

Application Number: 22/10418 Outline Planning Permission
Site: SS11 LAND SOUTH OF, GORE ROAD, NEW MILTON
Development: Development of 178 Dwellings, Public Open Space (POS), Alternative Natural Recreational Greenspace (ANRG) and Associated Infrastructure, with Access from Gore Road, New Milton (Outline Planning Application with details only of Access)
Applicant: Hurst Castle Ltd
Agent: Dowsettmayhew Planning Partnership
Target Date: 19/07/2022
Case Officer: James Gilfillan
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: Application relates to one of the Councils Strategic Sites.

1 THE MAIN ISSUES

The issues considered in section 10 are:

- A. The Principle of the Development, Housing Land Supply and National Policy Context
- B. Housing Mix and Affordable Housing
- C. Character, Layout, Landscape, Trees and Open Space
- D. Highways and Access
- E. Residential Amenity
- F. Heritage
- G. Ecology and Habitat Mitigation
 - i) Ecology and Protected Species
 - ii) Recreational Activity Impact on New Forest and Solent Habitats
 - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
- H. Other Matters

2 SITE DESCRIPTION

The site is located to the west of New Milton, on the south side of Gore Road. Although the site is used for agricultural purposes the site was removed from the South West Hampshire green belt and included in the built up area when it was allocated for residential development by adoption of the Local Plan in 2020.

It lies to the west of the existing built-up area, but there are houses opposite on the north side of Gore Road and a complex of glasshouses is sited to the west, used for commercial plant growing. A water reservoir is located on the allocation site that provides irrigation water for the operations undertaken in the glass houses.

To the east and south is Fawcett's Fields park, an area of designated public open space, managed by New Milton Town Council, home to New Milton Football Club who have a dedicated flood-lit pitch. There are other formal sports pitches marked out and opportunities for informal recreation. The site is regularly used for festivals, carnivals and car boot sales.

Fawcett's Fields, the commercial nursery and land to the west fall within the South West Hampshire green belt.

A Grade II listed building lies to the east of the site, Milton Barn, currently closed but most recently used as a restaurant, with hotel rooms provided.

There are no buildings on the site. The existing access in to the site is at the eastern end of its frontage to Gore Road. There is no boundary demarcation with the adjoining site to the west and a track, from the adjoining site, follows the west and southern edge of the application site to access the irrigation reservoir.

There are evergreen trees along the full length of the site frontage to Gore Road, with a hedgerow and grass verge below.

3 PROPOSED DEVELOPMENT

Outline planning permission is sought for the development of 178 Dwellings, Public Open Space (POS), Alternative Natural Recreational Greenspace (ANRG) and Associated Infrastructure, with Access from Gore Road, New Milton

The Matters under consideration by this application are:

Principle: The principle of 178 dwellings across the application site and the provision of Alternative Natural Recreational Greenspace and Public Open Space.

Access: The means of accessing the site on foot, bike and by car from the adjoining routes and roads.

Matters of; Appearance of the scheme; detailed Landscaping and Layout proposals; and the Scale of the development; are reserved for consideration by future applications.

The planning application is supported by detailed proposals demonstrating one access for all modes of travel from Gore Road and one shared cycle-pedestrian (non-vehicular) access from Gore Road.

Parameter plans show the extent of land proposed for development, with a range of densities and potential building heights across those parcels. A design code has been prepared in order to provide a better framework and certainty for how the detail of the scheme may be delivered. The application proposes retention of existing landscape features to contribute to the provision of adequate Public Open Space and Alternative Natural Recreational Greenspace. A potential hierarchy of routes between the identified access points is shown, including options to link to adjoining land.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
20/10692 Residential Development - Environmental impact Assessment Screening Request (Screening Opinion)	19/08/2020	EIA not required	Decided
10/96247 Glasshouse extensions; extend reservoir	19/01/2011	Grant with conditions	Decided
03/79483 Glasshouse and two reservoirs	12/12/2003	Grant with conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004.
Section 38 Development Plan

Planning (Listed Buildings and Conservation Areas) Act 1990
S.66 General duty as respects listed buildings in exercise of planning functions.

National Planning Guidance

NPPF (December 2023)
Planning Practice Guidance (Web based resource)

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

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

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR8: Community services, Infrastructure and facilities

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

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 11: Land to the south of Gore Road, New Milton

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM9: Green Infrastructure linkages

Local Plan Part 1: Core Strategy 2009 (Saved Policies)

CS7: Open spaces, sport and recreation

New Milton Neighbourhood Plan 2021

Policy NM4 - Design Quality

Policy NM2 - Diversifying Housing

Policy NM1 - A Spatial Plan for New Milton
Policy NM11 - Mitigating Effects on European Sites
Policy NM12 - Promoting Walking and Cycling

New Milton Fawcett's Fields Vision Plan

NFDC Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character
SPG - Landscape Character Assessment
SPD - New Milton Local Distinctiveness
SPD - Parking Standards
SPD - Air Quality in New Development.
SPD - Mitigation Strategy for European Sites
SPD - Planning for Climate Change. April 2024
Infrastructure Development Plan 2018

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: ACCEPTABLE (delegated) subject to Highway Authority approval and adherence to Neighbourhood Plan Policy NM4, specifically regarding increased need for climate change mitigation measures.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest District Council

Archaeologist (NPA): Objection

At this point in time the applicant has not established the character, nature and extent of any surviving archaeological deposits and their significance within the site. The applicant has also not established the impact of the proposed development on any surviving archaeological deposits.

Conservation: Comments

A grade II listed building sits close to the east edge of the site. The scheme would cause very minor harm to its significance due to the impact on its setting. That would amount to very minor less than substantial harm to the designated heritage asset, when weighed against the public benefits of the scheme, no concerns are raised.

Ecologist: No objection, subject to conditions and S.106.

Sufficient surveys of the site and mitigation have been identified. The scheme would have an impact on protected habitats in the New Forest, but can be mitigated. BNG and on site ecological enhancements should be secured.

Environment Design: Comments

Concerns that there are discrepancies and a lack of detail in the Design Code. Suggests changes are required to improve the detail of the landscape design shown and details around landscape management to ensure it serves the intended recreational role. The layout of the proposed ANRG does not match the adopted design guidance.

Environmental Health (Pollution): No objection subject to conditions

Noise: No objection, satisfactory noise impact assessment has been undertaken and a stage 2 noise assessment should be conditioned.

Lighting: No objection, details of the lighting strategy should be secured by condition.

Air Quality: No objection subject to a Construction Management Plan secured by condition.

Open Space Officer: No objection subject to conditions and S.106

Access from this site in to adjacent Fawcett Fields will be beneficial to existing and future residents. The scheme does not propose a strategy to meet all of its Public Open Space needs, however financial contributions could be used to contribute to new facilities as part of the NMTC Fawcett Field vision document. Requests details of play equipment, design of public open space and its maintenance regime.

Strategic Housing: No objection subject to S.106.

Recognising multiple viability reviews and the viability challenge presented by the applicant, the provision of 37 units of affordable housing, in a policy compliant tenure mix is positive. Local connections and the size and tenure mix should be secured as part of S.106 obligations.

Hampshire County Council

HCC Countryside Services: Objection

Holding objection seeking discussion with the applicant regarding a £1000 per dwelling contribution towards maintaining existing Public Right of Way Network.

HCC Education: No objection subject to S.106 contribution

Confirms that the scheme will give rise to increases in school age children that requires mitigation. Sufficient capacity is available at secondary age schools, however a contribution towards the expansion of primary age schools is required to mitigate the impact of the development.

HCC Highways: No objection subject to conditions and S.106 agreement

No objection to the design of the access or impact of the scheme on the wider highway network. A financial contribution towards off site enhancements to cycling and walking infrastructure is required and provision of crossing points along Gore Road and shared pedestrian-cycle way along Gore Road as shown on plans should be secured. Draft resident and school travel plans are required.

HCC Surface Water: No objection subject to conditions.

The proposed surface water drainage strategy is sound, but a condition for a detailed strategy to reflect detailed layout and design proposals is suggested.

Others

Hampshire Fire & Rescue Service: No objection.

Comment regarding ensuring access to the properties meets the building regulations requirements and construction minimises fire risk.

Natural England: Comments

Identify that the scheme would give rise to likely significant effects detrimental to the integrity of habitats in the New Forest and Solent. Mitigation should be secured, and the Council should assess this in a Habitats Regs Assessment. Bio-diversity Net Gain should be secured, and ecological impacts mitigated.

Southern Water: No objection

Adequate foul drainage to serve the development exists.

