

**Application Number:** 21/10052 Outline Planning Permission  
**Site:** LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE  
**Development:** Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)  
**Applicant:** Pennyfarthing Homes Limited  
**Agent:** Terence O'Rourke Ltd  
**Target Date:** 21/05/2021  
**Case Officer:** Stephen Belli  
**Officer Recommendation:** Service Man Planning Grant  
**Reason for Referral to Committee:** Extension of time to allow completion of S106

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The Planning Committee, at its meeting of January 2024, resolved to grant planning permission for the proposal subject to the prior completion of the required legal agreement by June 30th, 2024. Good progress has been made on the drafting of the agreement with all the obligations agreed between the parties. Whilst good progress has now been made on the agreement, it has not been completed by the agreed deadline.

The principal reason for the delay in completing the S106 has been due to some last minute changes in names of signatories and other land title changes. The agreement is now in its final form but unfortunately was not completed by the deadline of 30 June 2024. To that end, the Committee is asked to grant a further extension of time to allow completion of the Section 106 agreement until the end of September 2024.

There are no matters that require updating from the previous January 2024 report a copy of which is annexed for information.

## RECOMMENDATION

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

- i) the completion by the end of September 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the September 2022 Planning Committee report including any amendments shown in the August 2023 and January 2024 update reports; and,
- ii) the imposition of the conditions set out in the September 2022 Committee report and the 2022 Committee Update Report, and any additional / amended conditions deemed necessary by the Development Manager.

## Further Information:

Stephen Belli  
Telephone: 023 8028 5430

<b>Application Number:</b>	<b>21/10052</b> Outline Planning Permission
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<b>Applicant:</b>	Pennyfarthing Homes Limited
<b>Agent:</b>	Terence O'Rourke Ltd
<b>Case Officer:</b>	Stephen Belli
<b>Officer Recommendation:</b>	That the Committee allow a further six-month period until 30 June 2024 to allow for the completion of the S106 Agreement and the subsequent issuing of the Planning Permission.
<b>Reason for Referral to Committee:</b>	To grant an extension of time to allow completion of the Section 106 agreement and to consider the updated matters set out below. The principal reason for the delay in completing the S106 has been due to the protracted drafting time required for the completion of the Section 106 relating to the application 21/11237 for Site 18 which the applicants have considered a priority.

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## UPDATE REPORT JANUARY 2024

### Introduction

This application is presented to Committee for the third time. The original Committee report in September 2022 is included in the later report of August 2023 and can be found at Appendix A. This report provides an update to the Planning Committee before a final decision is issued. This will allow Members to consider any national and local changes to planning legislation and policy guidance; any representations not considered previously; and any changes to the terms of the Section 106 set out in the original report.

Members will recall that this outline planning application for 342 dwellings and associated infrastructure works was considered originally at the Planning Committee in September 2022. At the September 2022 Committee, the Planning Committee resolved to Delegate Authority to the Executive Head for Planning, Regeneration and Economy to grant permission subject to:

- i) the completion by the end of the June 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the report including amendments shown in the Update Report; and
- ii) the imposition of the conditions set out in the Committee report and the Update Report, and any additional / amended condition deemed necessary by the Executive Head for Planning, Regeneration and Economy.

The Section 106 legal agreement (in respect of those matters set out in Section (L) of the original Committee report) was not completed by 22 December 2023 (as was later resolved in August 2023) and this application is brought back to Committee to allow a further period to complete the S106 Agreement, to consider other matters and to authorise the issue of the planning permission.

### **Update on other Fordingbridge Strategic Sites SS18 decisions/resolutions**

Following the original resolution at the September 2022 Planning Committee three further Fordingbridge Strategic Site applications have been the subject of reports and resolutions.

- First the hybrid (part full/part outline) application 21/11237 (404 dwellings and link road on Site 18 Land at Burgate) was approved by the Committee at their meeting in January 2023 subject to a S106 Agreement being completed by 31 January 2024.
- Secondly, a separate full application 23/10518 for the link road through Site 18 was approved by Committee in August 2023 and planning permission has been issued. The conditions of that permission are currently being discharged such that the development of the new link road can start this winter.
- Finally, a full application for 198 dwellings on land at Station Road (Strategic Site 16) was the subject of an approval resolution at the November 2023 Planning Committee subject to the completion of a S106 Agreement.

