would be most impacted by this new development.

8 CONSULTEE COMMENTS

8.1 HCC Highway Authority:

Summary

The highway authority raises no objections to this application, subject to S106 obligations and conditions.

The required S106 obligations are:

- Provision of a Full Travel Plan and associated set-up and monitoring fees and bond;
- Provision of a financial contribution of £112,597, towards cycling improvements in the vicinity of the site
- Provision of a financial contribution of £61,600 towards improvement (including walking and cycling facilities) at the roundabout of A337 Milford Road/North Street/Ridgeway Lane.
- Provision of off-site footway improvement works as set out in the drawings ITB12449-GA-026.
- Provision of signalised junction works including a Toucan Crossing at the junction of the A337/B3058, as set out in the drawing ITB12449-GA-005 Rev I.
- Provision of highway works including site accesses/ crossing points as set out in the drawings ITB12449-GA-013 Rev K, ITB12449-GA-006 Rev L and, ITB12449-GA-007F.
- Upgrading the existing signalised crossing on Lymington Road in front of Milford Primary School to a Toucan Crossing.

Conditions are sought in respect of:

- Securing a Construction Traffic Management Plan
- Agreement or measures for ensuring construction vehicles are cleaned so as not to leave mud and spoil on the highway
- Provision of Cycles Routes and connections from the site onto the highway

Additional Key Comments

A review of cycling routes to Lymington has identified that there have been recorded accidents on Wainsford Road relating to cyclists. Therefore, cycling improvements on this route are required.

The Highway Authority has reviewed the designs submitted for all the proposed off-site highway works and considers they are acceptable in principle.

The Highway Authority is satisfied that the proposed development can access local facilities via sustainable modes of transport thereby reducing dependency on the private car for local trips, complying with the planning policies of NPPF, Local Plan and Local Transport Plan.

The Highway Authority has reviewed the updated design for all accesses and crossing points and considers they are acceptable in principle. No evidence has been identified to indicate that three accesses would create significant safety risks or operational concerns on Manor Road.

Traffic data and junction models for Manor Road have been carefully reviewed and are considered to be correct and robust. The modelling results show that Manor Road is capable of accommodating the additional forecast traffic movements associated with the development without a severe residual cumulative impact on the road network, provided that double yellow lines are implemented on this road.

The proposed signalised B3058/A337 junction has been tested with LinSig junction modelling software. The modelling results show that the signalised junction would operate within capacity with the proposed development traffic, and delay on Lymington Road arm is forecast to be reduced compared to the existing situation. The improvement scheme is not only forecast to reduce existing delay on Lymington Road arm, when development traffic is included, but will also provide improvements to safety at this location. It is worth noting the proposed improvement works would result in the loss of some trees/hedges on the inside of the bends on the northern side of the A337 in order to secure the forward visibility required. HCC considers signalisation of this junction a better option than a roundabout.

8.2 HCC Surface Water:

Are satisfied with the principles of the development and have no objection but recommend that conditions be applied, requiring agreement of a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy. Maintenance arrangements also need to be agreed through condition.

It is noted that should groundwater levels increase beyond what has been anticipated in this outline design, the scale of development may need to be reduced slightly to accommodate shallower drainage features with a larger plan area.

8.3 HCC Education:

Without the provision of a contribution towards the provision of additional school places, the County Council, as Local Education Authority, would object to the proposal on the grounds that the impact on the existing infrastructure would not be sufficiently mitigated.

The proposed development of 190 dwellings (excluding 1 beds) would usually be expected to generate a total of 57 additional primary age children and 40 additional secondary age pupils. This is based on a figure of 0.3 primary age children per new dwelling and 0.21 secondary age children per dwelling.

The development site is served by Milford-on-Sea CofE Primary School Academy Trust and Priestlands School. The primary age phase school is forecast to be full,

considering proposed future housing. Priestlands School is also forecast to be full. To accommodate the additional primary and secondary age pupils, a contribution is sought.

The County Council has used previous extension projects to derive a cost for the proposed expansion to the primary places, and this is estimated at **£1,057,179**. This is based on a pro-rata cost, to accommodate the pupils from this development. This will go towards any expansion at Milford CofE Primary School.

The County Council does not seek a secondary contribution towards the expansion of Priestlands School due to academy having admitted over their admission number on a number of occasions in previous years, within the existing accommodation.

In summary, the contribution towards the expansion of Milford CofE Primary School Academy is necessary, as without an expansion it will not be able to accommodate the children from the development. The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the school and therefore is fairly and reasonably related in scale and kind to the development.

8.4 HCC Minerals & Waste:

No objection subject to conditions

The proposed development lies within the mineral and waste consultation area – minerals section. This area is informed by the mineral safeguarding area (MSA) as defined through Policy 15: Safeguarding – mineral resources of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP) and indicates where viable, safeguarded mineral resources are likely to be present.

The purpose of this policy is to protect economically viable mineral resource deposits from needless and unnecessary sterilisation, in line with Chapter 17 of the National Planning Policy Framework (NPPF). The policy seeks to maximise the recovery of viable mineral resources prior to development.

Whilst it is acknowledged that the Mineral Resource Assessment (MRA) and discussions in 2018 concluded prior extraction is unsuitable, full consideration must be given to the opportunities for mineral extraction prior to and/or as part of the proposed development. It would be expected that high quality material, such as sand, gravel and soft sand would be processed and used for construction purposes, while lower quality material could be used for fill or similar.

Particular opportunities may lie in the recovery of mineral deposits uncovered during the preparation and construction phases of the project, for example through the excavation of footings or trenches for buildings, roads, landscaping, drainage and utility infrastructure associated with the development.

Additional vehicle movements as well as noise, dust and vibration issues should not be 'above and beyond' what is expected in the construction phase, and so MRAs should apply the same buffers that are used for the construction activities.

It is therefore requested that a condition be included as part of any planning permission, requiring a statement to be submitted and approved as part of a Construction Management Plan (or similar) outlining:

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

and to report this data.

8.5 **HCC Countryside Services (Rights of Way):**

Summary

We are not opposed to the development of this site in principle, but without sufficient information to assess its impact on the public access route across the site, namely Footpath 796, we cannot support the application. We need to secure obligations, such as conditions, drawings, and contributions via a S106 to protect the public rights of way network as is our duty as the Highways Authority.

Additional Key Comments

In the event this application is permitted and constructed, it is reasonable to expect ~500 new residents and a consequent increase in use of the local PROW network. A number of internal site paths are proposed to be created but in themselves these will not deliver all access needs of future site residents - people will venture further afield for longer dog walks, for personal/ group recreation, or other. The existing path surfaces, whilst acceptable for the present volume of use, will need improvement so as to satisfy an increased volume of use and the reasonable expectation of those users to enjoy convenient year-round access.

In addition to the above, the local PROW network will experience increased use after site occupation and path surfaces will suffer an increased rate of wear, thereby requiring increased intervention and works by the County Council to mitigate such use.

Should the Planning Authority approve the application, the following is required for the proposed development to be considered acceptable and in accordance with relevant policy relating to the PROW network:

- Southern area of FP796 across the site. This shall be formally diverted onto the pavement of the proposed access road. This shall be a minimum of 2m wide and if a bound surface, requires the access road to be adopted by Hampshire Highways.
- North of the access road, the PROW should be resurfaced to a width of 2.5m to HCS design standards. FP796 is to follow the same line around the proposed green space to the north of the site. Along here, we require the removal of the fencing between the PROW and the green space, adjacent to the PROW, and its resurfacing to a width of 2.5m.
- A condition requiring the submission and approval of a Construction Traffic Management Plan, prior to commencement. This shall include addressing PROW safety, including consideration of temporary closure or diversion.
- A condition that states that vegetation and trees will not be planted within 2.0m for shrubs/bushes and 5.0m for trees of the surface of the PROW (unbound section).
- Commuted sums are required to reflect the unbound resurfacing of FP 796 through the site; these can be included in the required S278 highways agreement to carry out this work.
- Assurance that the crossing over Manor Road linking FP796 north and south is improved to reflect the need for public safety – including improving visibility to and from footpath users coming up from the south.
- A contribution to off-site PROW improvements – compensating the adverse impact the proposed development will have on the network due to an increase in local population. To be secured via the S106 agreement.

8.6 **Natural England:**

Summary

As submitted, the application could have potential significant effects on the below designated sites:

- Solent and Southampton Water Special Protection Area (SPA) / Ramsar;
- Solent Maritime Special Area of Conservation (SAC);
- Solent and Isle of Wight Lagoons SAC;
- New Forest SPA, SAC and Ramsar;
- New Forest Site of Special Scientific Interest (SSSI);
- Highcliffe to Milford Cliff SSSI;
- Hurst Castle and Lymington River Estuary SSSI.

Your Authority will need to undertake a Habitats Regulations Assessment (HRA) to determine whether the proposal is likely to have a significant effect on the sites named above, proceeding to the appropriate assessment stage where significant effects cannot be ruled out. The following information is required to inform a HRA:

- A nutrient budget calculation and suitable mitigation strategy to address any nutrient impacts, including appropriately funded management and monitoring.
- Appropriate contributions in line with the NFNPA's Revised Habitat Mitigation Scheme to be secured.
- Appropriate contributions in line with the policy and the Bird Aware Definitive Strategy to be secured.
- Any other likely significant effects that could arise from the development should also be assessed.

Without this information, Natural England may need to object to the proposal.

Additional Key Comments

Nutrient Mitigation: On the basis that a suitable level of nutrient mitigation credits can be secured at Heaton Farm (Isle of Wight) or a similar strategic scheme, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites and has no objection to this aspect of the application.

New Forest Recreational Impacts: Providing that the applicant complies with your adopted strategy, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites and has no objection to this aspect of the application.

ANRG Provision: It is Natural England's view that this allocation exceeds the minimum amount of ANRG area required for the proposed development to comply with the relevant SPD, and therefore has no further objections.

Solent Recreational Impacts: Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, 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.

Biodiversity: Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180.

8.7 Southern Water:

Southern Water has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

Southern Water will liaise with the developer in order to review if the delivery of our network reinforcement aligns with the proposed occupation of the development, as it will take time to design and deliver any such reinforcement.

It may be possible for some initial dwellings to connect, pending network reinforcement. Southern Water will review and advise on this, following consideration of the development programme and the extent of network reinforcement required.

Southern Water will carry out detailed network modelling as part of this review which may require existing flows to be monitored. This will enable us to establish the extent of any works required.

Southern Water endeavour to provide reinforcement within 24 months of planning consent being granted (Full or Outline), but for more complex applications an extension of the 24 month period may be needed.

Southern Water hence requests that a condition be applied such that occupation of the development should be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Where SuDS rely upon facilities which are not adoptable by sewerage undertakers, the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity.

An informative is requested that construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

8.8 Archaeologist:

No Objection subject to conditions requiring:

- the approval and implementation of a programme of archaeological work, including a Written Scheme of Investigation;
- the submission of a site investigation and post investigation assessment before the development is occupied.

The applicant has submitted an Historic Environment Desk Based Assessment (DBA). As is concluded within the DBA, it is agreed that the site has a high potential for archaeological finds and features from the prehistoric, later prehistoric/Roman and medieval periods.

As such, due to the high potential for archaeological remains, an archaeological trenched evaluation should be conducted across the entire proposed development site. Should such works have positive results, further follow-on mitigation excavation and recording may be necessary.

An informative is requested, advising how the terms of the archaeological conditions should be met.

8.9 NFDC Environmental Health (Contaminated Land)

No objection in principle to the proposed development as submitted. However, planning permission should only be granted if standard planning conditions in respect of contamination are imposed. Without these conditions, the proposed development of this site could pose risks to human health and/or the environment.

The need for the conditions is because the site has been used as a nursery shown on historic maps dated 1970 (no maps available 1961-1969) to the present day, which will have involved potentially contaminative activities. A Phase 1 and Phase 2 investigation will need to be undertaken to ensure the site is safe and suitable for its proposed use.

8.10 NFDC Environmental Health (Pollution):

Does not object to the application, providing suitable planning conditions are attached to any granted permission. Conditions are recommended in relation to internal and external noise levels, a Construction Management Plan and lighting details

Noise

A Noise Impact Assessment (NIA) has been undertaken by Omnia (ref: C10948/NIA/1.2), dated July 2023, which has appropriately assessed the noise impact upon the development from a range of sources, including traffic, a nearby business park and telephone mast.

The assessment outlines that there is unlikely to be any adverse impact associated with noise from both the telephone mast and nearby businesses park and no mitigation is therefore proposed.

Conversely, the assessment has highlighted that the impact of traffic noise has the potential to affect some dwellings, especially those located along the boundary of Manor Road and Lymington Road. Noise levels are predicted to breach the internal noise limits set out in BS 8233:2014 with windows partially open for ventilation; therefore, the assessment recommends an alternative ventilation scheme is implemented along with careful design for bedrooms that are potentially located and orientated along the plot area boundaries. The highest exceedance with a partially open window requires a 28dB Dn,e,w +Ctr alternate ventilation reduction.

Noise levels are also found to exceed the external amenity criteria present in BS8233:2014, and it is recommended that external amenity areas require careful design and orientation to reduce noise levels. It is also recommended that a detailed drawings are provided at detailed design stage.

Overall, it is predicted that some dwellings require mitigation measures to control internal and external noise levels to within desirable limits; however, due to the limited information available regarding the layout of the plots at this outline stage, it is recommended that at detailed design stage an updated scheme be provided. The

scheme shall include necessary mitigation to ensure that internal and external noise levels within each dwelling or plot respectively shall not exceed the minimum standards stated in BS8233:2014.

Construction Impacts and Lighting

Further information in relation to the control of construction impacts and a lighting scheme for the development are felt necessary; however, such information may be secured by an appropriate planning condition and provided at detailed design stage if necessary.

Air Quality

The submitted detailed air quality assessment models the potential impact on local air quality from different developmental scenarios: a baseline of existing conditions in 2019, then an operational year of 2027 without the development but with expected traffic growth and committed developments ('do minimum' scenario) and an operational year of 2027 with committed development plus the proposed development ('do something' scenario). The impacts are assessed in terms of the potential impact from vehicle emissions from the operation of the proposed development (nitrogen dioxide and particulate matter) and construction operations (dust / particulate matter) on the local population.

The air quality assessment also acknowledges the recently adopted 'New Forest District Council Air Quality Assessments in New Development SPD' and, as required, references a number of mitigation measures that if implemented should reduce the impact from the development on local air quality.

The assessment of the operational phase is considered to be appropriate. In terms of the impact from the operation of the development, the submitted air quality assessment, conclusions and proposed operational mitigation measures are all accepted.