9 REPRESENTATIONS RECEIVED

Twenty letters of objection have been received raising the following issues:

Principle of development;

- Development is not sustainable
- Inappropriate location for development
- The site is an important part of the character of the area
- Scheme would harm the character of the area
- Insufficient facilities in the Town to support growth
- Not enough Doctors, Dentists or schools for new residents

Highways

- Already too much traffic and related air pollution
- Gore Road is busy and suffers from speeding drivers
- Safety risks for children crossing the road
- Proposed Access would conflict with highway safety and existing residential properties

Ecology and Climate

- Impact on wildlife using the site and reduction in biodiversity
- Lack of consideration for creation of wildlife habitats and restrict harm from traditional surface water drainage designs
- Lack of detailed proposals to generate energy on site from renewable sources
- Surface water runoff would cause flooding

Amenity

- Vehicle lights shining into existing houses from access
- Loss of trees would allow light pollution from glasshouses
- Greenspaces are required for mental health and well being

Two letters of support have been received making the following comments:

- Housing required to keep young people here and grow the town
- New housing will bring investment and benefits for the town
- Acknowledgement of positives for biodiversity and wildlife

10 PLANNING ASSESSMENT

A) The principle of the development

Local Plan policy STR1 'Achieving sustainable development' sets the overarching requirements expected of developments to achieve sustainable development. The first three requirements are particularly relevant to this application;

i) Ensuring housing needs are met by delivering development in sustainable locations;

ii) Requiring a context led approach to the design of development and secure a high quality design that maintains local distinctiveness, safeguards landscapes and heritage assets;

iii) Achieving environmental gains, avoiding or mitigating the impact of development on the integrity of protected habitats in the New Forest and Solent.

Policy STR4 sets a settlement hierarchy for the New Forest. The site falls within New Milton, included in the list of 'Towns', the largest settlements in the hierarchy, considered to be the most sustainable locations for large scale residential development, such as the scheme proposed by this application.

Policy STR3 presents the strategy for locating new development, seeking to direct development to accessible locations that help to sustain the vitality and viability of the towns and villages of the plan area.

The location of the development, within the defined built up area of New Milton is appropriate for the scale of the proposed development, in accordance with the requirements of STR3 and STR4.

Policy STR5 sets the housing need targets and the trajectory for delivering the housing to meet the overall identified need, against which the 5 year supply of land for housing is calculated. The delivery strategy identifies that circa 60% of the District's housing needs will be delivered by Strategic Site Allocations, of which this site is one of.

Allocated for residential development as Strategic Site SS11 - Land to the South of Gore Road, the application accords with STR5. The adopted policy states:

Strategic Site 11: Land to the south of Gore Road, New Milton

- i. Land to the south of Gore Road, New Milton as shown on the Policies Map is allocated for residential development of at least 160 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 new area of the town by:**
 - a. Providing a positive frontage to Gore Road whilst retaining the better trees in the current frontage tree belt, maintaining a green gap between the development and the listed barn at former Gore Farm.**
 - b. Creating a central greenspace within the development around which higher suburban densities can be accommodated, and arranging buildings on the southern and eastern frontages to face onto and provide natural surveillance to greenspace areas.**
 - c. Concentrating open space provision on the southern and eastern edges of the development to complement and enhance existing public open space.**
- iii. Site-specific Considerations to be addressed include:**
 - a. Design measures to manage the relationship between the development and the glasshouse structures and business operations of the adjacent nursery.**
 - b. Respecting the setting of the listed building of barn at former Gore Farm.**
 - c. Enhancing access to Fawcett's Field recreation ground.**

The policy expects the site to deliver at least 160 dwellings, as a minimum. This scheme proposes 178, an increase of 18 units however this increase is, as is set out through the following report, acceptable and does not raise concerns over the ability of the site to be able to deliver a suitable and sustainable development.

The application site does not cover the entire site of the land allocated by policy SS11. The allocation includes an existing above ground water reservoir that provides irrigation water for the neighbouring horticultural business. The policy wording is silent on retention of the reservoir, however the concept masterplan accompanying the policy indicatively shows the reservoir be retained in the southern part of the site. Similarly that infrastructure is excluded from the application site. As the concept masterplan shows its retention it is considered that retaining it does not compromise delivery of a policy compliant scheme or have any implications for delivering comprehensive development. Any future proposals for its replacement or development would be considered on their merits against the relevant development plan policies at that time.

Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

Housing Land Supply and National Policy Context

In determining planning applications decisions should be made in accordance with the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).

Paragraph 11 of the NPPF clarifies what is meant by the presumption in favour of sustainable development for decision taking. It states:

For decision-taking this means: ‘...

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.

Taking NPPF paragraph 11(c), if the proposed development accords with the Council's local plan it should be approved.

If the development does not accord with the local plan, the development must be considered against NPPF paragraph 11(d).

In light of the recently published NPPF (December 2023), planning applications registered before 19 December 2023, such as this application, remain subject to the policies of the previous NPPF in relation to the requirement to demonstrate a five-year housing land supply. In such circumstances, the Council is not currently able to demonstrate a 5 year housing land supply with only 3.07 years of supply being the current published position.

This position was exemplified in the recent appeal decision at Orchard Gate, Noads Way, Dibden Purlieu (NFDC Ref:22/10813), received 16 January 2024. The Inspector confirmed that paragraph 11(d) of the NPPF was engaged due to the lack of a 5-year housing land supply and after an appropriate balancing exercise was undertaken concluded that the harm he identified did not significantly and demonstrably outweigh the scheme benefits and the scheme should be approved.

Footnote 8 to the NPPF paragraph 11 is clear that in such circumstances where a five year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11 is engaged.

Taking the first limb of paragraph 11(d), as this report sets out, in this case there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7 of the NPPF, namely habitat sites and heritage assets. Therefore, a judgement will need to be reached as to whether policies in the Framework provide a clear reason for refusing the development. Where this is found to be the case, the development should be refused.

The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing the development having applied the test at Limb 1.

Benefits of the principle of development

The scheme would have significant benefits associated with it. The proposal is for a new residential development of up to 178 dwellings which would make a very significant contribution to the housing land supply in the District of approximately six months supply.

Successful implementation of the Local Plan, by ensuring allocated sites deliver, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

Although not in wealth generating or employment sectors prioritised by the development plan policies STR6 'Sustainable economic growth' and ECON1 'Employment land and development', the scheme would have short term significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home.

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

The scheme would deliver social benefits of providing housing, whilst the outline application does not present a final design strategy, the illustrative material does propose flats and houses, in a mix of sizes, creating a mixed and balanced community as well as giving a wide range of choice. The scheme proposes to

provide affordable housing in a policy compliant mix of social and affordable rental tenures and shared ownership.

These benefits contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the development plan.

Environmental Impact Assessment (EIA)

The proposed scheme was subject to a request from the applicant for the Council to adopt a Screening Opinion of the EIA regulations 2017 (See Relevant Planning History). In concluding that the scheme was not EIA development it was considered that the scheme is a schedule 2 (10) Infrastructure Project and would exceed the dwelling number threshold of 150. It is not in a sensitive area, but is close to habitats in the New Forest and Solent.

Given the scale of development proposed, the level of open space to be provided within the site, its limited impact on sensitive sites, its separation from other residential sites, its allocated status, its ability to be developed independently and subject to any planning application being supported by the detailed technical information, the Local Planning Authority did not consider that significant effects on the environment would be likely to arise from this development, concluding that it was not EIA development.

It is acknowledged that the EIA Screening Opinion was based on a proposal to erect 160 dwellings and the scheme subject to this application is for 178. As the original scheme was above the 150 unit threshold and the site is no larger or closer to any of the sensitive sites assessed at that time, the marginal increase in proposed residential units is not considered to alter the conclusion reached in issuing a Screening Opinion that the scheme is not EIA development.

The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

B) Housing Mix and Affordable Housing

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

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

A housing mix has not been proposed by the application, the applicant has indicated a willingness to accept a condition that would secure a mix in accordance with the above table. New Milton Neighbourhood Plan (NMNP) policy NM2 presents a desire to enhance the availability of homes for young people and families, especially those looking to buy their first homes, this will be taken into account when

considering detailed scheme layout by reserved matter applications in order to make best use of the site.

Affordable Housing

In accordance with HOU2, the target for the provision of Affordable Housing in this part of the District is 50%. Officers have negotiated with the applicant on this point and contrary to the policy target the scheme now offers to provide 21% (37 units) of the scheme as affordable housing (up from the starting position of zero) across the tenures identified by the policy.

Whilst 50% is a target, the policy does allow for the viability of development to be taken into account. Amended viability appraisals have been received during consideration of the application, however not in response to changes to the scheme or amendments to the principal development proposals, but in order to provide a finer grain assessment of the scheme viability, each time concluding that the scheme would not be sufficiently viable to support any provision of affordable housing.

Independent external review

Each appraisal submitted to the Council has been analysed by Dixon Searle Partnership (DSP) external viability consultants acting on behalf of the Council. Each time they have refuted the applicants appraisal and indicated that the scheme is more viable than the applicant is indicating and sufficiently viable to make a considerable contribution of affordable homes.

Principal factors leading to the difference of opinion between the applicant and the Council are existing use/land values, build costs and gross development value (house prices).

DSP have brought to the Councils attention the approach of the applicant, who in concluding that a 100% market scheme is unviable have assumed that the provision of any affordable housing would exacerbate that situation. However such an approach fails to recognise reduced CIL costs for affordable housing (likely to be entitled to CIL relief), reduced profit expectations for affordable housing and the guaranteed cash flow benefit of agreed sales of affordable housing to Registered Providers, that would be factored in to an appraisal incorporating a percentage of affordable housing.