### **Update to policy changes**

The Government has now published a revised National Planning Policy Framework (NPPF) on 20 December 2023. The changes set out in the revised NPPF do not alter or set aside the principle of the primacy of the Development Plan as set out in section 38 of the Town and Country Planning Act 1990 (as amended) and any approved policies or allocations. In addition, it should be noted that the new text of the NPPF does not apply to the need for a five year land supply consideration of the tilted balance in the case of applications already in the system. The site the subject of this report is an allocated site and remains so.

Added to this policy guidance change the Levelling Up and Regeneration Bill has now become law gaining royal assent on 26 October 2023. Most of the Act's provisions however need to be the subject of secondary legislation not yet laid before Parliament. Again, the new Act does not change the basis on which the application was approved as an allocated strategic housing site as confirmed in the adopted Development Plan.

There are no changes to the Development Plan or other local policy guidance to warrant a fresh consideration of the application as submitted and revised.

### **Update to submitted plans**

Following the September 2022 Committee resolution, the applicants discovered that the red line boundary plan included a narrow strip of unregistered land alongside the Sweatfords Water and a further sliver of land now within the registered title of the first few houses on the Augustus Park site. To correct these anomalies a revised red line plan

which makes the development site marginally smaller (plan PP005 rev F) has now been submitted. To accompany this amendment the applicants has also submitted amendments to other plans which show the original red line amended. The following amended plans will be included in the approved plans list as appropriate.

- PP001 Rev H Land Use and Landscape.
- PP002 Rev F Building Heights.
- PP003 Rev K Density.
- PP004 Rev F Access and Movement.
- PP005 Rev F Application Boundary.
- SK104 Rev B Temp ANRG.
- PL002 Rev O LAP

These changes to the submitted plans have no material impact on the original Committee resolution and simply correct drafting errors. The applicants have also confirmed they can still connect the Ford 1 SANG with the new ANRG to the south of the river on Site 17 albeit with a slightly different alignment to the link as now shown. All these amended plans are lodged on the web site under the date 21 December 2023 together with the cover explanatory emails.

### **Consultations and representations**

The following is an update to comments previously considered by Committee

#### Hampshire County Council Countryside Service

- Response dated 15 June 2023

Reference made to the three public rights of way (PROW) that run through the site as well as the two bridleways – also PROWs (Marl Lane and Puddleslosh Lane) that abut the southern and western boundaries but lie outside the site. The Countryside Service expects a development of this scale to make a contribution of £1000 per household to the enhancement of the local PROW network and would expect to this to be secured via a S106 agreement (i.e. in this case £342,000).

- Response 21 December 2023

The County Council Countryside Service has now responded with amended comments. Their revised advice will require the improvement of the PROWs as part of the development with a commuted future maintenance sum for the three on site PROWs (£148,800), and a financial contribution towards the improvement of the whole length of Puddleslosh Lane (£129,315). Any works to PROWs should also be covered by the Section 278 Agreement and included in the S106. The Service recommends conditions be applied to cover the necessary onsite footpath improvement works and the maintenance of public access, and that obligations are included in the S106 to deal with the legal requirement for the County Council to approve the works. The suggested conditions can be incorporated into the decision notice.

### **Section 106 update**

For ease of reference the original report section (including the Committee Update sheet) relating to the terms of the Section 106 is set out below.

*Any update or suggested changes and comments are in italics after each section.*

Members should note the financial figures set out are the original report figures but will need to be indexed to reflect the April 2023 sums required and will potentially be indexed again to reflect any April 2024 figures if the agreement has not been signed by that point.

## SECTION 106 REQUIREMENTS

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits:

**Affordable Housing** – provision of affordable housing including future monitoring costs – to achieve a total of 21 First Homes, 24 affordable rent homes, and 40 shared ownership homes. No change.