In respect of the construction phase, the air quality assessment has utilised appropriate guidance in the assessment of the potential impact from dust and particulate matter associated with construction activities of the proposed development. It is advised in the assessment that mitigation measures will be required to reduce the impact at relevant sensitive locations to acceptable levels.

Whilst it is noted that mitigation measures are included as part of the submitted air quality assessment, it is recommended that an appropriate dust management plan (DMP) be submitted as part of a Construction Environmental Management Plan (CEMP) which can be conditioned.

In conclusion, the submitted air quality assessment appropriately assesses the potential impact of the proposed development on local air quality in terms of the operation and construction phases of the development.

8.11 NFDC Ecologist:

Lifespan of Ecological Reports

The ecological survey information has been gathered between 2016 and 2023.

The ECIA (Ecological Impact Assessment) submitted in support of the application identifies that a Construction Environmental Management Plan (CEMP) should be secured by planning condition for the detailed design stage. This is agreed. It is

recommended that the CEMP condition could include a stipulation that updated ecological surveys be undertaken, where necessary, to identify shifts in the ecological baseline condition.

Designated Sites

There are ten internationally designated sites present within 10km of the application site. All relevant designated sites requiring consideration in the assessment have been identified. The HRA screening undertaken is considered appropriate, and the pertinent issues which could affect the identified Natura 2000 sites have been identified.

A nutrient neutrality calculation has been undertaken (CSA). This identifies that the proposed development is expected to result in an overall net increase in Total Nitrogen (TN). The assessment concludes mitigation is required for +155.91kg TN/year. The calculation has used the average occupancy rate of 2.40. This will need to be recalculated for the actual dwelling mix and layout using the Council's agreed occupancy rates.

Nitrogen Credits have been / will be obtained from the Heaton Farms scheme on the Isle of Wight.

There are three nationally designated sites within 3km of the site and 26 SINC's present within 2km (the closest nearby SINC being Newlands Manor Wood SINC). It is considered that any effects on nearby SINC's can be adequately mitigated.

Biodiversity net gain (BNG)

The CSA BNG Report identifies the proposed development would, when considering the illustrative layout result in a net gain of c. 1.06 Hedgerow Units (equating to 18.03%) and a net loss of c. 8.61 Habitat Units (equating to -25.38%). The assessment has been completed using Biodiversity metric 3.1. The ECIA identifies that approximately 14.5 additional habitat units will therefore be required through off-site compensation to achieve the BNG target of 10%. This requirement will need to be finalised when the detailed design is available and should be secured through an appropriate planning obligation on the outline permission (pending recalculation at reserved matters / detailed design).

The trading summary currently indicates that the trading requirements are not met for the loss of low distinctiveness habitat (7.17-unit deficit) for modified grassland and medium distinctiveness habitat (1.44-unit deficit) for mixed scrub which has not been replaced on-site with new habitat creation. This trading balance should also be addressed as part of any offset. Given this is an outline application, should permission be granted, it would be necessary to re-run the metrics at the reserved matters stage to ensure that the gains predicted at outline stage remain deliverable. This requirement should be secured.

Additionality – In this instance where a net loss is anticipated, I am of the view that there is not a need to address additionality. However, if a BNG is shown then this would come into play. This would be revisited for the detailed design assessment should additional guidance be issued in the interim.

BNG Monitoring and Management as part of the LEMP will be critical to the successful delivery and long-term (covering a minimum 30 years) provision of BNG. It will be necessary to secure the long-term management and monitoring of BNG through any planning permission. It is suggested that this be achieved through use of a s106 agreement.

The BNG monitoring reports should be undertaken and provided to the Local Planning Authority, as a minimum, in years 2, 5, 10, 20 and 30.

Species

General

An Ecological Enhancement Schedule should be completed by the developer before the commencement of development so that there is a clear log of what enhancements will be provided and where, and this should be secured as a condition of any planning permission.

Amphibians (Including Great Crested Newt (GCN))

Great Crested Newt are reported to be likely absent from the application site. The majority of Hampshire local planning authorities will soon be part of the Naturespace GCN District Level Licence scheme. A review of the GCN risk maps for the application site indicate that most of the developable footprint (Not ANRG) is green which indicates moderate habitat suitability and that great crested newts may be present.

The SUDs scheme has potential to enhance habitat suitability for amphibians on site.

Badger

Badger are known to be present in the local area, but no setts were identified on-site or within adjoining visible habitats. Following further update surveys, a hole was identified on the margins of the site which was concluded to be an outlier badger sett under partial use. This is not considered to be a constraint to development given its position.

Due to the transient nature of badgers, update surveys will be required prior to commencement, which should be secured through planning condition.

Bats

No current bat roosts were identified as part of the survey works. Flying / Feeding bats were recorded in surveys.

Lighting – The submitted documents highlight the need for a sensitive lighting strategy to be submitted at detailed design to ensure that dark corridors are maintained and minimising light spill on newly created habitats. Recommends a planning condition to this effect.

The ECIA includes a commitment to provide a range of bat roosting features, including 20 integrated bat boxes and three external tree mounted bat boxes. This is welcomed and their provision should be secured by condition. It is suggested that details of the final specification of the bat boxes and their locations are secured following detailed design.

Breeding Birds

Appropriate survey work has been undertaken. The ECIA includes a commitment to provide a range of bird nesting features, including 130 integrated swift boxes and three external tree mounted nest boxes. This is welcomed and their provision should be secured by condition. It is suggested that details of the final specification of the bird boxes and their locations are secured following detailed design.

There are several Wader and Brent Goose Sites near the application site. The nearest, including a 'core' area are approximately 180m east.

Dormouse

Surveys have shown dormice to be likely absent from the application site.

Reptiles

The application site supports a low population of grass snake (two surveys with a peak count of one), and a low population of slow worm.

The provisional approach to mitigation includes habitat manipulation and displacement of the low population into contiguous habitat. Assuming current land management practices persist, this approach is considered appropriate. The ECIA recommends that full details of these measures are included in the CEMP. This is agreed. It is recommended that the CEMP requirement includes a Reptile Mitigation Method Statement.

Invertebrates

Invertebrates were scoped out of the assessment based on the generally intensively managed nature of the site and the resultant homogeneity of habitats. This approach is agreed.

Summary

- Ecological stipulations should be included in securing a CEMP via condition, including the need for resurvey if required, reptile mitigation method statement etc.
- Designated sites - Nutrient neutrality calculation uses average occupancy rather than NFDC specific values
- BNG Monitoring and Management Plan required (in LEMP)
- Lighting – need to secure development of a sensitive lighting strategy
- Bird and bat boxes – provision to be secured - full details needed in an EMMP or similar to accompany detailed design – can be conditioned.
- Need for re-survey e.g. badger. This should be secured
- Secure a reptile mitigation method statement (via CEMP)

8.12 NFDC Trees:

Summary

Provided that any drainage systems are installed outside the root protection area of retained trees, with sufficient working space for construction, then I am satisfied this proposal can be constructed without significant harm to the retained trees.

Comment

The mature trees on and adjacent to this site are protected by Tree Preservation Order 39. These trees contribute to the amenity of the area and are considered a constraint to development.

To support this application, the John Shutler Tree Services Arboricultural Report dated 20/04/2023 has been submitted. This report has identified individual trees and groups on and adjacent to the site.

The assessment/categorisation of the trees is generally agreed. As the trees are located around the edge of the site along what are currently field boundaries, there appears to be reasonable space to accommodate this development and retain the trees. It is noted that the main access to the site will require the loss of trees, comprising 3x smaller stature trees.

8.13 **NFDC: Landscape & Urban Design:**

Summary

The density has been reduced to 32.1PH from 38DPH on the majority of the site, which is an improvement. The series of Descriptive Masterplans demonstrate that the proposed 170 units could still be relatively intense in some parts of this site, leading to some concerns going forward as to the eventual design quality and practicality of the site if it was to be built out at the proposed maximum number. However, whilst these densities may be above what is typical locally, there are examples of this working and the Design and Access Statement (D&AS) demonstrates a commitment to good design.

Some additional descriptive masterplan illustrations focusing on a variety of areas within the site have been submitted to help clarify the situation and to justify the dwelling numbers proposed. These include some illustrations of the sort of building forms intended with varied roof heights and massing. These example plan samples show how streets, gaps and garden spaces could potentially offer opportunity for tree planting and green settings for streets and buildings.

Of critical importance will be the provision of a relatively sylvan character to the development, commensurate with the locally distinctive character. Illustrations show this to be feasible, and it will therefore be vital that a collaborate approach be adopted to achieve agreement as to the eventual detailing of the streets, driveways and frontage spaces so that this becomes a reality at reserved matters stages.

The recent drawings tend to show increasing intensity of built form further from the margins, within some central parts of the site. However, this is a reasonable aspiration if accompanied by appropriately raised quality of design, but again the final detailing of external spaces and the bespoke qualities of the buildings will need careful examination at reserved matters stage. The example building types show some attractive and potentially quite special buildings on parts of the frontage to Manor Road and where key entrance and nodal points are important. There is a tendency to revert to some rather more standardised forms within the scheme but with good streetscape and focus on materials and details at reserved matters stages, these could be perfectly acceptable.

SUDS & Drainage

Further information needs to be provided showing that drainage can be provided in ways that are sympathetic to good landscape design and to demonstrate that the SUDs can be used for, and therefore counted as, public open space or ANRG. The details that have been submitted for the central ANRG raise concerns in respect of play provision, planting and maintenance. Therefore, as the application stands, an objection is raised to this aspect of the proposal.

Parameter Plans

Aside from SUDS and Drainage details, is content with the Parameter Plans (and the revised LVIA), noting:

- Storey heights parameter plan has been revised to bring these down to two storey with only occasional 2½ storey feature buildings.
- Density parameter plan has been revised to lower the core density, while the western and half of the southern edges remain as a soft 25 dph and the overall density is dropped to indicate 28.9dph.
- Illustrative material and parameter plan indicate a reasonable green margin to Manor Road and retention of the bank and tree /hedge line down the western boundary.

Landscape Strategy

The Landscape Strategy Plan is acceptable at this stage (subject to sympathetic drainage location and design). There is clearly a commitment to creating both sylvan character and an interesting and attractive design, accepting that further work will be needed at reserved matters stage.

There remain concerns that the ANRG part of the design bears little relationship with the typical landscape character and the design does not yet offer the right balance between recreational use and biodiversity. That said, this can be considered in more detail at reserved matters stage.

8.14 **NFDC Open Space:**

Advice offered

- POS & ANRG areas should be of a size that complies with policy
- Play – For a development of this size and layout, it is suggested that the play is located in the middle, to ensure the delivery within a safe and accessible location away from main accesses, forms a meaningful and engaging space and can be maintained. There should be sufficient space, and play location(s) should not be hampered by SUDs features (such as underground crates). It is suggested there is provision for these to be located a safe distance from proposed play areas so a firm foundation and free-draining soil can be used to ensure a safe and long-lasting play provision and the equipment installed in accordance with manufacturer's instructions.
- It is recommended that all play facilities are completed and open to the public before 50% occupancy. The ANRG should be completed (and certified by NFDC) prior to first occupation and the whole POS should be certified as completed ("Practical Completion") by NFDC prior to the sale or occupation of the final dwelling. This is to ensure the POS is completed to a good standard and delivered in a timely manner for the benefit of existing and new residents, ecology and in compliance with Policy CS7.

8.15 **NFDC Housing:**

No objection subject to securing affordable housing within a S106 and subject to agreement of precise details.

As a strategic allocation in the Milford-on-Sea area, Local Plan Policy HOU2 establishes a requirement for a target of 50% of the dwellings to be affordable housing.

The current application is for a total of 190 new homes, of which 95 (50%) will be affordable housing and First Homes. The applicant confirms they are seeking to deliver 25% of the affordable housing requirement as First Homes, in accordance

with the Government's Ministerial Statement of 24th May 2021 and as reflected in the District Council's First Homes Advice Note. NFDC does not require applicants to provide First Homes. Where a developer chooses to do so, the provision of these homes should reflect the Local Plan policy compliant mix of house type and size, and the overall value of the affordable and First Homes provision should generate the same amount of value as would be captured under the Council's up-to-date published policy.

The applicant's proposed mix (in terms of tenure types) accords with the percentage target requirements set out in the District Council's First Homes Advice Note.

The Planning Supporting Statement provides an indicative affordable housing mix (in terms of bedroom numbers), which could be delivered at Reserved Matters Stage. The provision of a higher level of smaller 1 and 2-bedroom dwellings would reflect the needs of the area, as evidenced by the number of applications to the District Council's Housing Register. The applicant has responded positively to previous feedback for the need for some larger 4-bedroom accommodation.

The size of unit by tenure will need to be confirmed. Would expect to see a schedule of accommodation, including dwelling size, tenure, and where appropriate, phase and location included within any heads of terms for the legal agreement accompanying the site.

First Homes are subject to an initial sales cap of £250,000. In a high value area such as Milford on Sea, the applicant will need to give consideration to ensuring that the provision of these homes reflects a Local Plan policy compliant mix of house type and size, providing a range of units sizes in conjunction with other low cost home ownership tenures (shared ownership).

Local Plan Policy HOU2 makes clear that affordable housing should be evenly distributed across the site. It is recognised that in a development of this size it may be appropriate to provide the affordable housing in clusters, particularly where flats are to be provided. These clusters will need to be located across the site.

9 REPRESENTATIONS RECEIVED

9.1 687 letters of objection / concern received from local residents (including the Milford Residents group) on the following grounds (covering both representations to the initial scheme and to the amended scheme):

Principle of Development

- Lack of local need for the development
- The number of proposed dwellings is not in accordance with the Local Plan
- Inappropriate development in the Green Belt
- Central government mandatory targets have been scrapped, meaning that Local Plan targets are no longer relevant
- The proportion of affordable housing should be higher
- Brownfield sites should be developed ahead of greenfield sites

Layout and Design

- Too many dwellings are proposed / overdevelopment of the site
- The development is disproportionate in size to the village as a whole
- Poor design
- Dull and uninspiring architecture
- The proposed layout and density is out of character with the surrounding area

- Greenspace would be in a poor location to benefit existing residents
- Development would appear cramped
- 3-storey scale is not appropriate
- Proposal should include bungalows
- Concerns about impact on Barnes Lane, which is a Conservation Area
- The amended plans which have reduced dwelling numbers to 'up to 170' still constitutes overdevelopment and does not satisfactorily address concerns raised by the initial submission

Impact on Landscape

- Proposal will harmfully change the character of Milford
- Suburbanisation of the village
- Loss of greenspace
- Loss of a beautiful area that is full of wild flowers
- Loss of trees / damage to trees along Manor Road
- Loss of prime agricultural land
- Proposal does not meet Local Plan policy requirements to create a sylvan setting characteristic of the area; and to respect and reinforce the strong rural character of Manor Road and Barnes Lane.