DSP also suggest that consideration of the existing site value should recognise local plan policy expectations for the development likely to be accepted on a site, and in this case suggest it is counter-intuitive that a greenfield site, such as this, in a fairly high value area of the South East, with no particular development constraints or remediation/abnormal costs, would be unable to deliver any affordable housing from a development of 178 dwellings. Especially when other similar sites in the New Forest District and wider south and south east are able to provide various levels of affordable housing.

Turning to the most recent viability evidence presented by the applicant: There are still differences in opinion regarding land value and build costs, however the appellant has taken advice from estate agents to inform the GDV, which results in a figure closer to that considered appropriate by DSP than initially suggested.

Based on their knowledge of the scheme viability and views regarding land value and build costs, DSP consider, that despite suggesting a 100% market scheme is unviable, the applicant's proposed 37 unit (21%) offer is a reasonable position and anything higher would likely be undeliverable

Officer assessment.

The tenure mix proposes the 70%-30% mix between rental and shared ownership tenures, with the rental units split equally between social and affordable rent as required by HOU2.

Whilst the submitted viability assessment fails to provide a compliant quantum of affordable housing in accordance with HOU2, the proposed contribution of 37 units makes a reasonable contribution towards the provision of affordable housing in the district contributing, in accordance with policy STR1 para i), to a sustainable development. Such a contribution also weighs in favour of the development.

Given the findings and professional advice of the Council's independent viability assessor and on a balance of considerations, Officers are minded to accept the applicant's proposed affordable housing offer.

That balance includes the benefits of a policy compliant affordable tenure mix, the need to apply a presumption in favour of sustainable development arising from the lack of a 5 year supply of land for housing.

The proposed offer of 37 units (21%) does comply with the expectation of the NPPF at para.66, that major housing schemes should deliver at least 10% of the scheme as affordable housing. Provision of affordable housing at the level now offered by the applicant delivers social objectives from the scheme that would contribute to a sustainable development, as defined by para.8 of the NPPF.

Therefore subject to securing the Applicant's affordable housing offer by way of a S.106 agreement the proposal would be acceptable given the provisions of policies IMPL1 and HOU2.

C) Character, Layout, Landscape, Trees and Open Space

Although the site is included in the built up area as defined by the Local Plan policies map, it is being used for arable agriculture, growing and harvesting crops. It has mature landscape features along its edges.

Built form abuts the site on two sides, with houses along the north side of Gore Road and the glass houses of the horticultural business adjoining the west edge of the site. To the east and south are sports pitches laid out at Fawcett's Fields, the Town Council owned playing fields. Close to the north east corner of the site is Milton Barn a public house with restaurant and hotel rooms.

Because of the extent of built form around the site to the north and west it does not have strong rural character that its recent use might suggest. The defined built-up area, as identified by the policies map, follows the edge of the strategic site. Beyond that boundary the land is designated as Green Belt. Despite the proximity of New Milton to the New Forest National Park the site has no direct visual relationship with the New Forest National Park.

In addition to the design requirements of the Strategic Policy the following policies are directly relevant to the design of the scheme.

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

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

The scheme is proposed in outline form with only the principle of the development of 178 dwellings and Access to the site subject to consideration by this application.

Scheme Character and Layout

As an Outline application the scheme is supported by parameter plans demonstrating:

- the area of the proposed development within the application site;
- the position of a range of densities and building heights;
- the arrangement of potential routes across the site and connectivity to adjoining land; and
- the arrangement of proposed and retained landscape spaces.

The principles established by these plans are supplemented by a design code that seeks to set more detailed design parameters in order to provide confidence that the principles will deliver a well planned, attractive and accessible extension to New Milton.

The Building Development Framework plan sets out the principal blocks of built form across the site. Although indicatively showing access routes between perimeter blocks of dwellings, that detail is not under consideration. It does closely follow the illustrative layout of built form on the concept masterplan accompanying policy SS11 in the Development Plan. It arranges the built form close to Gore Road, but wrapped with open space along the east and south edges.

In accordance with policy SS11, masterplanning objective (ii) (a).1, it does retain the avenue of trees along Gore Road, but places built form close enough to the edge of the site that it could have a visible presence on Gore Road.

The framework retains space in the centre of the development to form a greenspace around which the built form is arranged. It allows the open space along the east edge to extend up to Gore Road, thereby preserving a gap to the listed buildings at Milton Barns (former Gore Farm). It also retains a gap between the area for built development and the west boundary and glasshouses beyond.

This plan provides a framework from which a policy compliant layout could be achieved.

The Building Heights Framework plan sets zones for a variety of building heights. Restricted to the area proposed for built development by the Building Development Framework plan it provides a range of heights from typically 1.5 storey around the edge adjacent to the new open space, to 2 and 3 storey in the centre.

The majority of the site would be 2 and 2.5 storey heights, entirely consistent with the character of Gore Road. The 2.5 storey limit allows for roof forms to provide additional accommodation and interest in streets, varied roof heights and define perimeter block corners

The eastern and southern edge would be predominately 1.5 storey buildings with elements of 2 storey. This provides a natural transition and reduction in scale adjacent to the new open space, consistent with a desire for that open space to provide attractive alternative to the openness of the New Forest. Whilst the site is adjacent to the edge of the built up area, due to the presence of the glasshouses on the adjoining site, the reservoir to the south of the application site and the managed landscape of Fawcett's Fields, the land beyond that boundary is not readily rural in its character, as such the character of the development at the edge of the built development on this site does not need to transition to the rural setting required in other sites.

The centre of the site, surrounded by the 2 storey zone, is where taller buildings would be entirely acceptable. Largely screened by the surrounding development, building heights of 3 storey would not be appreciated from beyond the site. Taller buildings would contribute to creating a different character, compared with the surrounding zone giving legibility, a distinctive identity and making efficient use of the site.

The Density Framework plan follows the same arrangement as the Building heights Framework plan, with the zone of highest density of 45-48dph, being the same as the zone encouraging taller buildings. Similarly the zone of low density, 20-23dph, matches the zone where height is limited to lower buildings, ensuring a lower scale interface with the open space on site. The majority of the proposed development would be in the mid range density of 32-35dph.

The combination of these two parameter frameworks produces the opportunity to meet the policy aspiration of accepting higher suburban densities, where open space on site presents the opportunity.

The Movement Network Framework provides a variety of routes across the site. Primarily from the principal accesses from Gore Road, it shows a main street entering the site, with secondary streets illustratively extending in to the built development blocks and potential tertiary edge streets beyond. This hierarchy of streets and highlighted opportunities for shared spaces will contribute to creating different character areas across the site.

Whilst the roads would be expected to accommodate all modes of travel, the plan includes the principle of dedicated pedestrian and cycle routes. Largely through the open space, they also extend to the boundary in order to ensure access to adjoining sites and by existing residents of New Milton and Barton-on-Sea.

A Wider Context Movement Network Framework plan has been provided to put the proposed on-site movement framework in context with existing routes around the site. This principally demonstrates and highlights the opportunity of the scheme to provide a link between areas north of Gore Road with Fawcett's Fields and beyond, and the benefit of extending the existing off-road shared pedestrian-cycle way along Gore Road to the application site and linking it to routes planned for Stem Lane to the north.

A Landscape Framework plan presents the principles of the provision of open space on the site. Relating to the area proposed for development by the Building Development Framework and based on the proposed number of dwellings, the plan shows space for green infrastructure consisting of Alternative Natural Recreational Greenspace, Public Open Space, play areas and drainage basins.

In accordance with policy SS11 ii) b), the plan provides for a central greenspace and landscape spaces along the indicative routes through and linking the development parcels. As required by policy SS11 ii) c) it concentrates the open space on the southern and eastern edges where it will complement existing adjoining open space, with both visual landscape and recreational enhancements. As such the proposal meets these Policy SS11 masterplanning objectives.

It also shows the retention of existing landscape features along the boundaries. The landscape buffer along the west edge, described above as providing separation to the glasshouses, is shown. This buffer is not required to meet provision of a policy compliant amount of ANRG or POS on site and is therefore not designed in such a way to be functional or accessible expected of the recreation open space provision.

The parameters and principles established by these plans creates the framework to deliver a scheme that complies with the design aspirations of policy SS11.

The applicant has chosen to prepare a Design Code in order to demonstrate and influence the quality of the scheme. This design code will inform Reserved Matter applications in order to ensure a high quality scheme is delivered that could comply with policies ENV3 and ENV4, potentially enhancing the character of New Milton and creating a development that achieves its primary objectives of promoting health and well being, is context responsive, promotes walking and cycling and makes sustainable design solutions integral to the development.

The submitted design code has reviewed the character and appearance of the surrounding context in order to draw upon good examples and desirable features distinctive to the area, including the listed building at Gore Barn. It has also defined characteristics and typologies of development and built form to respond to and take advantage of, to deliver the different zones of height and density detailed on the framework plans and described above.

Beyond the overall vision, the design code includes chapter on the Movement Strategy, Green and Blue Infrastructure, the Character Areas and Sustainability. Expanding on the framework plans to describe what should be delivered or complied with to achieve the objectives of the vision.

Taking each chapter of the design code in turn:

As described above, the hierarchy of streets shown on the Movement Framework plan will contribute to creating different character areas across the site. The Movement Strategy chapter of the design code provides details of how this can be achieved through street widths, use of on or off road cycleways and shared routes, the size and arrangement of front gardens or street landscape and options for parking on streets, enclosure of and position of parking and bin storage.