**Education** - financial contribution of £1,471,592 towards expansion of Fordingbridge Junior and Infants School payable to Hampshire CC. No change

**Biodiversity net gain (BNG)** long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site and other areas within the application site currently designated as SINC. No change

**ANRG provision and maintenance** and long-term management/maintenance plan, monitoring costs and requirement – potentially privately managed. Structure of management company. Failure safeguards. If managed by Council, then maintenance contributions TBC. No change

**SINC enhancement and maintenance scheme** – as per the ANRG clauses above with contribution level TBC. No change

**POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas. If to be adopted by the Council, future maintenance financial contributions TBC, and monitoring costs. No change

**Monitoring charges** – as set out in the April 2022 Cabinet paper relating to affordable housing , BNG, POS, and ANRG. No change

**Formal open space (playing pitches and infrastructure)** contribution towards off-site formal open space and new playing facilities for the town to be confirmed. £1000 per dwelling = £342k. No change

**Internal roads not to be adopted** – management company arrangement etc potentially a County Council bond. No change

**Provision of on-site drainage** – management company to look after on-site drainage including SuDS basins and any underground equipment within POS areas if not publicly adopted. No change

**Air quality assessment** monitoring contribution of £91 per dwelling = £31,122 in line with Local Plan policy. No change

**Sustainable travel improvements** including new bus stop(s) on Whitsbury Road, provision of hourly bus service and re-routing of bus service to Whitsbury Road through link road if available at point of commencement for Site 17 See report below.

*The new bus route provision is now incorporated into the drafting of the Site 18 application S106 referred to above and a monetary sum is also included in the housing viability assessment for the Site 17 application the subject of this report. The bus company has met with the Town Council and discussions have now culminated in an agreed new route for the new service. The whole amount put forward for Site 17 may not be needed to support the new service and if there is any excess money not required this can be put towards other sustainable transport improvements such as footpaths either within or adjoining the site.*

**Highway works** for new junction, roundabout and bridge works, and associated highway works– under S278 Highways Act agreement. See report below

*The S278 Highways Act agreement should also include any works to the existing PROWs within the application site. The PROWs may also need to be the subject of a formal diversion order which can be incorporated into any reserved matters application. The details of the contributions will be determined following negotiation between the Service Manager and the applicant.*

**Puddleslosh Lane improvements** – localised improvements to the surface of Puddleslosh Lane along its length to remove pot holes in particular. Costed scheme to be drawn up and secured through S106 agreement with works to be carried out by Hampshire County Council Highways or Countryside team with funding met by applicant. See report below.

*The County Council Countryside Service have now formalised their contribution request at £129,315 based on them carrying out the work. The applicants can carry out these works themselves under license from the County Council to an agreed specification. The County Council have also now requested the whole of Puddleslosh Lane be improved rather than just the site frontage. The details of the contributions will be determined following negotiation between the Service Manager and the applicant.*

**Provision of a full Residential Travel Plan** with bond, monitoring fees and approval fees so as to encourage more sustainable forms of transport other than the private motor car. No change