Ecology, Sustainability & Climate change

- Concerns about impact on biodiversity
- Scepticism that the proposal could enhance biodiversity or achieve Biodiversity Net Gain
- Biodiversity Net Gain should be achieved on the site and not through off-site measures
- Adverse impact on local wildlife and protected species, including badgers
- Lack of space for nature
- Concerns about how sustainable the development would be
- A lack of sustainability features (such as solar panels) in the designs
- Concerns about additional climate change impacts
- Concerns that the proposal is not capable of complying with nutrient neutrality requirements
- Additional recreational pressures on the New Forest National Park

Transport

- The local roads will not be able to cope with the additional levels of traffic
- Additional congestion on local roads and at nearby junctions including the B3058 junction with the A337 at Everton
- Increased dangers to school children and their families
- Increased parking pressures within the village
- Concerns about impact of additional traffic on Barnes Lane, which is not suited for additional traffic
- Access arrangements onto Manor Road are inappropriate and unsafe
- The western access is too close to a bend and would be dangerous
- A new roundabout onto Lymington Road is needed
- Increased traffic and parking pressures at school drop-off / pick-up time
- Proposal would not address dangers on local roads for cyclists
- There needs to be more off-site cycle route provision
- Doubts about the efficacy of the Travel Plan
- Queries about the timing of the traffic survey
- Additional traffic will cause additional potholes to local roads

- Additional commuting out of the village due to a lack of employment
- Traffic assessment is inadequate
- The development is unlikely to achieve adequate on-site parking
- Concerns about access for emergency vehicles

Community Services, Infrastructure and Facilities

- Pressure on local schools as the Primary and Secondary schools are full
- Pressure on local GP services, as the village is currently struggling to cope
- Essential shops and services are oversubscribed
- There is not adequate sewage infrastructure to serve the development
- Unacceptable pressures for a small village
- Concerns whether electricity and water supply could be achieved
- The proposal should include at least one commercial unit

Air Quality, Noise, Pollution & Amenity

- Additional noise disturbance
- Additional light pollution
- Increased air pollution
- Additional pollution from additional cars
- Dust nuisance during construction
- General disruption during construction
- Overlooking of properties in Manor Road and Barnes Lane
- Concerns about pollution of nearby areas of water
- Concerns about releasing contamination

Flooding and Drainage

- The site suffers from flooding
- The fields are wet and there would be inadequate drainage, exacerbating existing drainage problems
- Methodology for drainage calculations queried
- Drainage requirements may compromise public open space

Miscellaneous

- Unresolved issues at The Swifts should be dealt with before permission is granted for this new development
- Scepticism that the proposal will deliver the promised amount of affordable housing or community benefits
- Developer should pay a performance bond
- Concerns that many houses will be unneeded second homes
- Lack of public consultation by the developer
- The need for an environmental impact assessment needs to be reviewed
- Safety concerns for those living close to the existing telecommunications mast
- Concerns that the proposals will lead to an increase in crime in the area
- Concerns that development could compromise the future upkeep of the historic Newlands Manor and its associated grounds
- Detrimental impact on house prices

9.2 1 neutral comment but recognising there is a shortage of housing, and the proposal would support a need for more working age families in the New Forest.

9.3 10 letters of support (covering both representations to the initial scheme and to the amended scheme): proposal will address a need for more homes in the local area, particularly affordable homes; additional people will help local businesses; development will benefit environment by reducing commuting

9.4 Letter received from NHS (Hampshire & Isle of Wight): Advise that the GP surgeries within the catchment area that this application would affect, currently have sufficient infrastructure capacity to absorb the population increase that this potential development would generate.

9.5 Letter received from Wings Wildlife Heritage: No objection, but request that specific wildlife and ecological features and enhancements be carefully considered, particularly through the imposition of suitable planning conditions.

10 PLANNING ASSESSMENT

10.1 The Principle of Development

10.1.1 The application site forms a key part of one of the Council's Strategic Development sites that has been allocated for development in the adopted New Forest District Local Plan 2016-2036. Policy Strategic Site 7 applies. This policy states:

"i) Land to the north of Manor Road, Milford-on-Sea as shown on the Policies Map is allocated for residential development of at least 110 new 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 create a well-designed and integrated extension to the village that:

- a) Respects and reinforces the strong rural character of Manor Road and Barnes Lane, protecting road margins and creating frontages of similar character along these lanes.*
- b) Retains boundary tree, hedge and embankment lines and integrates them into a walkable network of recreational greenspace connected to existing footpaths and to the countryside.*
- c) Creates a compact pattern of perimeter blocks, well-designed buildings and intimate streets with enough garden space internally and along frontages to create a sylvan setting characteristic of the local area.*
- d) Creates a strong and permanent Green Belt boundary to the north of the current glasshouses, with new development facing onto a main area of accessible natural recreational greenspace to be provided on Green Belt land within the site boundary.*

iii) Site Specific Considerations to be addressed include:

- a) Retention of Service access to the telecommunications mast unless the mast is relocated.*
- b) Vehicular access to the site is to be provided from Manor Road. Barnes Lane is only suitable for emergency access.*

10.1.2 Policy Strategic Site 7 is accompanied by a concept masterplan that illustrates how the allocation could 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 and deliver a net environmental

gain.

10.1.3 Whilst the concept masterplan is designed to be illustrative rather than prescriptive, it does provide an important framework for shaping development of the allocated area. It is also important to note that one part of the concept masterplan for this site is fixed - namely the northernmost field within the application site, which is within the retained Green Belt, and which should only be used as ANRG (or Public Open Space). Residential development here would not be acceptable because it would be inappropriate development within the Green Belt.

10.1.4 Having regard to the requirements of Policy Strategic Site 7 and the accompanying concept masterplan, it is quite clear that the principle of residential development and supporting ANRG land and public open space on the application site is an acceptable one, providing that the area of new residential development is confined to the built-up area boundary and does not extend into the part of the site that is retained Green Belt.

10.2 Green Belt policy

10.2.1 The National Planning Policy Framework (NPPF) advises that when considering planning applications, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. The NPPF further advises that new buildings within the Green Belt should be deemed inappropriate, except for some specific exceptions. In the case of this application, no buildings are expressly proposed within the part of the site that remains within the Green Belt. There would, though, be likely to be some physical development in the form of footpaths, play equipment, and other works associated with the proposed use of this area as Alternative Natural Recreational Greenspace (ANRG). However, the NPPF is clear that material changes of use of land (such as changes of use for outdoor sport and recreation) are not inappropriate provided the use would preserve the openness of the Green Belt. Likewise, appropriate facilities associated with outdoor sport and recreation are not inappropriate, provided they would have no adverse impact on the openness of the Green Belt.

10.2.2 Accordingly, having regard to the national planning policies as set out in the NPPF, it is considered that the proposal to use the Green Belt part of the application site for ANRG with related infrastructure would be entirely appropriate, and would not be harmful to the openness or function of the Green Belt.

10.3 5 year Housing Land Supply & The Tilted Balance

10.3.1 As set out above, the application site is allocated for residential development under Policy Strategic Site 7 and is included within the Milford-on-Sea settlement boundary. The principle of the uses set out in the planning application proposal are entirely consistent with the Local Plan spatial strategy for the location of residential development as set out in Policy STR1: Achieving Sustainable Development.

10.3.2 Notwithstanding the Local Plan policy status of the site, it is important to recognise that the Council cannot currently demonstrate a five-year supply of deliverable housing land. The latest published figure of housing land supply is 3.07 years which remains well below the required 5 years. In such circumstances, the NPPF (para 11d) indicates that the tilted balance is engaged whereby, in applying the presumption in favour of sustainable development, even greater weight should be accorded in the overall planning balance to the provision of a significant amount of new housing (and affordable housing). This is especially true in this case, as the application site, as a Local Plan housing site allocation, is manifestly a

sustainable location for housing development where the presumption in favour of sustainable development already applies.

10.3.3 It is recognised that the new NPPF (that was published in December 2023) advises that where a Local Plan was adopted within the past 5 years and the Council had a 5-year housing supply at the point of adoption, then it is not necessary to identify a 5-year supply of housing for decision making purposes. However, the NPPF is also clear that this 'exemption' does not apply to applications submitted before the date the new NPPF was published. As such, because this application was registered in May 2023, there is still the need to take full account of the Council's lack of a 5-year housing land supply and apply the 'tilted balance' set out in the preceding paragraph.

10.3.4 The Parish Council have suggested that there is no longer a need to meet housing targets and that the policy allocation be reviewed. This is not correct and, to be clear, there is considered to be no scope to review or question the policy allocation as part of this application. The allocation (along with the Council's other Strategic Sites) forms an essential part of meeting identified housing needs within the District. There is no reasonable basis to challenge the status of Policy Strategic Site 7 or the significant weight which must be afforded to this policy.

10.4 Affordable Housing & Housing Mix

Affordable Housing Provision

10.4.1 The target of Local Plan policy is that 50% of new homes in this part of the District should be for affordable housing. This means that up to 85 of the proposed dwellings on this proposed development should be for affordable housing.

10.4.2 With respect to the required Affordable Housing mix, Local Plan policy seeks to secure 70% of affordable homes for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership. On this basis, the proposed development should secure up to 30 homes for affordable rent, up to 30 homes for social rent, and up to 25 homes for intermediate tenures.

10.4.3 The proposed scheme seeks to deliver 50% of the proposed dwellings as affordable housing. Assuming that the maximum 170 dwellings were to be provided, the applicant has suggested that the tenure mix would comprise 21 First Homes (25% of all affordable homes), 30 Social Rented dwellings (35% of all affordable homes), 19 Affordable Rented dwellings (22% of all affordable homes), and 15 Intermediate Shared Ownership dwellings (18% of all affordable homes).

10.4.4 In terms of the proposed tenure mix, the introduction of First Homes would be a deviation from the mix sought under adopted Local Plan policies. However, in July 2022, the Local Planning Authority produced a First Homes Advice Note in response to Central Government Guidance which now makes it clear that First Homes should be considered as meeting the definition of affordable housing. Accordingly, this Advice Note now allows for First Homes to be included as part of an applicant's affordable housing offer where particular criteria are satisfied.

10.4.5 So, in the case of Strategic Site allocations such as the application site, First Homes may indeed now be provided as part of an affordable housing offer, with the Council's First Homes Advice Note setting out that these should comprise 25% of the Affordable Housing Offer, whilst Social Rented Housing should remain unaltered at 35%, and Affordable Rented Housing and Shared Ownership should be reduced to 22% and 18% of the offer respectively. Based on these percentage figures, the

applicant's affordable housing offer set out above would be fully in accordance with the Council's First Homes Advice Note. Therefore, subject to securing the proposed affordable housing offer through a Section 106 legal agreement, the proposed development would be consistent and in accordance with the Council's affordable housing policies.

10.4.6 It is important to point out that the provision of up to 85 much needed affordable dwellings should be seen as a considerable benefit that weighs significantly in favour of the proposed development.

Housing Mix

10.4.7 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.

10.4.8 The applicant's supporting statement has put forward an indicative dwelling mix for both private and affordable tenures. This indicative mix, if followed through at reserved matters stage, would see the provision of a full range of housing, from 1 and 2 bedroom apartments up to 3, 4 and 5-bedroom family houses, and would largely align with the mix set out in Figure 6.1 of the Local Plan. As such, the applicant's indicative proposed mix would be acceptable. However, to ensure that identified housing needs across the district are met, it will be important that this indicative mix is indeed followed through at reserved matters stage. To this end, a condition would be necessary to ensure that the mix that comes forward at reserved matters continues to largely align with the mix set out in Figure 6.1 of the Local Plan.

10.5 The Quantum of Residential Development

10.5.1 In proposing up to 170 dwellings, the application is evidently seeking to develop the application site with a materially greater number of dwellings than the minimum policy expectation. However, an uplift in dwelling numbers is not unacceptable in principle; because as the supporting text to the Local Plan notes (at Paragraph 9.33) *"Where added capacity can be delivered in a manner that is well-designed and contextually appropriate, provides an acceptable housing mix, fully mitigates its habitat impacts and achieves a net environmental gain, additional capacity will be supported."*

10.5.2 As such, to be able to come to a view on whether 170 dwellings is an appropriate quantum of development, it needs to be considered whether this level of development could be provided in a manner that is contextually appropriate and well-designed, as well as being deliverable with the necessary infrastructure and mitigation land, noting that the provision of a greater number of dwellings leads to a greater green infrastructure requirement to mitigate the increased numbers of dwellings. Only once all of these points have been considered can a conclusion be reached on dwelling numbers and the site's capacity. (See Paragraph 10.15 below.)

10.6 The Location, Layout and Landscape Impact of the Development

The Location of Built-form and Green Infrastructure

10.6.1 The submitted Land Use Parameter Plan shows the proposed residential development area - which would comprise 2 roughly square areas separated by a wedge of green infrastructure running through the centre of the site

from north to south. These 2 development areas would be joined by a vehicular access route running from east to west through the site. The 2 development areas would be set away from the edges of the site to varying degrees, resulting in a continuous corridor of green infrastructure around all of the site's boundaries, except where the 3 access points are proposed.

10.6.2 The areas where residential development and green infrastructure are proposed is in broad accordance with the Concept Masterplan from the Local Plan. The most notable difference is that the Parameter Plan proposes a more extensive area of green infrastructure through the centre of the site, thereby providing greater visual separation between the 2 main development parcels. This more extensive area of green infrastructure would be entirely acceptable from a landscape and design perspective - and indeed necessary due to the uplift in dwelling numbers.

10.6.3 The northern parcel of the site within the Green Belt is shown on the Land Use Parameter Plan as being the main area of ANRG to serve the development. This would be fully in accordance with policy and design expectations for the site.

10.6.4 Overall, it is considered that the proposed locations of built development and green infrastructure as shown on the Land Use Parameter Plan are consistent with the requirements and expectations of the Local Plan and are therefore acceptable.

The Layout of the Development

10.6.5 Layout is a matter for detailed approval at Reserved Matters stage. Nevertheless, this Outline Planning application does set a framework for the proposed layout: through the position of the access points onto Manor Road, through the parameter plans, and through some of the other supporting plans and illustrative information, including the Design and Access Statement. The illustrative Masterplan for the development shows how the 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. Setting aside the issue of numbers, the broad layout that would be expected to result from the submitted parameter plans and other supporting plans and details, including the illustrative masterplan, is one that should work well within this context, noting the further commentary on landscape context below.