The Green and Blue Infrastructure chapter captures the means by which the ANRG and POS can be designed and laid out to achieve the roles expected of such green spaces. It also sets out how the buffer along the west edge can be designed to preserve operational efficiency of the commercial site with reasonable expectations for residential amenity. Aspirations for the provision of play on site, how play spaces can be sensitively absorbed in the open space is also included. Green corridors are defined in order to ensure open space and landscape is embedded through the scheme in a coherent manner.

Consideration is given to ensuring the landscape proposals contribute to achieving bio-diversity enhancements, identifying where existing ecology can be embraced and

enhanced and new opportunities will be provided. That extends to the opportunities presented by the drainage infrastructure being part of the landscape and options to rely on sustainable natural approaches and the biodiversity benefits such an approach would deliver.

The Character Areas chapter of the design code opens by defining key elements of design that are provided to create a distinctive townscape and coherent character, before presenting how they would vary to produce four character areas. The character areas largely respond to the three density and building height zones shown on the parameter plans. A fourth character area is defined along the northern edge where the development takes greater influence from the existing character of Gore Road, but maintains the mid density range and predominately 2 storey height of the majority of the area of built form.

Each character area is described with key design expectations required to achieve the character intended. Illustrative images of buildings are produced, relying on the design expectations appropriate to the character area. Alternatives using traditional or contemporary materials and detailing show how the code could deliver a different appearance dependant on the ethos desired, while maintaining the fundamental details.

The character codes demonstrate how 1.5 and 2.5 storey buildings could be designed, how corner buildings would be articulated on multiple elevations, how a continuous frontage would be articulated with a varied roof line and subservient connecting garages. It also demonstrates how lower buildings can positively complement and support taller buildings in the core, the use of rhythm in the design to provide attractive buildings and streetscenes and detailing and materials are important to the richness of the design and identity of the place.

The final chapter of the design code seeks to set out ways by which the sustainability of the scheme can be maximised. Largely setting aspirational 'above standard' targets for insulation, energy efficiency and water efficiency, but positively proposing to meet national described space standards for building size, incorporating eco-friendly heating systems and including integrated solar PV and water heater panels. It also advocates off site modern methods of construction and a fabric first approach to reducing the need for artificial lighting and heating.

The design code has evolved during consideration of the application to respond to comments made by the NFDC Environmental Design Team. Minor issues that remain, as presented in the representation reported above, do not go to the heart of the aims of the design code and could be readily resolved by the Reserved Matters applications that will follow.

Whilst the design code adds more detail to inform the decision maker at this time and seeks to influence the approach and detail of future plans for site development, it does not remove the fundamental principle that future applications for the Appearance, Landscape, Layout and Scale of the development are required and they should be assessed on their merits at the time. It would be appropriate to impose a condition requiring broad compliance with the design code and expect those Reserved Matters application to be supported by a statement assessing the submitted scheme against the design code.

However, the design code and parameter plans create the framework by which a scheme can deliver all the design requirements of the site allocation policy and result in a well-planned and attractive development that draws on local distinctive character and could meet the expectations of Local Plan policies ENV3 and SS11.

Landscape.

The site is currently used as arable farmland, which makes little contribution to the landscape character of the area. There are mature trees along the northern edge of the site that contribute to the attractiveness of the Gore Road streetscene. Further mature trees exist along the south edge of the allocation, wrapping around the glass houses and the reservoir, linked to a small woodland on Fawcett's Fields.

By reason of the flat terrain the interior of the site is not readily visible from surrounding areas off site. Loss of the agricultural landscape on site is largely accepted by the principle of allocating the land for development, however its loss would not harm the wider landscape character of the area.

Retention of the existing mature landscape minimises the impact of the principle of the proposed development on the wider landscape character.

Inclusion of new and improved landscape is a prominent feature of the parameter plans and design code. The built framework parameter plan preserves the important features of the existing landscape and makes space around the proposed development land including space through the centre of the scheme to provide landscape throughout the development.

Details of the landscape is a reserved matter subject to a detailed application, at which time the specific design, layout and species of the new landscape would be provided and considered. However, the design code sets out the opportunities that the scheme presents to ensure attractive and functional landscape is delivered.

The concerns raised by the NFDC Environment Design officer are noted, but reference to mowing regimes for potential use of open spaces are matters left to the detailed reserved matter applications and subsequent management strategy. The principles being established at this stage would not restrict such detail being agreed in due course.

Comments regarding the SUDS infiltration basin being moved westwards would need to be considered alongside the site wide drainage strategy. As this feature is indicated to be an infiltration basin, it would not have water in it permanently so could provide useable amenity space for some of the time.

Whilst the planting regime and design of the open spaces will be considered by reserved matters applications provision of Alternative Natural Recreational Greenspace (ANRG) has a dimensional quality to it. Sufficient area overall can be provided to meet the 8ha/1000 population requirement, however aspects of the proposed ANRG are not large enough to meet the design expectations of providing spaces that achieve an attractive alternative to using sensitive sites within the New Forest National Park for recreation by residents.

The adopted ANRG design guidance requires a large space of at least 120m diameter (60m radius), supported by smaller spaces of 60m diameter (30m radius). Those smaller spaces should be linked by corridors of no more than 60m length. Whilst a large radius space is provided for across the southern portion of the site, due to its length and width the greenspace extending along the east boundary towards the north edge of the site does not meet that criteria to specifically provide supporting small spaces..

Based on the Built Development Framework plan that area has an average width in excess of 45m, wider than envisaged for the linking corridors at circa 20m, but not as wide as the smaller 30m radius spaces. However, this proposed ANRG along the

east edge of the site is supplemented by the open aspect across Fawcett's Fields for much of its length, giving a greater sense of openness, a strong attractor to the National Park, than if it were enclosed by adjoining built form. Furthermore, the illustrative plans indicate that paths can be provided on both sides of that space, contributing to a circular walk through the greenspace, another important feature required to achieve a successful alternative to the National Park.

In this case, it is considered that as the area proposed to be made available and landscaped as ANRG is not severed by roads, is always wider than the width of linking corridors shown in the guidance, is not enclosed by development on all sides, so has a sense of openness and achieves the total area required, its failure to meet the preferred arrangement of spaces would not undermine its ability to provide an attractive, functional open space that offers residents a realistic alternative to the sensitive habitats in the New Forest.

The landscape framework on site is enhanced through the provision of a green buffer along the west edge of the site, proposed to provide a substantial buffer to screen the scale of the neighbouring glass houses. Whilst plans demonstrate the glass houses are not out of scale with the height of standard two storey houses, likely in the development parcels along the west edge of the site, their unrelieved 350m length would be a significantly imposing feature on the townscape and outlook from the dwellings. A low embankment and densely planted trees would provide a more attractive outlook, but contribute significantly to the landscape setting and achieve ecological benefits as a green link.

Subject to reserved matter applications, the parameter plans and design code create a framework to meet the aspirations for the delivery of a well landscaped development required by policies SS11, ENV3 and ENV4 of the development plan.

Trees.

There is no Tree Preservation Order on the site or covering any trees close enough to the site to be a consideration. There are however trees on and adjacent to the site that are still considered to contribute positively to the appearance of the site and wider landscape.

As described above there is line of mature evergreen Pine trees along the site frontage to Gore Road, that at 12m high and in good condition make a positive contribution to the character of the area and will provide an attractive filter to views of the development from Gore Road. Categorized as 'B' trees in the tree survey supporting the application the Built Framework parameter plan retains sufficient separation between the area proposed for built development and those trees in order to avoid direct impact on their root zones. Being to the north of the built area, they should not cast any shading towards the proposed dwellings, nor should needle or sap drop be an issue.

It is recognised that the proposed access would result in the loss of trees from this line, however the concept masterplan for the site accepted the principle of access through the line of trees and based on the landscape framework and opportunities for landscape along the main access road in to the site, as well as scope to supplement the line of trees at its eastern end, the loss would be readily mitigated for.

There are no trees across the middle of the site, whilst the detail of the landscape design and specific species would be subject to Reserved Matters applications, the scale of the open space provided on site would allow for large growing specimens to

be planted and mature in spacious setting making a positive contribution to tree coverage on site.

A condition securing a construction environmental management plan to include measures to protect retained trees from damage during construction would be merited.

As such the scheme complies with Local Plan policy ENV4

Public Open Space

The site is currently privately owned land and there are no public rights of way across it, or access for use, as such comments in representations received objecting to the loss of amenity space are given no weight.

In accordance with policy CS07, based on the principle of requiring 3.5ha per 1000 population, 178 dwellings requires a total of 1.62ha of Public Open Space. That breaks down to:

- 0.93ha of informal open space;
- 0.11ha of play space;
- 0.58ha of formal space.

As shown on the Landscape Parameter Plan a total of 0.93ha of informal open space is provided for throughout the site, including the existing landscape edges and within the development parcels and complementing the Alternative Natural Recreational Greenspace. Reserved matter applications of Landscape and Layout would present the detailed arrangement and design to achieve the minimum open space required and to ensure they deliver attractive spaces functionable for informal recreation.