## **RECOMMENDATION**

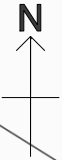
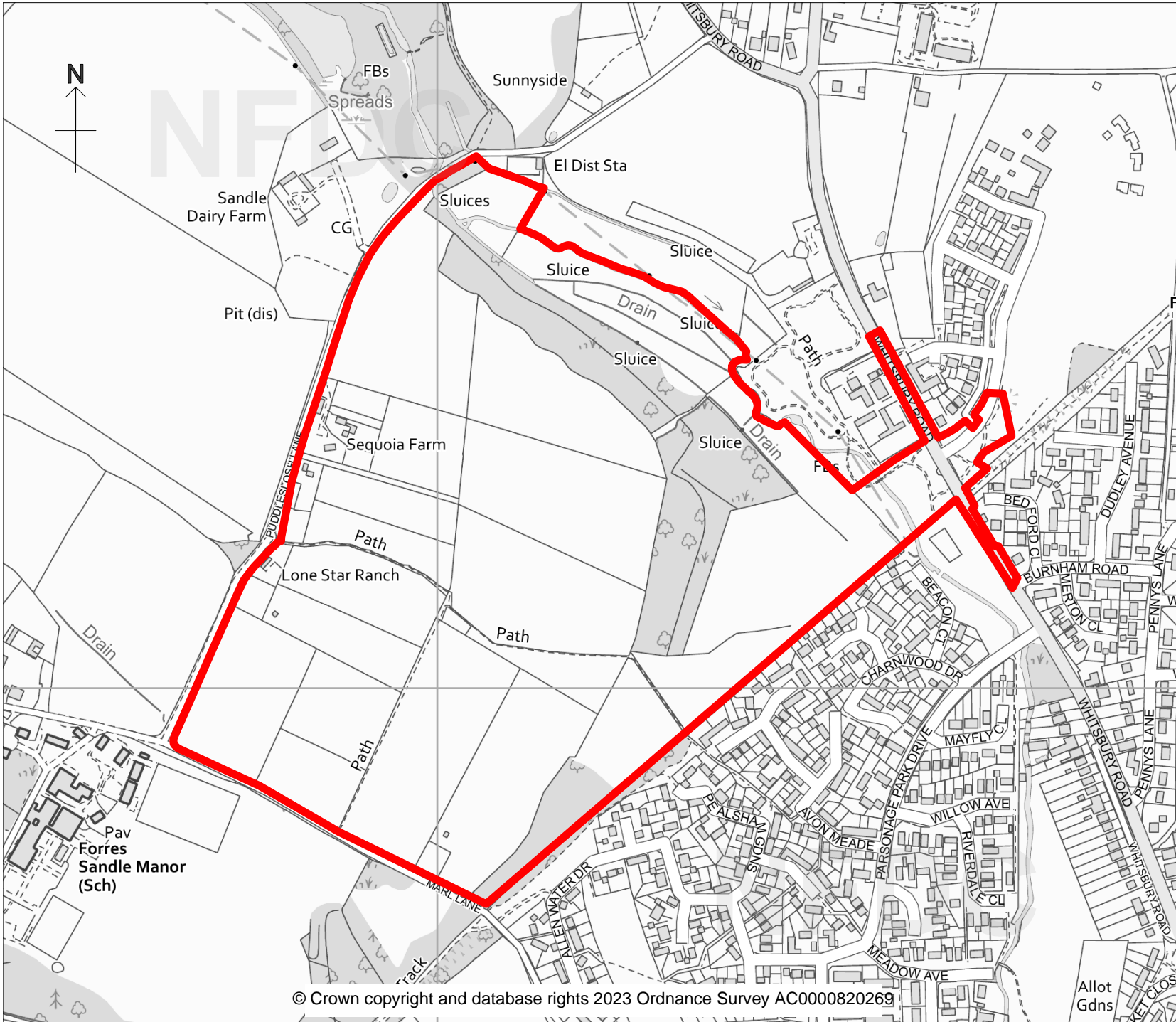
Delegated Authority be given to the Service Manager, Development Management to GRANT PERMISSION subject to -

- i) the completion by the end of June 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the September 2022 report including amendments shown in this Update Report; and,
- ii) the imposition of the conditions set out in the September 2022 Committee report and the 2022 Committee Update Report, and any additional / amended conditions deemed necessary by the Service Manager, Development Management.

### **Further Information:**

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# New Forest

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## PLANNING COMMITTEE

January 2024

Land to West of Whitsbury Road  
Fordingbridge

21/10052

Scale 1:5286

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

Allot Gdns

# Appendix A

Planning Committee 09 August 2023

<b>Application Number:</b>	<b>21/10052</b> Outline Planning Permission
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<b>Applicant:</b>	Pennyfarthing Homes Limited
<b>Agent:</b>	Terence O'Rourke Ltd
<b>Target Date:</b>	21/05/2021
<b>Case Officer:</b>	Stephen Belli
<b>Officer Recommendation:</b>	That the Committee allow a further four-month period until 22 December 2023 to allow for the completion of the S106 Agreement and the subsequent issuing of the Planning Permission.
<b>Reason for Referral to Committee:</b>	To grant an extension of time to allow completion of a Section 106 agreement

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## INTRODUCTION AND UPDATE NOTE:

This application is presented to Committee for the second time. The previous Committee report in September 2022 is appended.

Resolution to grant consent subject to S106 and Conditions (Appendix A)

## UPDATE REPORT AUGUST 2023

### INTRODUCTION

Members will recall that this full planning application was considered at the Planning Committee in September 2022.

At the September 2022 Committee, the Planning Committee resolved to Delegate Authority to the Executive Head for Planning, Regeneration and Economy to grant permission subject to

- i) the completion by the end of the June 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the report including amendments shown in the Update Report; and
- ii) the imposition of the conditions set out in the Committee report and the Update



Report and any additional / amended condition deemed necessary by the Executive Head for Planning, Regeneration and Economy.

The Section 106 legal agreement (in respect of those matters set out in Section (L) of the original Committee report) was not completed by the end of June 2023 and this application is brought back to Committee to allow a further four-month period to complete the S106 Agreement and issue the planning permission.