The Landscape Impact of the Development

10.6.6 The submitted application is supported by a Landscape and Visual Impact Assessment (LVIA) which assesses the landscape and visual effects of the development, both in the immediate vicinity of the site and from more distant viewpoints. The Assessment notes that the site is largely contained by the existing landscape framework around the boundaries of the site and in the local area, and also by existing built form, such that middle distance views of the site are limited to a small number of glimpsed framed views, whilst there are no longer distance views of the site. This conclusion is accepted.

10.6.7 The applicant's LVIA concludes that impacts on the landscape and visual receptors are localised to areas in close proximity to the application site. The LVIA goes on to conclude that the site is capable of accommodating development in line with that shown on the Land Use Plan, without resulting in material harm to the landscape and visual character of the local area - due to the site's relationship to the edge of Milford on Sea and the substantial containment provided by the existing landscape framework and built form within the surrounding area. Again, this conclusion is accepted.

10.6.8 An assessment of landscape impact is inevitably informed by the fact that the application site is allocated for residential development, with a change to landscape character being an inevitable consequence of the allocation. Against this context, what is important is that there should be a strong landscape framework to the development and that the edges of the site in particular are sensitively handled.

10.6.9 The landscape impact of the development is assisted by the fact that a significant proportion of the application site is proposed to be green infrastructure. This will provide significant opportunities for new tree and hedgerow planting and landscape management that should help to ensure the development assimilates successfully into its landscape, as well as providing an attractive landscape setting for the built infrastructure.

10.6.10 The submitted Landscape Strategy Plan and ANRG Landscape Strategy Plan, whilst only illustrative, provide some positive details of how the proposed green infrastructure would be treated. Alongside Barnes Lane, it is suggested that the existing boundary vegetation would be reinforced with native tree and shrub planting. Meanwhile, along Manor Road and Lymington Road, additional structural planting (hedge and shrub planting with some street trees) is suggested but with some visual permeability. Generous levels of new tree planting are indicated across the development. The Council's Urban Design Officer considers that the applicant's Landscape Strategy Plan shows a clear commitment to creating a sylvan character and an interesting and attractive design, albeit that further work will be needed at reserved matters stage. The ANRG Landscape Strategy Plan shows a network of footpaths, additional tree, hedge and shrub planting and different types of grass mix. The landscape design shown on this plan has some good ideas, albeit that some of the details will need more thought (which can be reasonably resolved at reserved matters stage) to ensure an appropriate response to the landscape context and to ensure there is the right balance between recreational use and biodiversity.

10.7 The Density and Scale of Development

The Density of Development

10.7.1 Local Plan Policy does not prescribe that development of the application site must be to a particular density. As such, in 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. It is important to recognise that density can be a fairly crude measure of a development's impact, and it is the intensity of built form that is ultimately what is important. Nevertheless, for an outline application of this nature, a consideration of density does provide an important indication of a development's character.

10.7.2 Density can be measured in different ways, but excluding the main areas of green infrastructure, a development of up to 170 dwellings would result in a maximum overall density across the site of around 28.9 dwellings per hectare. It is a density that represents an efficient use of land within an edge of settlement context. The density of 28.9 dwellings per hectare would not be evenly spread across the site. The applicant's parameter plans show that a lower density of less than 25 dwellings per hectare is intended along the western edge of the site with Barnes Lane and along the southern edge of the site with Manor Road, west of the existing dwelling 'Arundel'. Other parts of the site would have a higher combined core density of 32.1 dwellings per hectare. This variation in density is considered to be quite appropriate and a way of ensuring that the development responds positively to the lower density, more rural character of Barnes Lane, and the spacious

character of Manor Road. The higher densities away from these edges would help to create variety and a strong sense of place, but at the same time (as demonstrated by some of the illustrative supporting information), allowing for good levels of greenery and an appropriate degree of spaciousness within the core parts of the development.

10.7.3 It is accepted that the density of the proposed development would be materially higher than the densities of existing adjacent and nearby developments. However, replicating adjacent densities would be an unacceptably inefficient use of the site and would not accord with Paragraph 128 of the NPPF. Ultimately, a balance needs to be struck between making an efficient use of the site and ensuring the development responds positively to its context. An overall density of 28.9 dwellings per hectare, whilst being at the upper end of what might be considered appropriate in this context, is not considered to be unduly high. It is also important to note that the scheme's more intensive character will be ameliorated to quite a degree by the significant areas of public open space around the edges of the site and the ANRG area within the heart of the site. Ultimately, the spatial characteristics of a development will be much more a product of the detailed design than the density of development per se. And clearly, this is something that would need to be carefully considered at reserved matters stage - but at this outline stage, it is felt that the Design and Access Statement and supporting illustrative material provide a necessary level of assurance that a well-designed and attractive place can be provided.

The Scale of Development

10.7.4 Scale is a matter for reserved matters approval. Nevertheless, it is important to have some understanding of what type of scale will come forward on this site. The applicant's Storey Heights Parameter Plan (for detailed approval) suggests that the majority of the development will be up to 2-storeys, but with 5 feature buildings in key positions that would be up to 2.5 storeys high. The applicant's design and access statement, which identifies 4 different character areas across the site suggests that there would be a number of single-storey bungalows or 1.5 storey scale properties and that the 'up to 2-storey' area would not be exclusively 2-storeys. It is considered that this variety of scale and creation of different character areas would enable the development to respond positively to the variety of scale that currently exists along Manor Road, Barnes Lane and other nearby roads. It is also felt that the small number of buildings that would be up to 2.5 storeys high would add visual interest, and would help to create legibility and a stronger sense of place without appearing harmfully at odds with the characteristic scale of development in the wider area.

10.8 Arboricultural Impacts

10.8.1 The application is accompanied by a detailed arboricultural assessment and method statement which has assessed the impact of the development on all of the existing trees on the site.

10.8.2 A number of trees within or on the boundaries of the site are protected by a Tree Preservation Order. These include the important line of trees alongside Manor Road, the woodland belt that bounds the north-eastern parts of the site (lining the access to Newlands Manor), and part of the hedgerow feature that separates the northern Green Belt field from the main body of the application site.

10.8.3 As the protected trees and other trees of amenity value are all situated around the edges of the site, there is reasonable space to accommodate the

proposed development and retain the vast majority of trees.

10.8.4 The only direct loss of trees would be as a result of the proposed main eastern access into the development. This access would necessitate the loss of 3 smaller stature trees alongside Manor Road (2 Field Maples and a small Oak). As these are smaller stature trees, it is considered their loss would be justified in order to form a suitable new vehicular access into the development. Suitable replacement planting could be secured as part of a detailed landscaping scheme at reserved matters stage, thereby adequately compensating for the loss of these trees. The other 2 accesses (central and western) would encroach into the root protection area of individual trees, but it should be possible to accommodate these 2 accesses without losing or damaging the trees, subject to an appropriate construction methodology, which can be secured as a condition of any planning permission.

10.8.5 Initially, there were concerns that some of the proposed SUDs drainage infrastructure could impact on the root protection areas of trees alongside Manor Road. Additional details have subsequently been submitted, as a result of which there is considered to be sufficient assurance that a suitable SUDs drainage scheme can be provided without compromising the trees alongside Manor Road. Precise designs and details would need to be considered further at reserved matters stage and through the conditions of any outline planning permission.

10.8.6 Overall, having regard to the advice of the Council's trees officer, it is considered that the applicant has provided sufficient information to be able to reach a conclusion that the development can be provided without giving rise to unacceptably harmful impacts on trees that are important to the visual amenities of the area.

10.9 ANRG Provision

10.9.1 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).

10.9.2 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.

10.9.3 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 170 dwellings would generate an ANRG requirement of around 3.58 hectares, which is based on an estimated population of 447 people.

10.9.4 The ANRG land that is defined by the applicant's parameter plan measures slightly over 4 hectares, which is comfortably in excess of the quantum that would be needed if a policy compliant housing mix were to be provided (even allowing for any children's play areas within this space). It is important that there is some flexibility built into the ANRG provision, given this is an outline application, with the quantum and mix of units not being precisely defined at this stage. Nevertheless, the quantum of land shown as ANRG land on the submitted land use parameter plan provides sufficient confidence to be able to conclude that the development will deliver a policy

compliant quantity of recreational mitigation land.

10.9.5 The ANRG Landscape Strategy plan helps to demonstrate how the proposed development would accord with the Council's adopted Supplementary Planning Document 'Mitigation for Recreation Impacts on New Forest European sites'. In particular, it shows an indicative design for the ANRG, which would comprise the main ANRG space to the north of the development that would extend through to a smaller space within the centre of the development. The Strategy Plan shows how a network of footpaths could be provided through the ANRG and how the area could be landscaped with new planting and different types of grass seeding to provide an attractive and connected recreational area where dogs could be safely walked (and let off lead), and where there would also be benefits for biodiversity. The plan shows an appropriate visual and functional connectivity between the smaller ANRG space within the development and the main space to the north. More precise landscape details will evidently need to be considered and agreed at reserved matters stage. And, noting the comments of the Council's Urban Design Officer, it is recognised that the indicative ANRG designs will need further work and a degree of adjustment at reserved matters stage to ensure the designs are responsive to landscape character and so that there is the right balance between recreational use and biodiversity. However, at this outline stage, it is felt the application has demonstrated that the ANRG is capable of being an attractive area of an appropriate design quality that would meet the requirements and expectations of the Council's Supplementary Planning Document.

10.9.6 Overall, therefore, subject to securing the ANRG land and its future management through a Section 106 legal agreement, it is considered that the ANRG land would be effective in mitigating the recreational impacts of the development on European sites.

10.10 Public Open Space Provision

10.10.1 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 hectares of Informal Public Open Space per 1000 population
- 0.2 hectares of Children's play space per 1000 population
- 1.25 hectares of formal public open space per 1000 population

Informal Public Open Space

10.10.2 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. 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 1.47 hectares of informal public open space should be provided on the application site.

10.10.3 The actual area of proposed public open space as defined by the applicant's parameter plans is about 1.75 hectares. As with the ANRG, this area would include some land that is needed to meet the requirement for children's play (see below), and it would also include some SUDS attenuation features. However, even factoring this in and allowing for potential slight adjustments to the housing mix, the actual amount of informal public open space being proposed would exceed the minimum policy requirement.

10.10.4 The areas of proposed informal open space would largely follow the Concept Masterplan and would include mainly linear areas around the built edges of the site, comprising a wide strip of open space alongside Manor Road, narrower strips adjacent to Barnes Lane and Lymington Road and alongside the woodland belt to the north of the site, focal spaces within some of the corners of the site, and a continuation of the ANRG through the centre of the site, providing a strong green link between Manor Road and the main proposed ANRG area to the north of the site. The informal Public Open Space areas would typically be smaller, narrower areas of land than the ANRG; but with appropriate pedestrian links (as is suggested by the parameter plans) they would combine to form one extensive area of green infrastructure.

10.10.5 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

10.10.6 Assuming a mix of dwellings that reflects policy expectations, the development would be expected to deliver a minimum of 0.11 hectares of Children's Playspace.

10.10.7 The Landscape Strategy Plan and ANRG Landscape Strategy Plan set out ideas for the provision of children's play. The Central ANRG space is identified as an ideal location for play - being in a well overlooked and accessible location within the heart of the site. A cluster of doorstep playspaces (LAPs) are suggested here, which would provide play opportunities for younger children. Further north, within the main northern ANRG parcel, a larger LEAP play area is suggested, which would provide opportunities for older children and teens. It is suggested that there will be further opportunities for play alongside parts of Manor Road and in the north-east corner of the site adjacent to Lymington Road. Together, there is no reason why these play spaces should not provide the necessary quantum and quality of children's play space.

10.10.8 The main play area (LEAP) would actually be located within what the parameter plans define as ANRG land, as would some of the smaller areas, whilst other areas would be within an area that is defined as Public Open Space. Whilst the Council's SPD on recreational mitigation is supportive of playspaces being provided within ANRG land provided they are designed so as not to impinge unduly on the amenity value of the surrounding space, they cannot count as ANRG land. As such, (and as noted already) the 4 hectares of ANRG land shown on the parameter plan would in reality be slightly less than this figure, but not to a degree where the required level of ANRG provision would be compromised.

10.10.9 The Council's Urban Design Officer has advised that there is a need to ensure the play provision is not compromised by SUDs / underground drainage features. This will need further consideration at detailed design stage. For now, though, it is considered the broad principles for providing children's play space are appropriate, noting that the key play areas and the detailed designs will need to be secured through a Section 106 agreement and approved through Reserved Matters.

Formal Public Open Space

10.10.10 Were formal public open space to be provided on site, the minimum requirement would be 0.56 hectares. There is no suggestion that the public open space being promoted on-site through the development would meet a particular need for formal public open space. As such, it is considered that the development will need to contribute to formal public open space elsewhere in the vicinity through an appropriate contribution to formal public open space off the site, which is something that would need to be secured through a Section 106 legal agreement.

10.11 Other Mitigation Requirements (International Nature Conservation Sites)

10.11.1 Policy requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This contribution cannot be calculated exactly due the outline nature of the application; a precise contribution will be calculated through the submission of reserved matters. What is important for now is that the required mitigation contribution is secured through a Section 106 legal agreement.

10.11.2 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 £77 per dwelling, generating a maximum contribution of £13,090. This contribution will need to be secured within a Section 106 legal agreement.

10.11.3 A further contribution required in connection with Policy ENV1 of the Local Plan is one towards monitoring and, if necessary, managing or mitigating air quality effects within the New Forest European sites. This contribution is currently sought at a rate of £103 per dwelling, generating a maximum contribution of £17,510. Again, this contribution will need to be secured within a Section 106 legal agreement.

10.11.4 Finally, for those developments within 5.6km of the Solent and Southampton Water European sites (which the application site is), policy requires mitigation contributions be paid towards the Solent Recreation Mitigation Partnership (SRMP) Mitigation Strategy (Bird Aware). The precise contribution is dependent on bedroom numbers / the precise dwelling mix, and so will need to be determined at reserved matters stage. Again, what is important for now is that the required mitigation contribution is secured through a Section 106 legal agreement.

10.12 Drainage and Flood Risk

Surface Water Drainage

10.12.1 The application site falls entirely within Flood Zone 1, which is the lowest flood risk classification. The site is therefore not at risk of fluvial or coastal flooding.

10.12.2 The Council's own Strategic Flood Risk Assessment (SFRA) suggests that a very small slither of land to the east side of the existing telecommunications mast, right on the site boundary, is subject to a surface water flood risk. No dwellings or infrastructure associated with the dwellings are proposed on this area of land.

10.12.3 The application is accompanied by a detailed Flood Risk Assessment and Drainage Strategy, which concludes that the development is at a low risk of flooding from all main sources. There is no reason to disagree with this conclusion.