The supporting design code includes a chapter on Green and Blue Infrastructure, presenting options for play and informal recreation in a section on public open space.

The green buffer provided along the west edge of the site has not been included in the area of informal open space being provided, but does have an important role in securing amenity for residents of dwellings proposed along the west edge of the site, complying with policy SS11 (iii) (a).

The Landscape Parameter plan also indicatively indicates the location of a variety of spaces for play. A single Local Equipped Area for Play (LEAP) would be provided, located within an area of open space to avoid conflict with the amenity of the closest residents, but close to the new north-south shared ped-cycle route and access to Fawcett's Fields to make it accessible to all and allow passive surveillance from users of a principal route across the site.

Two Local Areas for Play (LAP's) are proposed to make play provision for younger age groups. Shown in principle on the parameter plans, detailed proposals for the design and layout of the residential areas could accommodate LAP's within the residential areas. The Design Code presents details of what the play provision should contain to be successful and how to approach their design to successfully integrate them with the overall development.

Details of the type and range of equipment to be used in the play areas would be required to accompany the reserved matters applications in order that they meet the needs of the development.

Due to the size of the site and scale of the scheme it is considered unnecessary to require provision of formal recreation facilities on site. Policy SS11 does not require any site specific provision of formal recreation facilities. However, the Infrastructure Development Plan does indicate a financial contribution towards facilities at Fawcett's Fields should be secured. New Milton Town Council have published a Vision document for improving Fawcett's Fields, as such it is considered appropriate that a financial contribution is secured, in lieu of a specific provision, in order that the contribution can be put to most efficient use with any other sources of funding the Town Council can secure.

Subject to securing S.106 obligations and conditions the scheme would comply with the spatial requirements of policy CS07, contributing to the social wellbeing of residents, including those already living in this part of the District.

D) Highways and Access

Access to the site is the only detailed 'Matter' before the Council as part of this Outline Planning Application. The scheme proposes to form a vehicular and pedestrian access from Gore Road into the application site.

Access and trip generation.

The site only has a road frontage to Gore Road. The location of the proposed principal access is broadly as shown on the concept masterplan accompanying policy SS11 in the Local Plan. That access would make provision for all forms of movement. A second access on to the site for cyclists and pedestrians is proposed close to the eastern end of the frontage on to Gore Road.

The Highways Authority accepts the design and location of the access into the site would be safe and preserve highway safety along Gore Road. The access will secure adequate visibility and manoeuvring space for vehicle speeds and the vehicles expected to access the site. Due to the size of the development and scale of vehicle movements generated, a right turn lane for east bound traffic approaching the site, will be provided within the existing carriageway and can be delivered without compromising the existing reciprocal lane for west bound traffic turning right from Gore Road into Stem Lane.

In order to support and encourage pedestrians, new refuges will be provided on Gore Road to the east and west of the proposed access.

Plans have demonstrated these measures can be provided without compromising access to and from existing residential properties on the north side of Gore Road.

There is no objection to the amount of vehicle trips generated by the scheme. The Highway Authority accepts the trip generation modelling and distribution on the network, concluding that there would be no negative impacts on highway safety, the free flow of traffic or junction capacity in the vicinity. The scheme would secure safe travel in accordance with local plan policy CCC2.

Alternative modes of travel.

The application is supported by a movement network framework plan, showing the site in the context of movement options around the site and the proposed options to enhance them and integrate them through new routes across the site based on the built framework parameter plan.

There is an existing off carriageway shared pedestrian-cycle way along Gore Road approaching the application site from the east. It currently terminates at the vehicular access to Milton Barn, the pub-restaurant site to the east of the application site. This application proposes to extend the route across the front of Milton Barn and along the highway verge in front of the application site. This would make a significant contribution towards encouraging residents to cycle and walk towards New Milton town centre, and most particularly will provide a safe off-road route from the site to Arnewood School for pupils and visitors to the associated sports centre.

With the provision of the new refuges to cross Gore Road, the new cycle link would benefit existing residents to the north of Gore Road, where policy NMT14.5 of Local Plan part 2, also seeks to enhance facilities for cyclists along Stem Lane.

A new shared pedestrian-cycleway will cross the site in a north-south direction, from Gore Road, broadly in the location of the existing field access, to a point in the south east corner where it would provide access in to Fawcett's Fields and onwards towards Christchurch Road and Barton-on-Sea. Not only would this provide enhanced access in to Fawcett's Fields as sought by policy SS11 iii) c) for the recreation benefits, it would also provide a more direct and safe route for pedestrians and cyclists from the north of Gore Road to access Fawcett's Fields and beyond, or residents from south of Christchurch Road to access employment areas north of Gore Road and beyond in compliance with the aspirations of local plan policy CCC2. This is a significant benefit of the scheme that will contribute to reducing the reliance on the private car and enhance opportunities for active travel in the area.

Hampshire County Council (HCC) are in the process of producing a Local Cycling and Walking Infrastructure Plan (LCWIP) for the New Forest, that seeks to enhance priority and safety for cyclists and pedestrians on existing routes. Based on predicted additional vehicle flows as a percentage of overall flows along Gore Road towards the town centre, a contribution of £106,503 towards improvements identified by the LCWIP, is required. These enhancements would complement the provision of such dedicated routes across the site and allow residents and visitors to travel further by those non-motorised modes safely, contributing to a reduction in reliance on the private car and the multiple benefits for air quality and health that arise from less carbon based miles and improved active travel.

The Highways Authority seeks that a framework travel plan is provided, to provide an indicative action plan, cost estimate for the identified measures and a monitoring programme. It is considered best practice to have sight of this detail to inform the preparation of a S.106, however the lack of such a document at this stage does not undermine the ability to secure a Travel Plan via the S.106 or render the scheme unacceptable in highway terms.

The site is within walking/scooting/cycling distance of primary and secondary age schools, as such the request for a school travel plan is considered unnecessary, however it would be reasonable to secure a financial contribution from the development towards facilities at those schools to deal with increased cycling, walking and scooting to school, likely to arise due to the proximity. Such a contribution could be secured by a S.106.

The consultation response received from HCC Countryside Services seeks commitment by the applicant to make a financial contribution of £1000 per dwelling towards enhanced maintenance of the existing Public Right of Way (PROW) network, due to the increased use arising as a result of this development. There are no PROW's that cross the site, or on adjoining sites that the scheme proposes to

connect to. The closest adopted route, to the site, is a footpath linking Christchurch Road with Chiltern Drive, to the south of the site, opposite the access to Fawcett's Fields.

There is no evidence to demonstrate how the proposed scheme would place pressure on any of the nearby PROW's to require additional maintenance over and above the existing. There is no identified project or scheme of improvement presented, nor justification for maintenance being a requirement of making the scheme acceptable, nor is the contribution of £1000 per dwelling justified as being reasonable in scale to the impact or a reflection of the cost of the unidentified works.

Furthermore, being mindful of the benefits of the scheme for pedestrians and cyclists, by way of routes across the site and contributions to be secured towards identified projects to improve the existing highway network for pedestrians and cyclists, discussed above, it is not considered appropriate or justified to expect the development to make the requested contributions. The absence of such a contribution being secured does not make the application unacceptable in planning terms.

Parking.

There is an expectation that the scheme will be able to meet the NFDC adopted parking standards. Reserved matter applications will provide the detail design of the necessary vehicular parking. However, the design code sets out the principles of how parking would be accommodated on site and form part of the design approach to create the difference in character across the site. The design code seeks to ensure parking is functional for the scheme and residents, such as drives and parking spaces are wide enough to ensure bins, bikes and buggies can be navigated past neighbouring parked cars or walls.

The illustrative layout and design of the routes through the site include opportunities for on street parking to ensure they are integrated as part of the design solution.

Similarly the design code presents solutions for bin and bike storage for the variety of dwelling types proposed. Building regulations would require electric vehicle charging points are provided for each dwelling. A condition would be merited to secure details of provision of charging equipment for any shared parking courtyards in order to ensure provision.

Subject to reserved matter applications, S.106 obligations and conditions the scheme makes a positive contribution towards delivering a sustainable development, promoting active travel and due to its location reduced reliance on the private vehicle. It would secure safe access and preserve highway and pedestrian safety off site. The development would comply with policy CCC2 of the Development Plan.

E) Residential Amenity

There are no residential properties adjoining the application site. There are properties on the north side of Gore Road facing towards the trees on the Gore Road frontage of the site.

Whilst there are no detailed proposals for the layout, design and size of the dwellings to be provided on site, due to the proposed retention of the frontage trees and separation distances, across Gore Road, there would be no loss of privacy or amenity of the occupiers of those existing properties.

Representations received from residents of Gore Road raise concerns regarding a loss of amenity due to the position of the proposed access and vehicle movements generated by the scheme, most particularly head lights shining through windows.

The nature and scale of vehicle movements would be residential in character. There are street lights along Gore Road, including one in front of the houses most likely to be effected by vehicle headlights. Whilst it is accepted that lights do not currently shine directly at those houses positioned opposite the proposed access, however, the scenario is not unique to this site or scheme and is common place across urban areas.

The minor impact on amenity arising from the nuisance of vehicle headlights would not entirely compromise the amenity of the occupiers and is not considered to give rise to an unacceptable effect whereby this would weigh against the development making it unacceptable.