Following the resolution at the September Committee a further resolution on the application 21/11237 (404 dwellings and link road on Site 18 Land at Burgate) was made by the Committee at their meeting in January 2023 to grant permission subject to a S106 Agreement being completed by 31 January 2024.

The applicants have provided the following comment as reasons for the delay in completing the S106 and in their agreement of an extension of time to determine the application until 22 December 2023.

*We are agreeable to extend the period on the basis that current resources both at the Council and within PFH are unable to deal simultaneously with the complex and lengthy process of completing Section 106 Agreements for both SS17 and SS18. Accordingly, because of the wider community benefits to be achieved through the earliest delivery of the link road, which is now the subject of a current planning application, our efforts are currently focused on achieving planning permission for SS18 in the first instance thereby expediting commencement of development. We are also mindful that with the link road in place, the construction and occupation of the houses at SS17 will be managed more easily and reduce the impact upon local residents. Under these circumstances we feel, at the present time, it prudent to allocate more time to the completion of the legal agreement relating the application for SS18.*

Given the time since the original Committee resolution was passed, it is considered appropriate to provide an update to the Planning Committee before a final decision is issued. This will allow Members to consider any national and local changes to planning legislation, policy and the site that have occurred since September 2022.

## **POST SEPTEMBER 2022 REVIEW**

Due to the length of time that has elapsed since the September 2022 Committee, officers have carried out a review of changes to legislation, policy and the site, with a view to making sure that the original Committee resolution is still sound. Relevant legislative changes, policy updates and site changes are therefore considered below. In addition, since the Committee. There have not been any significant changes to Planning Policy including SPD guidance, and national guidance or legislation.

### **Changes to Site Context Since September 2022**

There have not been any significant changes to the site context over the last year, and the site largely remains in agricultural and woodland use and paddocks grazed by horses. Accordingly, it is considered that there has not been any changes which materially affect the Local Planning Authority's assessment of the proposed development.

### **Representations/consultation responses**

There have been no further representations or consultee responses received since the date of the Committee.

## **CONCLUSION**

Upon completion of the Section 106 legal agreement, the Service Manager Development Management be authorised to grant planning permission for the proposed development subject to the amended set of conditions attached to this report.

## **1 SUMMARY OF THE MAIN ISSUES**

The key issues are:

- 1) Principle of development including 5-year land supply and the Tilted Balance
- 2) Site layout and design, number of dwellings, impact on the character and appearance of the area
- 3) Access and highway safety, including design of highway infrastructure, trip generation and local road capacity, sustainable transport opportunities, and car parking provision
- 4) Ecology - on site impact on protected species, Biodiversity Net Gain (BNG), Recreational Habitat Mitigation and provision of Alternative Natural Recreational Greenspace (ANRG formerly called SANG), and impact on Sites of Interest for Nature Conservation (SINC), nutrient neutrality and impact on River Avon SAC
- 5) Flood risk, surface and foul water drainage
- 6) Impact on setting of Listed Buildings (Forres Sandle Manor School)
- 7) Environmental health considerations
- 8) Impact on residential amenities of near neighbours, in terms of light, outlook and privacy and general amenity in relation to road infrastructure impact
- 9) Minerals – safeguarding and sustainable use of minerals on site
- 10) Affordable housing policy, application submission not policy compliant
- 11) S106 contributions and Heads of Terms in the event of an approval

## **2 SITE DESCRIPTION**

The site comprises the main part of Strategic Site 17 and includes various parcels of land running to 29.9 hectares in extent located on the north western edge of the town and situated mid-way between Strategic Site 16 (land at Station Road) and Site 18 (land at Burgate). The site is currently in a mix of agricultural, horticulture and woodland uses with a number of small holdings. The site is bounded to the south east by the former railway line which itself forms the edge of the town and adjoining estate development of Avon Meade/ Parsonage Park built in the 1980s and 90s; to the north by the Sweatfords Water mains river and its floodplain with a significant area of woodland; to the south by Marl Lane (a public bridleway and vehicular access route with a limited number of direct accesses to residential properties); and to the north west by Puddleslosh Lane (a public bridleway with a limited number of residential properties accessed directly from it along with an electricity substation). The site also has a small frontage direct onto Whitsbury Road (class C public highway).