10.12.4 The applicant's Drainage Strategy has put forward a preliminary strategy that incorporates SUDs features which would infiltrate the surface water generated by the development directly into the ground. This would include the provision of permeable pavements, swales, an attenuation pond and underground infiltration trenches and structures. The applicant's submission states that the site can be drained in a sustainable manner without creating an additional flood risk issue, and that the proposals are therefore commensurate with local and national policy.

10.12.5 Hampshire County Council's Flood and Water Management team have confirmed that the applicant's drainage strategy is acceptable in principle. However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward. This will need to include some additional winter groundwater monitoring - with it being noted that if groundwater levels are higher than anticipated at this outline stage, there may be a need for shallower drainage features covering a larger area (which might possibly require a slight reduction in the built envelope). For now, though, having regard 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.

10.12.6 It does need to be noted that the attenuation basins and associated swales and ditches would be partly set into the proposed green infrastructure. The Council's Recreation Mitigation SPD is broadly supportive of above ground features being incorporated into green infrastructure, noting that "Recreational Mitigation Land offers an opportunity for integral drainage design that fulfils the policy requirements for managing surface water from new residential developments". The SPD recognises that there is a need for careful attention to detail to ensure that SUDS can be managed and adopted without detriment to landscape quality. Obviously, these are matters that need to be considered further at the detailed design stage. However, it does also need to be noted that the application indicates an intention to provide underground attenuation features beneath parts of the ANRG / Public Open Space. This is something which the Council's Recreation Mitigation SPD discourages (but does not preclude). In response to concerns raised by the Council's Urban Design Officer, the applicants have provided additional details which show a better balance between underground and above ground drainage features - and a balance that should ensure the landscape character and function of the ANRG / children's playspace and their future maintenance is not unduly compromised.

Foul Drainage

10.12.7 The applicant's Drainage Strategy proposes that the Foul Water Drainage system for the development should entail connection to the existing Southern Water network by gravity. In their Strategy, the applicants recognise that approval from Southern Water will be required to make such a connection, and that Southern Water have advised that the local sewerage network currently does not have the capacity to accommodate the proposed development.

10.12.8 In their consultation response, Southern Water have advised that network reinforcement is likely to be needed in order to accommodate the proposed development; and that without reinforcement, additional flows could lead to an increased risk of foul flooding from the sewer network. Southern Water have confirmed that they would typically expect to be able to carry out the necessary

network reinforcements within 2 years of an outline planning permission being granted.

10.12.9 As such, it is clear that the development, without mitigation, would have the potential to have unacceptable effects through a potential increased risk of foul flooding. But it is equally clear that acceptable mitigation is capable of being provided so that these potential unacceptable effects do not occur. To a large degree, the developer would be expected to resolve foul drainage details and a connection to the local sewerage network with Southern Water outside of the planning process. However, to be able to have the necessary confidence that the scheme will be built out with a suitable foul drainage scheme that does not lead to foul water flooding, it is considered that it would be appropriate and necessary to impose conditions requiring the Local Planning Authority's approval of detailed foul drainage arrangements; and also requiring a phasing plan to be approved to ensure that the provision and occupation of the development does align with the delivery of any network reinforcements identified as necessary by Southern Water.

10.13 On site Ecological Impacts

10.13.1 The application is accompanied by a detailed Ecological Impact Assessment that has assessed the ecological features and interest of the site. The site is not subject to any ecological designations, and nor is the site immediately adjacent to land that is subject to a nature conservation designation - the nearest such areas of land being Newlands Manor Wood which is a Site of Interest for Nature Conservation (SINC) about 50 metres to the north of the application site; and Keyhaven Fields, another Site of Interest for Nature Conservation that is about 170 metres to the south-east of the application site. Based on the submitted Ecological Impact Assessment, the existing habitats on the site are not considered to be a constraint to development (but note further comments on Biodiversity Net Gain below). It is also considered that the development could be implemented without adversely affecting the nearby SINCS, given the distance of these areas from the application site, and the fact that there would be a significant buffer of ANRG between the proposed dwellings and the Newlands Manor Wood SINC.

10.13.2 The Ecological Impact Assessment has assessed the presence of protected species and different types of fauna on the site. In the main, having regard to the comments of the Council's ecologist, it is considered that the impact of development on these species has been appropriately assessed. Moreover, it is considered that the development could be implemented without adversely affecting these protected species, including Great Crested Newts, Dormice, Bats, Reptiles, Breeding Birds and Badgers. However, with respect to badgers, some additional survey work will be needed before development commences (to ensure there have been no changes since recent survey work), and there will also be a need for a number of conditions to ensure that potential adverse impacts on other species are satisfactorily mitigated.

10.13.3 Without mitigation, compensation and enhancement, the Ecological Impact Assessment recognises the development has the potential to result in negative effects upon a number of ecological features. Various mitigation and enhancement measures are proposed, including new landscape planting, the provision of new bird nesting and bat roosting opportunities, the creation of log piles, and the provision of hedgehog gaps. The Council's ecologist is accepting of the applicant's proposals. As such, with the mitigation and enhancement 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. This said, future management will be critical to securing long-term benefits, and this is discussed further below.

10.14 Achieving Biodiversity Net Gain

10.14.1 Since the adoption of the Local Plan in July 2020, the Local Planning Authority has been seeking Biodiversity Net Gain on major developments, with the expectation being that a minimum 10% uplift in biodiversity should be achieved. The submitted application is supported by a detailed Biodiversity Net Gain Assessment. This records the existing habitats and ecological features on the application site and assesses how these will be affected. Using an established Biodiversity Metric, the Assessment records that the proposed development would result in an 18% gain in hedgerow units, but a 25.38% loss of habitat units. As such, even allowing for biodiversity enhancements that will be incorporated into the development, it is recognised that a minimum 10% uplift in Biodiversity Net Gain will only be achieved through an element of off-site mitigation - whereby habitat enhancements would need to be secured at a suitable site elsewhere.

10.14.2 The Council's ecologist is accepting of both the methodology and the results described in the applicant's Biodiversity Net Gain Assessment. As recognised by the Council's ecologist, there will be a need to recalculate Biodiversity Net Gain at Reserved Matters stage when detailed designs are known and when a more detailed assessment can be made.

10.14.3 For now, it is considered that the applicants have carried out an adequate assessment of Biodiversity Net Gain. However, to ensure that the minimum 10% uplift is achieved and secured for the required minimum period of 30 years (necessitating the provision, enhancement, management and monitoring of agreed habitats on and off the site), it will be necessary to include both suitable conditions and Section 106 obligations as part of any planning permission.

10.14.4 The concern has been raised that the scheme is unable to achieve a 10% Biodiversity Net Gain on site and is reliant on delivering Biodiversity Net Gain off site. Whilst there can be advantages to achieving Biodiversity Net Gain on site, there can also be benefits in providing a larger area of enhanced habitat for biodiversity off site. Ultimately, insofar as this application is concerned, there is no policy or legal requirement that requires a 10% Biodiversity uplift to be achieved on site. Therefore, provided the minimum 10% uplift is achieved through a combination of on-site and off-site measures, the proposal would satisfy the Local Plan policy requirements and the Council's own Biodiversity Net Gain advice note. It is recognised that at a national level, Biodiversity Net Gain is expected to be mandated for major developments in February 2024 (this will be the subject of further update at Committee). However, the clear guidance from government is that the requirements are only intended to apply to applications submitted after the date the legislation and new regulations come into effect. As such, the anticipated changes at a national level should not change the way in which this application needs to be assessed. Ultimately, provided a 10% Biodiversity Net Gain uplift (which can include an element of off-site mitigation) is secured through a combination of planning conditions and Section 106 legal agreement, there is considered no basis to refuse the application for reasons relating to Biodiversity Net Gain.

10.15 Appraisal of Site Capacity

10.15.1 From the above assessment, it is clear that a development of up to 170 dwellings could be provided on this site and deliver an acceptable housing mix, could fully mitigate its impacts on protected habitats, and could provide an acceptable quantity and quality of green infrastructure. The acceptability of the number of dwellings proposed therefore comes down primarily to an assessment of whether such numbers would achieve a well-designed and contextually appropriate

development.

10.15.2 The application as originally submitted was for up to 190 dwellings. Given the material uplift in dwelling numbers over and above the minimum policy expectation, and having regard to the supporting information and details, Officers were initially concerned that the scale and density of development would be too much at odds with the local character and context. Officers indicated that the number of units needed to be justified through more detailed illustrative material, which should give a clearer idea of the character and design quality of the development. The applicants listened to Officers' concerns and duly agreed to reduce the proposed dwelling numbers to a figure of up to 170. In so doing, they have also submitted 4 illustrative plans, showing illustrative layouts for different parts of the site, and also including illustrative elevational material.

10.15.3 The illustrative plans that have been submitted provide considerable reassurance that the development, whilst more intensive than existing development, will still be relatively green and of a good design quality. These plans show tree lined streets (which is an expectation of the NPPF), strong green focal spaces, attractive feature buildings, an appropriate mix of housing types, different densities to provide variety, and a connected network of streets and spaces. There are certainly elements of the illustrative layout that would need more work at reserved matters stage to ensure appropriate spatial settings for all dwellings. However, taking these illustrative plans alongside the parameter plans, the original Design and Access Statement and all other supporting material, it is felt that the applicants have satisfactorily demonstrated that a scheme of up to 170 dwellings would be well-designed and a suitable response in this context. Of course, it is recognised that the density is materially higher than existing densities of adjacent and nearby residential areas. However, a density of 28.9 dwellings per hectare in this location is not considered to be unreasonably high. Having regard to the need to make an efficient use of the site, but recognising the need to achieve a more spacious character to the site's south-western / western edge, and accepting that areas within the development could be of a slightly higher density, it is considered, on balance, that an acceptable design could be achieved across the development based on a maximum dwelling number of 170. In reaching this conclusion, full regard has been given to the applicant's parameter plans, illustrative supporting information, and Design and Access Statement, recognising that some of the illustrative information will need to be refined and modified when more detailed proposals are worked up.

10.15.4 In reaching a conclusion that a development of up to 170 dwellings would be acceptable in principle, it is important to highlight that the development's precise layout, scale, design and landscape detail will all need to be comprehensively considered at reserved matters stage. Also, because the proposal is not for an exact number of dwellings, it is quite conceivable that through Reserved Matters fewer than 170 dwellings ultimately come forward in order to achieve an appropriate design (although the Local Planning Authority could not at Reserved Matters stage resist a scheme of 170 dwellings on a point of principle). Finally, it is worth emphasising that the significant amount of green infrastructure being provided throughout this development will significantly assist the setting of the development and will enable the numbers of dwellings proposed to assimilate more successfully into the landscape than would be the case for a similar density development that did not have that same level of green infrastructure.

10.16 Transportation Impacts: Trip Generation & Associated Impacts on the Local Highway Network

10.16.1 The application is accompanied by a detailed Transport Assessment which considers in detail the various transport related impacts of the proposed

development. This Transport Assessment has estimated that the proposed development would generate approximately 117 two-way vehicular trips during both the morning and evening peak hours. Notably, the applicant's Transport Assessment has been based on a more intensive scheme of 200 dwellings rather than the 'up to 170 units' proposed, so the actual trip generation should be lower than the figures presented. The Highway Authority consider the applicant's Trip Generation data to be robust and acceptable.

10.16.2 Concerns have been raised in respect of some of the traffic survey data. This has resulted in additional surveys being undertaken during November 2023. Data has also been derived from permanent traffic monitoring points on the B3058 Lymington Road and the A337. The Highway Authority is satisfied that the applicant's traffic survey data is robust and provides an adequate baseline from which to forecast the development's transportation impacts.

10.16.3 The applicant's Transport Assessment goes on to consider the impact the completed development would have on a number of key junctions near to the site in the year 2027. It is concluded that the 3 site accesses onto Manor Road and the junction of Manor Road with the B3058 Lymington Road would all be expected to operate within capacity. These conclusions are accepted by the Highway Authority. Meanwhile, the modelling indicates that the junction of the B3058 Lymington Road with the A337 (just over 1km to the north of the site) will in 2027 be expected to operate near to capacity without the development; but with the additional traffic associated with the proposed development it would be expected to operate over capacity. Therefore, the Transport Assessment identifies a need for improvements to this junction, something which the Highway Authority accepts as being necessary.

10.16.4 The applicants are specifically proposing that the B3058 / A337 junction be changed from a priority T-junction to a full signalised junction. The design of these off-site junction improvements have been the subject of detailed discussion with the Highway Authority, with a design being agreed in principle. The Highway Authority are satisfied that if the full signalised junction were to be provided, then this junction would operate within capacity, delays on the B3058 Lymington Road arm would be reduced, and there would be improvements to safety in this location. As these junction improvements would be a necessary element of any outline planning permission, they will need to be secured through a Section 106 legal agreement, with detailed designs needing to be agreed with the Highway Authority through a Section 278 agreement.

10.16.5 Concerns have been raised about the potential for additional traffic to use Barnes Lane. This has been considered within the applicant's Transport Assessment. The Highway Authority are of the view that the proposed development would not result in a significant increase in traffic on Barnes Lane. They note that drivers prefer to use wider roads and that the provision of a signalised B3058/A337 junction would reduce queuing from the B3058, therefore likely reducing the attractiveness of Barnes Lane compared with the current situation. There is considered no reason to disagree with the Highway Authority's assessment on this matter.

10.17 The Proposed Access Arrangements

Permanent Access Proposals

10.17.1 The application is proposed to be served by 3 separate vehicular access points onto Manor Road, all of which constitute matters for detailed approval through this outline planning application.

10.17.2 The main access into the development would be the easternmost of the 3 access points. This would be a new access that would be a simple priority T-junction located approximately 55 metres to the west of the junction of Manor Road with Lymington Road, opposite 3 and 5 Manor Road. The design of the access has been modified since the application was initially submitted in order to address particular safety concerns raised by the Highway Authority - specifically relating to cyclists. The Highway Authority have confirmed that the amended designs have addressed their initial concerns, but with more detail of cycle on and off slips within the site needing to be addressed at Reserved Matters stage, including the detailed arrangements for providing a cycle route connection to Manor Road.

10.17.3 The central access point onto Manor Road would utilise the existing access that serves the nursery buildings, telecommunications mast and the residential property 'Arundel'. This access point lies about 50 metres to the west of the junction of Knowland Drive with Manor Road and about 37 metres to the east of the junction of Manor Close with Manor Road. The access is proposed as a simple priority T-junction. It would be a second main access into the development, providing an alternative vehicular access, particularly for the dwellings within the western half of the development. The Highway Authority raised a number of concerns with the design of this access as initially proposed. This has resulted in additional information being submitted and design amendments being made. Following a 'Departure from Standard' application, the Highway Authority have confirmed that the separation distance between the central access point and the Manor Close junction would be acceptable from a highway safety perspective. The proposed development would entail amending the radius of this junction to enable 7.5 tonne box vans to enter the site safely.