Within the site, at this time in the absence of detailed plans for the design, appearance, layout and size of the proposed dwellings it is not possible to assess the relationships between proposed dwellings, however there is nothing about the site or principles of the scheme under consideration that would suggest reasonable amenity and privacy between proposed dwellings couldn't be achieved.

The built framework parameter plan includes a landscape buffer of circa 6m width along the west edge of the site to achieve a reasonable stand off from the boundary with the adjoining horticultural site. This corridor would be outside any residential curtilages.

The supporting Design Code provides an illustration of that landscape buffer incorporating a heavily landscaped low embankment, which coupled with a gap of circa 15m to allow for operational needs between the east elevation of the glass houses and the common boundary, there would be sufficient separation and intervening features to screen the residential development from potential overbearing and shading impacts from the horticultural buildings.

As accepted by the NFDC Environmental Health Officer there is little noise generated by the horticultural business likely to have a detrimental impact on the amenity of residents, requiring detailed assessment or mitigation. The noise assessment provided, does highlight noise levels along Gore Road from vehicles have the potential to disturb residents of the proposed dwellings along the north edge of the site. A condition can ensure further analysis to ensure good acoustic design is incorporated in the design and layout of the houses along the northern edge.

Due to the use of a biomass boiler at the adjoining horticultural business, the NFDC Environmental Health officer has carefully considered air quality in the area. Whilst the boiler operates within its permit levels and the fumes discharged from the boiler flue are no cause for concern at present, the application would introduce residents much closer to the source of those fumes than existing.

Sufficient analysis of the potential impact of the biomass boiler flue should it operate to the maximum level of its permit, combined with the closer proximity of residents living on this scheme and additional vehicular movements, has been undertaken by the applicant. The NFDC Environmental Health officer is content with its conclusion, that there would be no detrimental impact on the health or amenity of residents of the scheme.

The horticultural operation undertaken within the glass houses uses extensive levels of internal illumination. Representations from local residents have raised concerns regarding the impact of this on amenity. The east elevation of the glasshouses has a black out film applied that contains the majority of the artificial light. This in addition to the proposed landscape bund would avoid causing potential nuisance to occupiers of the proposed scheme.

The consultation response from the NFDC Environmental Health officer also raises concerns over the potential for lighting on site to cause a nuisance, requesting a site wide lighting strategy is secured. There is nothing about the scheme to suggest that lighting over and above standard residential street lighting would be required. It is therefore considered unnecessary to require further detailed assessment of this matter for the purposes of residential amenity.

The scheme will preserve the amenity and privacy of local residents and subject to conditions adequate amenity and privacy could be achieved on site in accordance with policy ENV3.

F) Heritage

There are no designated heritage assets on the site, the site is not in or adjacent to a Conservation Area, nor are there any non-designated heritage assets identified on or close to the site.

There is a statutory Grade II listed building adjacent to the site. Identified as 'Barn at former Gore Farm in the Historic England listing description, it is listed for its special architectural or historic interest. It dates from circa 1830 and is identified as being a large barn of red brick with half hipped slate roof and red ridge tiles. Symmetrical design with centre double doors under porch with hipped gable. Planning permission and Listed Building Consent was granted for its conversion to a public house with bedrooms in 2002.

The Listed Buildings and Conservation Area Act 1990 requires Local Planning Authorities (LPA's) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

The site policy SS11 does acknowledge the presence of the listed building adjoining the site. The policy repeats national legislation, requiring development:

"respects the setting of the listed building of barn at former Gore farm"

The application is supported by a Heritage Assets Statement that assesses the significance of the Listed Building and potential impact of the development.

There would be no impact on the architectural significance, historic fabric or features of the listed building. The impact of the proposal on the listed building is limited to the change in the setting of the listed building. A review of historic maps of the area to assess the evolution and change in built form on the site and surroundings shows there were additional buildings adjacent to the barn in the early C20th, but that it wasn't part of a larger farmstead with a farm house. Those lesser buildings have been retained as part of the conversion of the barn to commercial use, but the fields around the barn sold off, developed or repurposed for formal recreational activities.

The agricultural setting of the barn has been extensively eroded over the late C20th and these proposals would perpetuate that change. The Built Framework parameter plan follows the principle of the concept master plan, by incorporating a

wide area of open space along the east edge of the site in excess of 30m, there would be almost 100m separation between the proposed development on the site and the listed barn itself. Whilst much of that open space would be landscaped and green, it would not reflect the agricultural activities of the past, but appear as natural recreational landscape.

The NFDC Conservation officer recognises this would amount less than substantial harm and in their opinion the scale of harm would be very minor. In line with NPPF paragraph 208, it is considered that the public benefits, described above, of the proposal would clearly outweigh the identified less than substantial harm.

The consultation response received from the Archaeologist objects to the failure of the applicant to undertake an assessment of the potential for the site to contain features of archaeological interest. As a green field site with no known previous development on it, there is little evidence to suggest the presence or absence of archaeological features.

The NPPF at paragraph 200 states; Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

In this instance there is no known evidence, from surrounding or nearby sites to suggest the site would include archaeological assets. As a green field site, where the ground has been undisturbed it has the potential for features to be present.

As the application is an outline application and no details of the layout are under consideration, it is considered to be entirely reasonable that appropriate archaeological research, surveys and investigations are undertaken before submission of reserved matters applications, in order that any findings can be evaluated and their significance factored in to the design and layout of the subsequent detailed designs.

There is high desirability for preserving the setting, special architectural features and historic interest of the listed buildings close to the site. The design and layout of the scheme minimises the level of impact on those features. Any impacts are outweighed by the public benefits of the scheme in line with NPPF paragraph 208. The designated heritage assets close to the site would be preserved as required by S.66 of the Listed Building Act, the NPPF and local plan policy DM1.

G) Ecology and Habitat Mitigation

i) Ecology and Protected Species

The site does not include any designated or protected habitats. It has been extensively managed as arable farmland for many years. As such the regularity of crop production and harvest has restricted the ecological value of the site to that largely inhabiting the north and east boundaries.

Birds have been surveyed on site and are likely to be nesting in trees around the edge of the site. Evidence of badgers being on the site has been identified, but no setts were identified. Bats are also likely to be foraging on site. A single adder was recorded.

Measures to protect and mitigate the impact of the development on these species have been proposed by the Ecological Impact Assessment, including, a sensitive

lighting strategy, pre-commencement badger survey and removal of reptile habitat under licence. All of these will be secured by conditions.

However, given the outline nature of this application and the passage of time until development may occur and the uncertainty regarding continued agricultural use prior to development occurring, it would be appropriate to ensure revised ecological surveys are undertaken to ensure mitigation is up-to-date and appropriate.

An ecological mitigation and management plan, secured by condition, can capture a raft of enhancements, such as the inclusion of bat and bird boxes and bee bricks, hedgehog highway gaps in boundary fences and provision of log piles and hibernacula and secure an appropriate future management strategy.

In addition, a condition securing a construction environmental management plan (CEMP) is merited in order to protect on-site ecology or species using the site from harm during construction.

Draft Biodiversity net gain metric calculations have been proposed that account for additionality above the landscape and ecology required to deliver public open space and ANRG. The metric has been revised since that time, however a condition will be imposed to ensure biodiversity net gain, consistent with national requirements is delivered.

Subject to conditions, the scheme would preserve and enhance the ecological value of the site in accordance with DM2 of the development plan.

ii) Recreational Activity Impact on the New Forest and Solent Habitats

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

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

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

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 178 homes generate a need for at least 3.75ha of ANRG. The proposed scheme delivers 3.92ha of ANRG on site, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed in consideration of Landscape design. In principle the scheme provides sufficient quantity of ANRG to meet the policy requirements. It will be a requirement of the S.106 agreement that the developer forms a management company to have responsibility for the management and maintenance of all the open space on site.

Furthermore, a financial contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring will be secured in the S.106 agreement.

The site does not fall within the area identified as being likely to give rise to recreational pressure on Solent coastal sites, as such it is not required to make a financial contribution towards projects protecting those sites set out in the Bird Aware Solent strategy.

iii) Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with paragraph 4 (iv) of policy ENV1 and the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

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

A Grampian style condition will be imposed to ensure such mitigation is secured.

New Forest Habitats Air Quality Monitoring

To ensure that impacts on international nature conservation sites are adequately mitigated and in accordance with paragraph 4(v) of local plan policy ENV1 a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations.

Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

H) Other Matters

Provision of Education Facilities

The scheme will result in additional school age children living within the catchments of New Milton schools. Based on forecasting of birth rates and household size, the scheme will generate more children than there is capacity for in the Primary School age groups. A financial contribution has been calculated by the Education Authority to contribute towards projects to increase capacity at primary age schools in the New Milton area. No such contribution is required at Secondary school age groups as

there is adequate existing capacity to accommodate demand. A contribution of £915,376.00 towards local primary education would be secured by a S.106 agreement.

Drainage

The site is not at risk of any tidal, fluvial or surface water flooding. In accordance with paragraph v of local plan policy ENV3, the scheme proposes a network of attenuation basins leading to infiltration drainage lagoons that will manage surface water run off from roofs and hard surfaces in a sustainable manner. The Design Code includes a section on blue infrastructure to demonstrate how surface water drainage could be delivered attractively.

Hampshire County Council as Lead Local Flood Risk Authority are content with the principles of the strategy, but as the planning application is only for the principle of 178 dwellings and the proposed means of access, they request detailed proposals for the layout, design and capacity of the drainage network are provided to reflect designs agreed by reserved matter applications. This is reasonable and an appropriately worded condition could ensure details are provided and approved.

A significant portion of the representation from the NFDC Environmental Design Team is focused on the design of the drainage network, raising concerns that it doesn't provide a true sustainable drainage scheme and relies too heavily on enclosed pipes to transfer water from source to attenuation and soakaway basins. As indicated above, with the application in outline form a final strategy is not before the Council at this time. Furthermore, the design code supporting this application includes a chapter on 'blue' infrastructure identifying options for permeable paved areas, swales and linear wetlands, and rain gardens. It will be a requirement of the recommendation that the detail of the design code is secured so that it will then influence subsequent reserved matter applications.

Contamination

The site has not been identified as being a source of historic landfill or contaminating industrial processes, however given its historic agricultural use it would be prudent to impose a condition requiring reporting and disposal of any unexpected contamination uncovered during construction.

Climate Change

The Council has recently adopted the Planning for Climate Change SPD. This application pre-dates it, so is not captured by the requirements it places on new planning applications.

The improved network of routes for cyclists and pedestrians, including the proximity of the site to work places, leisure facilities and schools will make a significant contribution towards reducing the carbon footprint of residents' travel.

However one of the principles of the design code is to create a development that looks to the future with sustainable design solutions integral to the development.

The final chapter of the design code considers sustainable design and construction to maximise the opportunities to enable residents to live healthy lifestyles and minimise their environmental and carbon footprint.

It sets out where such measures can be delivered through the development infrastructure, within each individual plot, as part of each building and during the process of construction. This includes aspirations to exceed Building Regulations for energy efficiency and ventilation, comply with nationally described space standards, install eco-friendly heating systems, such as air source heat pumps, take

a fabric first approach to reducing reliance on artificial heating and lighting and explore modern methods of construction.

A condition will be imposed requiring broad compliance with the design code, which will include consideration of how these measures have been integrated in to the detailed designs subject to reserved matter applications.

Developer Contributions

As part of the development, the following is required to mitigate the impacts of the development and need to be secured via a Section 106 agreement:

NF habitats Air Quality monitoring £19,402

NF habitats recreational mitigation non-infrastructure per unit size

1-bed £489

2-bed £693

3-bed £956

4-bed £1,174

Secure 3.75ha of land as Alternative Natural Recreational Greenspace, including future management and public access

Contribution towards Primary age Education £915,376

Contribution towards LCWIP highways projects £106,503

Secure delivery of off site highway works shown indicatively on plans

Secure delivery of facilities to support scooting and cycling to schools

Public Open Space off site facilities contributions £102,422

Secure 0.95ha of informal public open space and play facilities on site including future management and public access.

Secure 37 dwellings as affordable housing, as:

13 Social rent,

12 Affordable rent,

12 Shared Ownership.

Monitoring costs:

BNG £5,225

ANRG monitoring £12,178

Commencement £847

Affordable Hsg £847

POS £6,863

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	16711.86		16711.86	16711.86	£80/sqm	£1,959,143.44 *

Subtotal:	£1,959,143.44
Relief:	£0.00
Total Payable:	£1,959,143.44

11 CONCLUSION / PLANNING BALANCE

Planning Committee Members will be aware that Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The site is allocated for residential development within the adopted New Forest District Local Plan (Strategic Site 11) and is planned to make an important contribution to the districts housing supply.

As set out earlier in this report, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay. The lack of a demonstrable five-year supply of land for housing development, consistent with the recent Orchard Gate appeal decision means, however, that the presumption in favour of sustainable development in NPPF paragraph 11(d) is engaged for this application.

The site is allocated for residential development by Policy SS11 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5.

Being unable to demonstrate a 5year supply of housing land available it is imperative that the sites allocated for housing in the Local Plan are brought forward in order to ensure the supply of housing meets identified need in terms of annual delivery rates and overall supply.

The scheme makes a significant contribution towards the delivery of housing and making up the 5yr housing land supply shortfall, taken with the provision of 21% of the scheme in a policy compliant tenure mix of affordable housing weighs significantly in favour of the scheme.

As set out in section 10 A), the principle of the scheme delivers extensive economic, environmental and social benefits, contributing to the delivery of sustainable development as defined by NPPF paragraph 8.

The parameter plans and supporting design code deliver a development framework from which all the requirements of policy SS11 will be delivered, a high quality residential environment can be achieved and the significance of heritage assets preserved, in accordance with development plan policies. All of which contribute to environmental and social benefits.

Subject to conditions and S.106 obligations safe vehicular access to the site would be provided as well as multiple enhancements to improve options to travel by non-vehicular modes, to the benefit of existing and future residents, also considered to be scheme specific benefits.

The proposal has received local objections that are not supported by the technical advice of consultees such as the Highway Authority, Natural England and Lead Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to offset such harm. Furthermore an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. The scheme will protect important landscape features on and around the site, support ecology and deliver bio-diversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. The Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. In accordance with paragraph 11(d) of the NPPF the benefits of the proposal have been weighed against the identified harm. There are no other material considerations or significant impacts that demonstrably outweigh the identified benefits and therefore this proposed development is recommended for permission.

12 RECOMMENDATION

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

- i) the completion by of a planning obligation entered into by way of a Section 106 Agreement to secure:

NF habitats Air Quality monitoring £19,402

NF habitats recreational mitigation non-infrastructure per unit size:

1-bed £489

2-bed £693

3-bed £956

4-bed £1,174

Secure 3.75ha of land as Alternative Natural Recreational Greenspace, including future management (including provisions for the scenario where management is not undertaken properly or the appointed management body ceases to exist) and public access

Contribution towards Primary age Education £915,376

Contribution towards LCWIP projects Highways £106,503

Secure delivery of off site highway works shown indicatively on plans

Secure delivery of facilities to support scooting and cycling to schools

Public Open Space off site facilities contribution £102,422

Secure 0.95ha of informal public open space and play facilities on site including future management (including provisions for the scenario where management is not undertaken properly or the appointed management body ceases to exist) and public access.

Secure 37 dwellings as affordable housing, as:
13 Social rent,
12 Affordable rent,
12 Shared Ownership.
Housing mix and local connection conditions to be secured.

Monitoring costs:

BNG	£5,225
ANRG monitoring	£12,178
Commencement	£847
Affordable Hsg	£847
POS	£6,863

- ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Proposed Conditions:

1. 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. Approval of the details of the Appearance, Landscape, Layout and Scale, ("the reserved matters") shall be obtained from the Local Planning Authority before any of the development is commenced. The development shall only be carried out in accordance with the details which have been approved.

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

3. Approved Plans

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

Site Boundary Plan Ref:SBP-01 Rev A rec'd 06/04/22
Proposed Right Turn Lane on Gore Road Ref:10377_2100 rev P3 rec'd 05/02/24
Proposed Cycle & Pedestrian Access Plan, Drg No.10377_2101 rev P1 rec'd 20/06/24

Reason: To ensure satisfactory provision of the development.

4. Approved parameter plans

The Reserved Matters details to be submitted in accordance with conditions 1 & 2 shall be substantially in accordance with the Development Parameter Plans comprising:

Building Development framework ref:BDF-01 rev C rec'd 11/04/23
Building Heights framework plan ref:BHF-01 rev B rec'd 11/04/23
Density framework plan Ref:DF-01 rev B rec'd 11/04/23
Landscape framework plan Ref:LF-01 rev D rec'd 11/04/23
Movement network framework plan Ref:MNF-01 rev C rec'd 11/04/23
Design Code (parts 1-4) received 11/04/23

Reason: To ensure satisfactory provision of the development.

5. The development hereby permitted shall be begun before the expiration of two years from the date of 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.

6. Phasing condition

Prior to the commencement of development on site, a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG and POS will be provided to match the needs of occupation. The development will be carried out in accordance with the approved strategy.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs.

7. Design Code compliance

All reserved matter applications shall include a statement demonstrating how the details of the application complies with the design code.

Reason: In the interests of delivering a well planned and attractive development in accordance with the standards set.

8. CEMP

Prior to the commencement of development, (including site setup and ground preparations) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include, but not be limited to, measures to provide:

- Protective fencing and buffering of all retained hedgerows and trees;
- Dust control and minimisation
- Pollution prevention measures;
- Lighting control;
- Noise control and minimisation
- Vegetation removal under supervision / timing of works e.g. birds and dormice; and
- Methods to prevent badgers (and other mammals) getting trapped in excavations.

The agreed plan shall then be implemented and followed for the duration of construction as appropriate to the nature of the works and impact.

Reason: In the interests of protecting sensitive features of nature conservation.

9. Construction Management Plan

Prior to the commencement of development on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of on site contractor parking and traffic management measures, site compound including the site office location and welfare facilities, delivery routes to the site and storage areas for material and equipment.
- Measures to prevent mud and debris from the site being transported onto the public highway.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.6 of this permission.