10.17.4 Associated with the central access are some specific off-site works to ensure this junction would function safely. An uncontrolled crossing with dropped kerb and tactile paving is proposed to the west of the central access, close to the junction of Manor Close, with a new section of footway then to be provided on the south side of Manor Road between this crossing point and the existing public footpath (796) that runs southwards from Manor Road. The Highway Authority consider this to be a suitable and safe arrangement for pedestrians. There is also a proposal to modify both the junctions of Manor Close and Knowland Drive with Manor Road, so as to provide improved sightlines and pedestrian crossing points at these 2 junctions. The Highway Authority have confirmed that the design of the central access in association with these off-site works would be acceptable from a highway safety perspective.

10.17.5 The western access onto Manor Road would be situated about 45 metres to the east of the junction of Manor Road with Barnes Lane. This access would be a simple crossover junction and is designed only to serve a small number of dwellings within the south-western corner of the application site. Indeed, the illustrative masterplan suggests that just 5 dwellings would be likely to be served by this access. Initially, the Highway Authority considered that there was a lack of information as to whether refuse and emergency vehicles could use this access safely. Following the submission of updated tracking drawings, the Highway Authority have confirmed that this western access point would be acceptable from a highway safety perspective.

10.17.6 In terms of policy compliance, there is nothing in Policy Strategic Site 7 that would preclude the provision of more than one vehicular access onto Manor Road. The Concept Masterplan shows an indicative primary access slightly further to the west (away from the junction with Lymington Road) than the proposed main eastern access. However, because the Concept Masterplan is only indicative, there would be no policy objection to the provision of an access in a different position,

providing the access is acceptable from a highway safety and landscape perspective.

10.17.7 From a highway safety perspective, the Highway Authority are satisfied that there would be adequate visibility / sight lines at each of the site accesses, and that it would be acceptable to have the 3 separate access points that are proposed. However, it is recognised that on-street parking on Manor Road could affect visibility and traffic movements. For this reason, the Highway Authority advise that there will be a need for additional waiting and parking restrictions along Manor Road, which will need to be delivered via a Traffic Regulation Order and a S278 agreement with the Highway Authority. With these parking restrictions in place, and having regard to the advice of the Highway Authority, it is considered that the accesses onto Manor Road would be safe and appropriate. From a design perspective, it should also be noted that there would be some advantages in having more than one access point into the development, as it allows for a more permeable and accessible development to be achieved; whilst from a landscape perspective, the access points can be provided without compromising the sylvan landscape character of Manor Road.

Construction Access

10.17.8 The application suggests that a construction access may be sought onto Lymington Road (the main A337). This would only be temporary, and the Highway Authority have confirmed that they would be happy to consider the acceptability of any such access through a Construction Traffic Management Plan, which would need to be secured as a condition of any outline planning permission.

10.18 Access for Pedestrians and Cyclists

10.18.1 The provision of safe, convenient and suitable access for pedestrians and cyclists is a key element of delivering sustainable development. The facilities and opportunities for pedestrians and cyclists within the site will need to be considered in detail at reserved matters stage. At this outline stage, however, the Landscape and ANRG Landscape Strategy Plans, as well as the Land Use Parameter Plan suggest a network of proposed footpaths and/or cycleways through the site and within the green infrastructure, including potential linkages to Manor Road, Lymington Road, and the existing public right of way network, which, subject to more detailed designs, has the potential to create a development that will provide attractive opportunities for pedestrians and cyclists alike.

10.18.2 As part of their Transport Assessment, the applicants have carried out a Walking, Cycling and Horse Riding Assessment and Review (WCHAR). This considers a number of routes within Milford village, as well as 2 cycling routes between Milford-on-Sea and Lymington. The Highway Authority are satisfied that existing walking and cycling routes within Milford-on-Sea are adequate to accommodate the proposed development, but that some improvements should be made. These include the provision of a couple of tactile paving points at specific junctions between the site and the centre of the village; improvements to crossing points on Manor Road; improvements to visibility at the existing junctions of Knowland Drive and Manor Close; the provision of a toucan crossing at the junction of the B3058 / A337 as part of the signalised junction improvements described above; and an upgrade of the existing signalised crossing on Lymington Road, in front of the school, to a toucan crossing, so as to facilitate cycle movements. Preliminary designs for these various off-site works have been agreed with the Highway Authority. There will be a need to secure the delivery of all of these off-site highway works through a Section 106 legal agreement, with detailed designs needing to be secured through a Section 278 Agreement with the Highway Authority.

10.18.3 With respect to cycling routes between Milford-on-Sea and Lymington, the applicant's WCHAR has identified that there have been recorded accidents on Wainsford Road relating to cyclists. Therefore, cycle improvements to this route are deemed necessary. The Highway Authority have sought a highway contribution of £112,597 towards cycle improvement schemes between the site and Lymington. This is considered reasonable and justified and should be secured through a Section 106 legal agreement.

10.18.4 Overall, having regard to the advice of the Highway Authority, it is considered that the needs of pedestrians and cyclists would be appropriately met and that local facilities could be reasonably accessed in a safe manner by sustainable modes of transport, thereby reducing the need to use the private car for local trips.

10.19 Additional Off Site Highway Works

10.19.1 As noted in the sections above, the proposed development would need to secure a suite of off-site highway works to ensure the scheme's impact on existing transportation infrastructure is acceptably mitigated. Beyond the measures already described, previous work undertaken in connection with Strategic Site 5 (Land to the south of Milford Road, Lymington) has identified that cumulatively, the Council's allocated sites in this part of the District will lead to the capacity of the Pennington Cross roundabout being exceeded and that junction improvements will therefore be necessary. Works to this roundabout have been costed, and the Highway Authority consider that the development of Strategic Site 7 should secure a proportionate contribution of £61,600 towards these off-site highway works. The need for this contribution is accepted by the developer and would need to be secured within a Section 106 legal agreement.

10.20 Bus Stop Infrastructure

10.20.1 The applicant has carried out an assessment of the public transport services serving the site. This assessment identifies that the closest bus stops are located on the B3058 Lymington Road, approximately 120 metres from the site, which is considered to be a comfortable walking distance for most of the residents of the proposed development. The existing bus stops consist of bus shelters, bus flags and timetable information. These bus stops serve the regular X1 bus services and several school buses. The X1 services operate Monday to Saturday at a frequency of 1 service every hour, with four services on Sundays. The Highway Authority considers that the current level of bus services would be adequate to accommodate future residents. As such, as part of this application, there is considered no need to secure improvements to either bus services or bus stop infrastructure.

10.21 Car and Cycle Parking

10.21.1 The applicant's Transport Assessment indicates 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.

10.22 Travel Plan

10.22.1 The application is accompanied by a Framework Travel Plan, which has been updated since the application was initially registered in response to comments from the Highway Authority. The primary objective of the Travel Plan is to identify

opportunities for the effective promotion and delivery of sustainable transport initiatives such as walking, cycling and public transport, so as to reduce the demand for travel by less sustainable modes; and to identify a management strategy to ensure these opportunities are taken up. The travel plan is an important element of delivering a sustainable development. It has been confirmed by the Highway Authority that the Framework Travel Plan is largely acceptable but with there being a need to resolve a small number of outstanding points. The Highway Authority have confirmed that this can reasonably be done as part of a Full Travel Plan, which will need to be secured through planning conditions and a Section 106 legal agreement.

10.23 Public Right of Way

10.23.1 The proposed development will affect Public Footpath 796. The southernmost section of this footpath would be affected by the fact that the existing concrete driveway (i.e. the existing footpath route) would be upgraded to form the second main access into the development. A new 2 metre wide footway is proposed to be provided on the west side of the proposed new access road, with an area of proposed public open space flanking the west side of this footpath. As such, a suitable and appropriately attractive pedestrian route would be retained. The County Council's Rights of Way team have not raised any particular concerns about the changes to this part of the public footpath.

10.23.2 The other sections of the public footpath would be affected by the proposed ANRG areas. Some concerns have been raised by the County Council's Rights of Way team, and these have been noted. However, from the submission, there is nothing to suggest that the route of this section of the footpath would need to be diverted. Furthermore, the route should continue to be an attractive route through and adjacent to green infrastructure, with the potential to secure additional connections that will be of benefit to pedestrians. The way in which the footpath will be affected will need to be considered in more detail at reserved matters stage, when layout and landscaping are being considered. For now, however, it is considered that the development could be implemented without adversely affecting existing pedestrian access rights through the site. (It should be noted that the applicant would need to propose a Diversion Order if the existing public footpath route were to require diversion as a result of their proposals.)

10.23.3 The proposal would be expected to result in some increased use of the existing public right of way network. The County Council's Rights of Way team have indicated that they would like the development to secure contributions so that improvements can be made that will have the effect of mitigating the increased 'wear and tear' on the local PROW network that would be expected to result from an increased local population. In principle, such a mitigation contribution could be reasonable and appropriate, although at the time of writing a robust justification for a precise contribution has not been provided. This matter will need to be the subject of further update or resolved through discussions on the Section 106 legal agreement (post Committee).

10.24 Noise Impacts

10.24.1 The application is accompanied by a Noise Impact Assessment which considers the noise impact upon the development from a range of sources, including traffic, a nearby business park and a telecommunications mast. As noted in Paragraph 8.10 above, the Council's Environmental Health Officer has considered this noise assessment and agrees with its conclusions, namely that the noise associated with the telecommunications mast and business park will be unlikely to have any adverse impact on the occupants of the proposed development. Noise from traffic has been identified as a greater concern, as some of the proposed

dwellings located close to Lymington Road and Manor Road are likely to be affected by traffic noise. However, based on the submitted Noise Impact Assessment, the Council's Environmental Health Officer is satisfied that such noise impacts could be acceptably mitigated through careful design and orientation, and suitable ventilation. These are matters that can be adequately dealt with at reserved matters stage and as a condition of any outline planning permission.

10.24.2 The submitted Noise Impact Assessment only considers impacts on future residents and does not consider construction impacts on existing residents. Despite this lack of information, it is considered that noise impacts from construction could be acceptably mitigated through adherence to a Construction Environmental Management Plan (CEMP), which can reasonably be secured as a condition of any outline planning permission.

10.25 Air Quality Impacts

10.25.1 The application is accompanied by a detailed air quality assessment which considers air quality impacts on the local population, both during the construction phase (dust / particulate matter) and during the operational phase (the potential impacts from vehicle emissions, i.e. nitrogen dioxide and particulate matter).

10.25.2 As noted in Paragraph 8.10 above, 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 whilst there will be some potential impacts on nearby sensitive receptors, these could be acceptably mitigated through adherence to an agreed Construction Environment Management Plan (CEMP) which will need to include a more detailed Dust Management Plan (DMP). This is something that can reasonably be secured through a planning condition.

10.25.3 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. In addition, it is accepted that future residents should not be exposed to pollutant concentrations that would exceed established guidance. Overall, therefore, it can be reasonably concluded that the development is capable of being provided without harming air quality, or without there being adverse air quality impacts on future residents.

10.26 Contamination

10.26.1 The application is not accompanied by any Geo-Environmental Site assessment. As a result of the site's use as a nursery for more than 50 years, it is anticipated that there could be some contamination on the site associated with this use. The Council's Environmental Health Officer has therefore confirmed that a Phase 1 and Phase 2 investigation will need to be undertaken, with details submitted to the Local Planning Authority, to ensure the site is safe and suitable for its proposed residential use. It is considered that these details and any necessary mitigation / monitoring can reasonably be secured as conditions of any outline planning permission.

10.27 Impacts on Residential amenity

10.27.1 The neighbouring property most affected by the proposed development would be 'Arundel', which would be bounded by the development site on 3 sides. However, Arundel is itself the subject of a separate redevelopment proposal, which

members have resolved should be granted planning permission subject to conditions and the prior completion of a Section 106 legal agreement. With careful detailed design (that would need considering at Reserved Matters stage), there is no reason why an acceptable relationship could not be achieved either to the existing dwelling at Arundel or to the proposed replacement dwellings.

10.27.2 Aside from 'Arundel', all other dwellings along Manor Road and Barnes Lane are separated from the application site by the respective public highways (and their mature trees), meaning that the development would have no material adverse impact on the light, outlook or privacy of any other neighbouring dwelling along Manor Road or Barnes Lane.

10.27.3 The property South Lawn Lodge is set adjacent to the north-east corner of the application site alongside Lymington Road. However, as this residential property is set well away from the site's boundary and is visually separated by mature trees and vegetation, it is not considered the proposed development would materially affect the light, outlook or privacy of this property. Other properties along Lymington Road would be sufficiently separated from the development (by the road) as not to be adversely affected by the proposed development.

10.27.4 The construction of the development will inevitably create some noise, but the impacts of this upon the amenities of existing residents could be acceptably minimised through adherence to a Construction Environment Management Plan. Once the development is occupied, there would be some additional noise associated with additional traffic and activity, including use of the areas of green infrastructure. However, such noise and activity would not be unreasonable in this context, where the site is allocated for a major residential development.

10.27.5 Overall, it is considered that the development could be provided without adversely affecting the amenities of existing residential properties in the vicinity of the site. It is also considered that future occupants of the development could be provided with reasonable levels of amenity, accepting that amenity issues will need to be considered in more detail at reserved matters stage.

10.28 Archaeology

10.28.1 The application is accompanied by an Historic Environment Desk Based Assessment, with geophysical survey work having previously been undertaken. As noted in Paragraph 8.8 above, the geophysical survey detected a significant amount of archaeological activity throughout the northern part of the proposed development site and possible archaeological features across the rest of the proposed development site. The submitted Desk Based Assessment concludes that the site has a high potential for archaeological finds and features from the prehistoric, later prehistoric/Roman and medieval periods. Therefore, due to this high potential, the Council's archaeologist considers that an archaeological trenched evaluation should be conducted across the entire proposed development site. If such works should have positive results, then it is recommended that further follow-on mitigation excavation and recording may be necessary. The Council's archaeologist is satisfied that the necessary programme of archaeological work and associated investigations and recording can all reasonably be secured through conditions of planning permission. Accordingly, subject to such conditions, it is considered that the archaeological interest of the site would be appropriately recorded and safeguarded.

10.29 Heritage Impacts

10.29.1 The application is accompanied by an Historic Environment Desk Based Assessment. The assessment considers the designated heritage assets that would

have the potential to be affected by the proposed development. The assessment identifies a number of Grade II Listed Buildings on the Newlands Manor Estate as having the potential to be affected, including Newlands Manor itself, the Clock Tower, The Pavilion Garden Temple and Round Lodge. These Listed Buildings lie between 270 and 710 metres to the north of the application site's northern boundary. The submitted Assessment notes that there is no intervisibility between any of these heritage assets and the application site (due to the topography and intervening woodland planting). The Assessment identifies that during the 19th Century there was a historic ownership link between the application site and Newlands Manor, but that link has long been severed. The Assessment concludes that there would be no harm to the setting and significance of the Listed Building on the Newlands Manor Estate, a conclusion which is accepted.