10. Revised ecology surveys

Notwithstanding the submitted Ecological Impact Assessment, prior to the commencement of development, revised ecological surveys, impact assessments and mitigation strategies, including timescales for implementation, shall be first submitted to and approved in writing by the Local Planning Authority.

The agreed mitigation strategies shall be implemented, in accordance with the agreed timescales.

Reason: Due to the outline nature of the application, age of the existing surveys and potential time lag until this permission is implemented, in order to secure appropriate and sufficient mitigation.

11. Sensitive lighting strategy

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- 1) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- 2) Identify and take account dedicated bat roost features provided by the development; and
- 3) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area.

12. The development hereby permitted shall not be occupied until:

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

A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

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

13. Detailed surface water drainage

Before the commencement of development, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas;
- b) Details of the method of disposal, to include the provision of attenuation storage, infiltration lagoon or a means and location of discharge;
- c) Hydraulic calculations for the surface water drainage network and SUDS features, to consider peak rainfall allowances and an allowance for urban creep;
- d) Means of treatment or interception of potentially polluted runoff in accordance with the simple index, of the SUDS manual, approach;
- e) Existing and proposed run-off rates for the development site for storms up to the 1 in 100 year event plus a peak rainfall allowance;
- f) A plan indicating flood exceedance flow routes and the extent of any flooded areas; and
- g) A timetable for implementation

The drainage works shall be completed in accordance with the approved details prior to occupation of the development or in accordance with the approved timetable.

Reason: In the interests of ensuring the most sustainable solution and appropriate drainage capacity .

14. Drainage management

Details of the maintenance arrangements for the approved surface water drainage system, over the life of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwellings. The submitted details shall include:

- a. Maintenance schedules for each drainage feature type and ownership; and
- b. Details of protection measures.

The agreed schedule shall then be implemented.

Reason: In order to ensure continued operation and to avoid the risk of surface water flooding.

15. Layout RM to include details of play provision

Concurrent with the submission of any reserved matter application for the detailed Layout of the scheme, as required by condition 3 of this permission, details of the location and layout of and play equipment proposed to meet the amenity needs of the development in accordance with policy CS07 shall be submitted.

Reason: In the interests of the amenity of residents.

16. Provision of access

Prior to first occupation of the development hereby approved the vehicular access shown on the approved plan ref: 10377_2100 rev P3 shall be completed.

Reason: In order to ensure safe access and to preserve highway and pedestrian safety.

17. Detailed noise assessment and mitigation

At reserved matters stage of layout and appearance, as required by condition 3 of this planning permission, a full stage 2 noise assessment, including the four key elements in accordance with ProPG shall be submitted to demonstrate that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated.

Reason: In order to ensure the design of the proposed dwellings provides adequate amenity for the occupiers from the risk of noise nuisance.

18. Housing Mix

The open market dwellings to be delivered by the scheme shall accord with the following housing mix:

	<u>1&2 bed</u>	<u>3bed</u>	<u>4bed</u>
Open Market dwellings	30-40%	40-45%	20-25%

Reason: In order to ensure a variety of dwelling sizes to deliver a mixed and balanced community as required by policy HOU1 of the New Forest District Council Local Plan Part 1: Planning Strategy 2020

19. Provision of shared ped-cycle way access from Gore Road

The shared pedestrian and cycle access from Gore Road, as shown on the approved plan Ref.10377_2101 rev P1, shall be provided prior to first residential occupation of the development hereby approved and thereafter kept open for public access by non-vehicular modes of travel.

Reason: In order to provide safe and convenient access for cyclists and pedestrians to and from the site.

20. Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, all work in the affected area must stop and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment of the scale and nature of the contamination must be undertaken and where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use must be prepared and submitted to and approved in writing of the Local Planning Authority before work can re-commence in the affected area. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to occupation of the affected area.

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.

21. BNG

Prior to the first occupation of any dwelling the details of a BNG package of on-site supplemented if necessary off-site of BNG shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified BNG arising from the development and include:

- i. an updated calculation of the number of biodiversity units required to provide a net gain in BNG in accordance with the most up to date DEFRA Biodiversity Metric;
- ii. if offsetting is needed the details of the BNG project including its location;
- iii. a timetable for the provision of the BNG units on and off site;
- iv. details of the management of the BNG units on and off site;
- v. details of the future monitoring of the BNG units on and off site. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.
- vi. written confirmation that the required number of offsetting BNG units has been secured

Reason: To ensure Biodiversity Net Gain is secured as part of the development.

22. Archaeology: A Programme of Archaeological Work

Prior to the submission of reserved matters applications required by conditions 1 and 2 of this decision, a desk based assessment of the sites archaeological potential shall be submitted to and approved in writing by the Local Planning Authority. Based on its conclusion it shall include a programme of archaeological work, including a Written Scheme of Investigation, which shall be 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.

The approved programme of timings shall be followed.

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

23. Inclusion of archaeology.

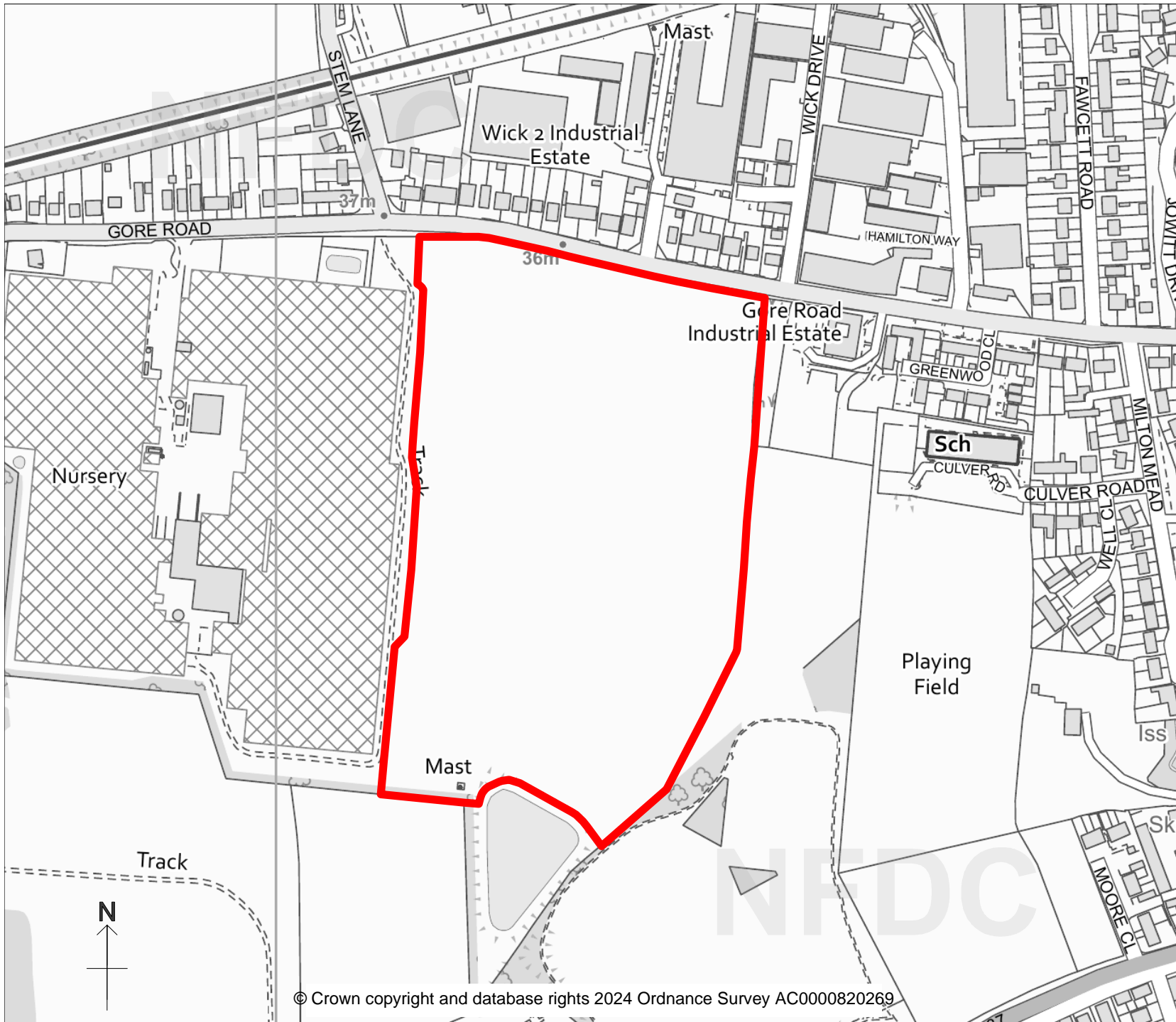
The reserved matters application required by conditions 1 and 2 of this permission shall be accompanied by a statement demonstrating how any features of archaeological interest, considered to be heritage assets, identified during surveys required by condition 22, have been accommodated within the design of the development.

Reason: In order to ensure appropriate respect for archaeological assets present on the site.

Further Information:

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New Forest

DISTRICT COUNCIL

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 New Forest District Council
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 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

July 2024

Land South of Gore Road
 New Milton

22/10418

Scale 1:4000

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