10.29.2 The submitted Historic Environment Desk Based Assessment also considers the development's impact on Barnes House, a Grade II Listed Building roughly 225 metres to the north / north-west of the application site's northern boundary. The Assessment identifies that there is no intervisibility between the application site and Barnes House, and that the impact on the setting of this building would be neutral. This conclusion is again accepted.

10.29.3 A number of representations wrongly claim that the site is adjacent to the Milford-on-Sea Conservation Area. The nearest part of the Conservation Area is just over 250 metres away, to the south of the site's south-western corner. Given this degree of separation and the lack of any intervisibility between the application site and the Conservation Area, the proposed development would have no impact on the character and appearance of the Milford-on-Sea Conservation Area.

10.29.4 There are not considered to be any other designated or non-designated heritage assets in the vicinity of the site that would be materially affected by the proposed development.

10.30 Education Provision

10.30.1 Hampshire County Council have calculated that the development as originally submitted (for up to 190 dwellings) would be expected to generate a total of 57 additional primary age children. The development would be served by the Milford-on-Sea Church of England Primary School Academy Trust, which lies close to the site's eastern edge. The school is forecast to be full, taking into account proposed future housing. As such, in order to be able to accommodate the additional primary age pupils generated by the proposed development, it is considered that it will be necessary to expand the existing nearby Primary School, and to this end, a contribution of £1,057,179 has been sought by the County Council's education team. It is considered that this contribution has been appropriately justified, is necessary to mitigate the development's impact on primary education infrastructure, and is reasonable in all other respects.

10.30.2 Hampshire County Council have calculated that the development as originally submitted (for up to 190 dwellings) would be expected to generate a total of 40 additional secondary age children. Priestlands School in Lymington is the nearest secondary school to the site. However, as the academy here has admitted over their admission number on a number of occasions in recent years, it is considered that the existing accommodation here should be adequate to meet the needs of secondary age children within the proposed development without the need for further expansion of facilities. As such, it is not considered that the development's impact on secondary school infrastructure needs mitigation, and it would not therefore be appropriate or justified to require contributions to be secured towards secondary school infrastructure.

10.30.3 Overall, subject to securing the necessary contributions towards Primary School education through a Section 106 legal agreement, the development's impact on local education infrastructure would be acceptably mitigated.

10.31 Sustainable Design

10.31.1 At this outline stage, the applicant, in their Planning Statement, has noted that the new homes will comply with current design standards with regards to water efficiency, broadband and electric vehicles charging points. This will include the provision of fibre optic broadband to every new home, and electric vehicle charging in line with Building Regulation requirements. It is indicated that heating will most likely be via air source heat pumps or other renewable sources. Ultimately, the incorporation of detailed design features into the development will need to be considered in detail at Reserved Matters Stage. For now, it will be sufficient to impose conditions on any outline planning permission to ensure the development meets the specific requirements of Policy IMPL 2 of the Local Plan.

10.32 Economic Considerations

10.32.1 No permanent employment floorspace would be provided as part of this development; but nor is there a policy requirement for this. The proposal would, however, provide construction related jobs during the build out of the development, whilst the homes would be expected to be fitted out in a way that would facilitate home working. As such, the development would deliver economic benefits insofar as would be expected for a development of its type.

10.32.2 Concerns have been raised that the development would be at odds with policies for achieving sustainable economic growth (Policy STR6). Clearly, the development will result in additional working age people within Milford-on-Sea. However, it is not the aim of Policy Strategic Site 7 to provide additional employment floorspace. Employment opportunities would be expected to come forward outside of the scope of this application. There is considered no reasonable basis to refuse or challenge this application on economic grounds.

10.33 Nitrates and achieving Nutrient Neutrality

10.33.1 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.

10.33.2 The application site is within the Solent and Southampton Water catchment area, meaning that the provision of up to 170 dwellings in this location would add to the nutrient burden affecting the Solent. It is therefore essential that these potential adverse effects on the Solent European sites are acceptably mitigated.

10.33.3 The submitted application included an initial nutrient budget calculation and indicates that nutrient mitigation has been secured at Heaton Farm on the Isle of Wight, which is one of the recognised nutrient mitigation schemes that can be used for developments such as this one that are situated within the Pennington Wastewater Treatment catchment area. However, the nutrient budget calculation will

need to be adjusted to reflect the Council's own occupancy rates, and at reserved matter stage, the final number of mitigation credits required will then need to be determined based on the precise number and schedule of units. At this outline stage, there is an acceptance that the development will need to be the subject of a Grampian style condition, with a deliverable solution needing to be the subject of further agreement before any dwelling is occupied. Applying a Grampian condition is considered both reasonable and appropriate, and provides the necessary certainty to be able to conclude that the proposed development would not adversely affect the integrity of the Solent European sites through increased levels of nitrates discharging into those protected areas.

10.34 Response to other matters raised by consultees and Neighbours

Minerals and Waste

10.34.1 Hampshire County Council's Minerals and Waste team have indicated that the site is within a safeguarded areas where viable mineral reserves are likely to be present. Although a previous assessment in 2018 suggested that prior extraction would be unsuitable, the County Council consider that there is still the need to consider opportunities for mineral extraction and to recover and re-use minerals where possible. Accordingly, to ensure compliance with the County Council's Minerals and Waste Plan, it is considered that any outline planning permission needs to be subject to a condition that requires the recovery and suitable re-use and recording of minerals that can be viably recovered during the construction of the development.

Health Infrastructure

10.34.2 Concerns have been raised that the proposed development will place increased pressures on local health services and infrastructure. A response from the NHS (Hampshire & Isle of Wight) advises that the GP surgeries within the local catchment area have sufficient infrastructure capacity to absorb the population increase that the development would generate, and that no mitigation requirements are therefore required. It is noted that a separate representation has been submitted by the practice manager of the Milford Medical Centre, which does identify various challenges that come with an increasing local population, whilst indicating that their premises are large enough. From a policy perspective, there is no specific policy requirement to secure health contributions, and given the consultation response received from the NHS, there is no evidence or basis to conclude that the development would put unacceptable pressure on local health infrastructure.

Telecommunications Mast

10.34.3 The existing telecommunications mast on the site falls outside of the red-line area. It is recognised that an access to this mast would still be needed, with the plans suggesting that the existing access route would be retained as a route across the ANRG. This should be acceptable subject to detailed designs that would be approved at reserved matters stage. There would be a green buffer of over 20 metres between the mast and the nearest dwellings, which would be an acceptable buffer.

Lighting

10.34.4 Concerns have been raised about potential light pollution. It is considered that such concerns are capable of being adequately mitigated through a detailed lighting scheme that can be secured through a planning condition / at Reserved Matters stage.

Publicity and Consultation periods

10.34.5 Concerns have been raised about the length of time that has been given for people to make comment on the application. The application was initially registered in May 2023 and a first round of public consultation followed. Amendments were submitted in November 2023 (with some additional supporting details coming in subsequently), and a further round of public consultation followed. Correct consultation procedures have been followed, and with around 700 letters from local residents (covering all stages of the application), it is not considered that anyone has been unreasonably prejudiced as a result of the way that the application has been advertised.

Implementation of 'The Swifts'

10.34.6 A number of local residents have raised concerns that there are unresolved issues at 'The Swifts', which has also been developed by the applicant, and which they consider need to be resolved before this application is determined. Whilst some of those concerns are understood, they fall outside the scope of this application and do not justify delaying a decision on this application, which must be judged on its individual merits.

10.35 Development Phasing

10.35.1 The application is not supported by any information on how the development would be phased. To ensure that the site is delivered in a logical and coherent way, it is considered that the phasing of the development should be secured as a condition of any outline planning permission (which will cover the points raised in Paragraph 10.12 above). The phasing of the green infrastructure will need to be secured as part of the Section 106 legal agreement.

10.36 Environmental Impact Assessment (EIA)

10.36.1 The Local Planning Authority received a request for an EIA Screening Opinion for a scheme of up to 170 dwellings in 2021. The Local Planning Authority's Opinion was that the scheme was not EIA development - i.e. development requiring an Environmental Impact Assessment. Circumstances have not changed materially since that Opinion was issued to require that Opinion to be reviewed.

10.37 Appropriate Assessment

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

10.37.2 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.

10.38 Community Infrastructure Levy

10.38.1 The application is CIL liable. The exact CIL figure will depend on the precise floorspace of the development, which can only be determined at reserved matters stage.

11 CONCLUSIONS & THE PLANNING BALANCE

11.1 The above assessment has highlighted how the proposed development would deliver economic, social and environmental benefits. The proposal would deliver

much needed additional housing in the local area, comprising a variety of different house types, and including a significant proportion of affordable homes that would be of benefit to local people. The proposal would deliver employment opportunities during the construction of the development, whilst significant new areas of green infrastructure and habitat would be created, resulting in a connected landscape that would benefit both people and biodiversity.

11.2 Of course, as with any large-scale development, what is proposed is not without its environmental impacts. However, these must be viewed within the context of a site that has been allocated for development through the Local Plan. Any negative effects must be balanced against the scheme's benefits, but recognising the need to satisfactorily mitigate many of the key environmental impacts.

11.3 In this case, it is accepted that the number of dwellings proposed would materially exceed the minimum quantum of housing that has been allocated through the Local Plan. And it is also recognised that a variety of concerns have been raised. However, the applicant has shown in broad terms how a sympathetic layout and landscape design might be achieved, whilst an overall density of about 28.9 dwellings per hectare is not considered to be inconsistent with the need for a high-quality design in this context. The scheme evidently needs to be designed well, and it is considered that this is something that can reasonably be considered and addressed at Reserved Matters stage, noting that the Parameter Plans and a number of the other key supporting plans and documents set an appropriate framework for the development to follow (but accepting some modifications to the illustrative material may be needed).

11.4 What certainly 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.

11.5 The development would comply with the key expectations for delivering a well-designed extension to the village as set out in policy Strategic Site 7. With its proposed lower densities adjacent to Barnes Lane and retention of the vast majority of trees along Manor Road and Barnes Lane, the development would respect the strong rural character of these adjacent highways, whilst also creating its own distinctive character, making an efficient use of an allocated site within the built-up area. The layout of the scheme as defined by the parameter plans and landscape framework plans would ensure existing landscape features are successfully integrated into a walkable network of recreational greenspace connected to the existing footpaths and the countryside. The Design and Access Statement and illustrative supporting information show how well-designed buildings and streets could be created, including tree planting that will help the development to respond positively to the sylvan setting of the local area. The part of the development within the Green Belt constitutes an appropriate form of development within the Green Belt, which will retain the openness of the Green Belt; whilst the new built edge to the Green Belt should result in a strong and permanent Green Belt boundary.

11.6 The development would be provided with safe and appropriate means of access, and the wider transportation impacts of the development could be adequately mitigated.

11.7 Overall, the proposed development is considered to be one that meets the three key objectives of sustainable development. It would meet economic objectives by providing homes that would support the local economy; it would meet social objectives by creating a safe and attractive addition to the existing settlement of

Milford-on-Sea; and it would meet environmental objectives by safeguarding and enhancing the natural environment. It is considered that the proposed development would satisfy all of the relevant requirements of Policy Strategic Site 7, as well as meeting other relevant local and national planning policy requirements. As such, it is considered appropriate to grant outline planning permission subject to a detailed Section 106 legal agreement and subject to an extensive list of conditions as described below.

11.8 *Conditions and Section 106 legal agreement*

11.8.1 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 a policy compliant mix.

Education

- There will be a requirement to secure a contribution of £1,057,179 towards increasing capacity at Milford-on-Sea Primary School.

Transport

- There will be a requirement to secure a contribution of £61,600 towards improvements to the roundabout of the A337 Milford Road/North Street/Ridgeway Lane (Pennington Cross).
- There will be a requirement to secure a contribution of £112,597, towards cycling improvements in the vicinity of the site.
- There will be a need to provide off-site footway improvement works as set out in the drawing ITB12449-GA-026.
- There will be a need to provide signalised junction works, including a Toucan Crossing, at the junction of the A337/B3058, as set out in the drawing ITB12449-GA-005 Rev I.
- There will be a need to provide off-site highway works, including site accesses/crossing points as set out in the drawings ITB12449-GA-013 Rev K, ITB12449-GA-006 Rev L and, ITB12449-GA-007F.
- There will be a need to upgrade the existing signalised crossing on Lymington Road in front of Milford Primary School to a Toucan Crossing.
- 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.
- There may be a need to make a reasonable and proportionate contribution towards improvements to the PROW network (subject to further review and assessment).

Public Open Space

- There will be a requirement to secure a policy compliant level of informal public open space within the development to an approved design and in an appropriate phased manner.
- There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design and in an appropriate phased manner.

- There will be a requirement to secure appropriate contributions towards the long-term maintenance of the informal public open space and children's play space, (subject to transfer arrangements).
- There will be a requirement to secure appropriate contributions to the provision of formal public open space off the site.

ANRG provision

- There will be a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
- There will be a requirement to secure the long-term maintenance of the ANRG land and associated maintenance contributions.

Other Mitigation Contributions and Measures

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

Biodiversity Net Gain

- There will be a requirement to secure necessary contributions / charges / credits associated with the delivery, management and monitoring of the proposals for achieving Biodiversity Net Gain.

S106 Monitoring Fees

- These will need to cover commencement checks (£808), ANRG monitoring (£11,608), Public Open Space monitoring (£6542), Affordable Housing monitoring (£808), and Biodiversity Net Gain Monitoring (£4980).

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

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

13 RECOMMENDATION

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

- i. the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section 11 of this report;
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Management Development Management, having regard to the continuing Section 106 discussions.

Proposed Conditions:

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

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

No development shall commence until the detailed access arrangements within the site, the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the “reserved matters”), 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:

Land Use Parameter Plan - 01 rev C
Storey Heights Parameter Plan - 01 rev D

Reason: To ensure that there is a coordinated and harmonious integration of landuses, built-form and spaces; and to ensure that the scale of 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 Phasing Plan shall also set out how the development will be phased to align with any necessary reinforcements to the sewerage network to ensure that there is at

all times adequate wastewater network capacity available to serve the development. The development shall be carried out and occupied in accordance with the approved phasing details / plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development and associated supporting infrastructure is provided in an appropriate 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 Strategy Plan (CSA/4882/109 rev E) & ANRG Landscape Strategy Plan - (CSA/4882/110 rev D), 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 170 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix:

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.

8. Condition 8 - Site Levels

Prior to the commencement 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, 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**

No demolition/development shall take place/commence until a programme of archaeological work, starting with an archaeological trenched evaluation, has been secured and agreed, including a Written Scheme of Investigation submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

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

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

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

No demolition/development 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**

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under 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 - Tree Protection Measures**

No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees and hedges on the site as identified for protection in the submitted John Shutler Tree Services

Arboricultural Report Swallowfield Park, Manor Road, Milford on Sea, dated 13/12/2023, have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be carried out in full prior to any activity taking place and shall remain in-situ for the duration of the development.

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

13. **Condition 13 - Tree Protection additional details**

No development, demolition or site clearance shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority:

- a) A scheme of site supervision including a specification to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed as agreed.
- b) A plan showing the location of service routes.
- c) A plan showing the location of drainage features, swales and attenuation tanks that must be located outside the root protection areas of retained trees on site.
- d) A method statement and engineering drawings for the installation of new hard surfaced areas within the root protection areas of Trees T15, T16, T36 & T37 as identified in the submitted John Shutler Tree Report.
- e) A plan showing the location of site compound and mixing areas.
- f) A Tree Planting Schedule and Tree Plan specific for tree planting (including tree species, size, spacing, form, planting method and location) in accordance with BS 8545: 2014; and the means to provide for its future maintenance.

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

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

14. **Condition 14 - Lighting**

Prior to the commencement of the development, details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The details, which shall comply with the recommendations of the Institution of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light' (GN01:2021), shall take account of both human receptors and bats / other ecological receptors and shall include:

- a) the predictions of both horizontal illuminance across the site and vertical illuminance affecting immediately adjacent human receptors.
- b) a "sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/23 'Bats and artificial lighting at night' (or subsequent updated guidance) for all areas to be lit. The strategy

shall:

i) identify those areas/features on site that are particularly sensitive for bats (or other ecological receptors) and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and

ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in full accordance with the specifications and locations set out in the approved strategy / details, and these shall be maintained thereafter in accordance with the strategy.

Reason: To safeguard both residential amenities and ecological interests / protected species.

15. **Condition 15 - Construction Environmental Management Plan (Ecology)**

A Construction Environmental Management Plan (CEMP) detailing the measures that will be adopted during the construction of the development to mitigate ecological impacts shall be submitted to the Local Planning Authority as part of the application(s) for the approval of reserved matters. The CEMP shall detail:

- a) the standard environmental control measures to be adopted, as referenced in Paragraph 5.5 of the CSA Ecological Impact Assessment (Report CSA/4882/08, dated April 2023), which shall include updated ecological surveys, where necessary, to identify shifts in the ecological baseline condition (such as to support EPS derogation licence applications);
- b) A reptile Mitigation Method Statement as referenced in Section 5.29 of the CSA Ecological Impact Assessment (Report CSA/4882/08, dated April 2023).

Development shall proceed in full accordance with the approved details.

Reason: To ensure that the impact of construction on ecological interests is appropriately mitigated.

16. **Condition 16 - Ecological Mitigation and Management Plan**

An Ecological Mitigation and Management Plan (EMMP) and an Ecological Enhancement Schedule shall be submitted to the Local Planning Authority as part of the application(s) for the approval of reserved matters. The EMMP shall include detailed proposals for the provision of ecological enhancements such bird nesting and bat roosting boxes within the development, as detailed in Section 7 and Appendix M of the CSA

Ecological Impact Assessment (Report CSA/4882/08, dated April 2023).

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

Reason: To ensure that ecological interests are mitigated and appropriate enhancements are incorporated into the development; and to ensure that a key aspect of sustainability is delivered.

17. Condition 17 - Badgers

Prior to the commencement of any construction work on site, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and where necessary, a Method Statement for Badgers during Construction shall be prepared and submitted to the Local Planning Authority for its written approval. The development shall only proceed once the Method Statement has been approved in writing by the Local Planning Authority, and the development shall be carried out in full accordance with the approved Method Statement.

Reason: To ensure that construction takes place without adversely affecting badgers (a protected species), which are known to be present in the local area.

18. Condition 18 – Biodiversity Net Gain: Implementation, Monitoring and Management

Prior to the commencement of development, a Biodiversity Net Gain Implementation, Monitoring and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan must set out the measures that will be undertaken ensure that a minimum 10% increase in biodiversity will be achieved and must cover a minimum period of 30 years and include:

- Methods for delivering Biodiversity Net Gain.
- A description of the habitats to be managed.
- Ecological trends and constraints on site that might influence management.
- Timed and measurable objectives in the short, medium, and long-term for achieving Biodiversity Net Gain, including detailed objectives for all habitats (target condition) and key indicators for measuring success.
- Appropriate management options and actions for achieving aims and objectives.
- The preparation of a work schedule.
- Key milestones for reviewing the monitoring.
- A standard format for collection of monitoring data.
- The identification and definition of set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.
- The measures that will be undertaken for reporting results to the Local Planning Authority.

Development shall be carried out in full accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

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

19. **Condition 19 - Biodiversity Net Gain: Additional Statement**

For each Reserved Matters application, an additional Biodiversity Net Gain Statement shall be submitted to the Local Planning Authority for its written approval. The additional Statement shall include a recalculation of the biodiversity impact of the proposed development, having regard to any changes in the habitats type or condition of the habitats present, and any changes resulting from the detailed layout of the development and the level / nature of the on-site mitigation measures.

Reason: Due to the outline nature of the application and the illustrative nature of much of the supporting information, it is considered necessary to establish whether the detailed designs would affect the site's biodiversity value in a different way to being predicted at this outline stage, and to ensure accordance with the policies of the New Forest District Local Plan Review 2016-2036.

20. **Condition 20 - Minerals**

Before the commencement of development, a construction management plan in respect of mineral deposits on the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide the following details:

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

Reason: To ensure appropriate opportunities are taken to recover and re-use mineral deposits on the site, and to comply with Policy 15 of the Hampshire Minerals and Waste Plan and Chapter 17 of the National Planning Policy Framework.

21. **Condition 21 - Contamination - Timing Requirements**

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 22 to 24 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 25 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 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

22. **Condition 22 – Contamination: Investigation & Risk Assessment**

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. 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 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

23. Condition 23 – Contamination: Detailed Remediation Scheme

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 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

24. Condition 24 – Contamination: Verification

Where a remediation scheme has been approved in accordance with condition 23, 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 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

25. Condition 25 – Contamination: Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 22, and where remediation is necessary a remediation scheme

must be prepared in accordance with the requirements of condition 23, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 24.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

26. **Condition 26 - Surface Water Drainage Details**

No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Drainage Strategy (Ref: Odyssey Flood Risk Assessment and Drainage Strategy, dated April 2023, Project 20-112), has been submitted and approved in writing by the Local Planning Authority. The submitted details shall include:

- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment and Drainage Strategy.
- b) Winter groundwater monitoring and infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- c) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- d) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- e) Evidence that urban creep has been included within the calculations.
- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g) 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.

27. Condition 27 - Foul Drainage

Construction of the development shall not commence except for any specific schedule of works that has otherwise first been agreed in writing by the Local Planning Authority, until details of the proposed means of foul sewerage disposal for the development have been submitted to and approved in writing by the Local Planning Authority. Development shall only be implemented in accordance with the approved details.

Reason: To ensure the foul drainage arrangements for the development are dealt with in an acceptable manner.

28. Condition 28 - Construction Environmental Management Plan (amenity)

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

- a. An indicative programme for carrying out of the works;
- b. Details of the arrangements for public engagement / consultation both prior to and during the construction works;
- c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e. The parking of vehicles of site operatives and visitors;
- f. Loading and unloading of plant and materials, including permitted times for deliveries;
- g. Storage of plant and materials used in constructing the development;
- h. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i. The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j. Measures to control the emission of dust and dirt during construction;
- k. A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

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

29. Condition 29 - Noise levels

At detailed design stage, as part of any reserved matters submission, a scheme shall be submitted to the Local Planning Authority for its written approval to ensure that internal and external noise levels for the residential accommodation shall not exceed the minimum standards stated in BS8233:2014, paragraphs 7.7.2 [table 4] and 7.7.3.2. The approved scheme shall be implemented, maintained and retained in accordance with the approved details.

Reason: To ensure all dwellings within the proposed development have a satisfactory living environment.

30. **Condition 30 - Construction Traffic Management Plan**

No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles within the confines of the site, lorry routeing and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interests of highway safety.

31. **Condition 31 - Vehicle cleaning measures during construction**

Prior to the commencement of the development, full details of the vehicle cleaning measures that will be implemented to prevent mud and spoil from vehicles leaving the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

32. **Condition 32 - Car & Cycle Parking**

Details of the car and cycle parking that is to be provided shall be submitted to the Local Planning Authority as part of the reserved matters application(s); 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 reserved matters plans and details, and thereafter shall be 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.

33. **Condition 33 - Electric Vehicle Charging Points**

For all reserved matters applications 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 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.

34. **Condition 34 - Cycle and Pedestrian Routes within the Site and their Connection to the Public Highway**

As part of the application(s) for the approval of reserved matters, details of all cycle routes and public footways within the site and their connections to Manor Road and Lymington Road shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate consideration is given to sustainable transport modes and to ensure they link safely to the existing highway network beyond the site.

35. **Condition 35 - High-Speed Fibre Broadband**

Prior to the occupation of each dwelling in the development hereby approved, a high-speed fibre broadband connection shall be provided to the property threshold, by way of the necessary infrastructure, 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.

36. **Condition 36 - Nitrates: Water Efficiency**

No dwelling hereby approved shall be occupied until a water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed wastewater efficiency calculation must be installed before first occupation and retained thereafter.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

37. Condition 37 - Nitrates: Nutrient Neutrality

Prior to the commencement of development, a mitigation package addressing the additional nutrient input arising from the development shall be submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites. All measures forming part of that mitigation package shall thereafter be implemented in full accordance with the approved details, and no dwelling within the development shall be occupied unless the approved mitigation measures needed to deliver nutrient neutrality have been implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

38. Condition 38 - Approved Plans

The development permitted shall be carried out in accordance with the following approved plans and particulars:

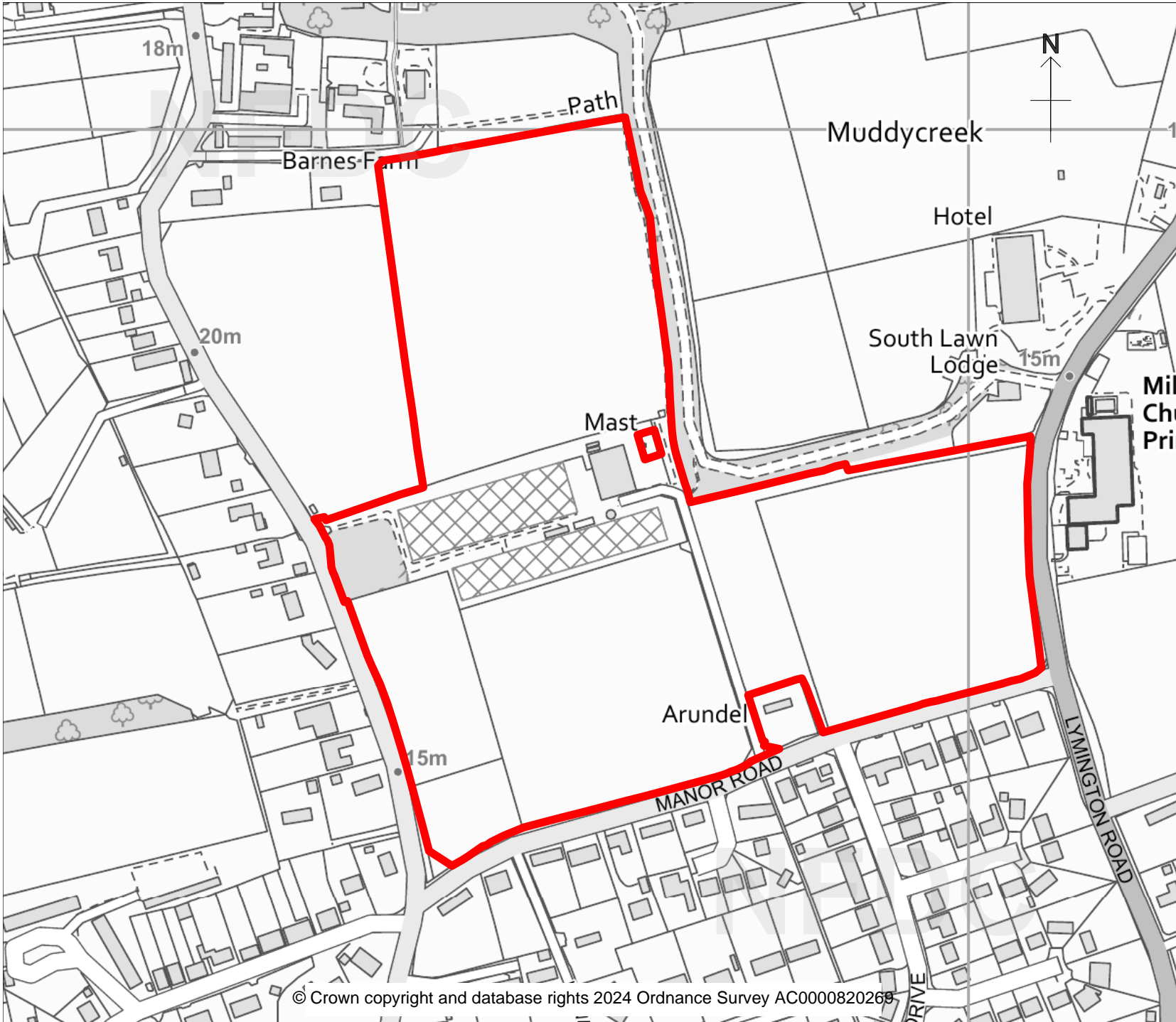
Site Location Plan - LP.01 rev A
Proposed Access Strategy - ITB12449-GA-022 rev F
Proposed Eastern Site Access Arrangement - ITB12449-GA-006 rev L
Proposed Central Access Arrangement - ITB12449-GA-013 rev K
Proposed Western Access - ITB12449-GA-007 rev F
Land Use Parameter Plan - LUPP- 01 rev C
Storey Heights Parameter Plan - SHPP-01 rev D

Reason: To ensure satisfactory provision of the development.

Further Information:

Ian Rayner

Telephone: 023 8028 5449



New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

David Norris
 Service Manager
 Development Management
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

February 2024

Land North of Manor Road
 Milford on Sea

23/10476

Scale 1:3500

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