Forres Sandle Manor School which contains Listed Buildings lies close to the south western corner of the site near the junction of Puddleslosh and Marl Lanes. Arch Farm forms a small collection of buildings used for a variety of industrial uses along

with a new farm shop all of which front onto Whitsbury Road. Directly opposite this part of the site lies a new housing development built and completed by Pennyfarthing Homes in early 2022 known as Augustus Park/Avenue (17/10150 refers – see planning history below).

There are three locally designated sites of interest for nature conservation (SINCs) included within the site and located alongside the river. The River Avon is an internationally designated Special area of Conservation (SAC) and lies approximately 900 metres north east of the site, with the New Forest National Park (a designated SAC and Special Protection area and Ramsar site/SSSI) with its boundary along the River Avon at this point a similar distance to the north east. Cranborne Chase AONB lies approximately 2kms to the north west of the site. The site is also covered by a blanket Tree Preservation Order imposed prior to the site being formally allocated.

The Whitsbury Road frontage of the site lies approximately 1km to the mini roundabout in the town centre. Fordingbridge Junior and Infants School and Burgate secondary school lie within 500 metres of the Whitsbury Road Frontage. The SW corner of the site is approximately 800 metres measured in a straight line to Whitsbury Road.

Tinkers Cross forms a small hamlet at the junction of Whitsbury Road and Fryern Court Road. A parcel of agricultural land at Tinkers Cross is also included within Strategic Site 17 and this site which was the subject of a report to Committee in February 2022 (20/11469 refers) and is located immediately to the north of the river with a common boundary between the two development sites formed by the river. Site 17 also contains two other smaller parcels of development land east of Whitsbury Road.

The site is currently crossed by two public footpaths with FP79 and FP78b running centrally east- west and connecting Puddleslosh Lane and Avon Meade/Parsonage Park estates. FP 78a connects with the other two footpaths and runs south connecting to Marl Lane. The old railway line along the south eastern boundary of the site marks the line of FP 501 but this lies outside the application site. This footpath terminates further north as dwellings and gardens on Avon Meade have been allowed on the line of the former railway.

#### Site constraints/ designations

- Strategic Allocated Site Local Plan 2016-2036
- Flood zones 2 and 3
- Tree Preservation Order covers whole site
- Adjacent to public bridleway (Puddleslosh Lane)
- Adjacent to public bridleway (Marl Lane)
- Includes parts of three SINC areas
- Article 4 Direction restricting means of enclosure – confirmed 13/04/15 for the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Class A of Part 2 of Schedule 2 to the Order and not being development comprised within any other class.

### **3 PROPOSED DEVELOPMENT**

#### Introduction

The originally proposed development was for a total of 403 new dwellings together

with new road access infrastructure etc. Following a series of meetings with your officers and consultations with statutory and other consultees along with the public, the development now proposed is for outline planning permission for up to 342 dwellings with all matters reserved for future approval except for means of access.

### Access proposals

Access into the site will be formed from a new roundabout on Whitsbury Road which will in itself replace the existing T junction which serves Augustus Park. The roundabout will have four arms, one leading northwards out of Fordingbridge along Whitsbury Road, one arm leading southwards to the town centre, one arm leading eastwards into Augustus Park (and then onwards into Site 18 eventually exiting on the A338 to the north of the town), and one arm forming the principal and only means of vehicular access into the current development site. The development site access will also be required to cross the Sweatfords Water and will do so via a new river bridge. The access road from Whitsbury Road into the site as far as the first residential parcel to be developed is included in the details for approval at this stage along with the bridge and the roundabout. The plans indicate emergency only points of access onto Puddleslosh Lane but there are no details submitted at this stage.

### Masterplan and Parameter Plans

The applicants have submitted an illustrative masterplan and a series of parameter plans setting out individual residential blocks separated by areas of open space and drainage channels with each block served by a series of estate roads and footways. The plans also indicate a series of new walking and cycling routes through the site connecting the site with Whitsbury Road, Marl Lane and Puddleslosh Lane. The plans indicate a series of drainage ponds and channels as part of the surface water drainage strategy. The existing public footpath lines on the site are to be protected albeit one of these is bisected by the main access road into the site (with a formalised road crossing point included). An overall masterplan of the site is submitted for illustrative purposes, with this plan exactly overlaying the parameter plans and building blocks shown so can be considered to be a good representation of the building blocks that will likely form the basis of any future reserved matters application.

In terms of land uses the Parameter Plans indicate the existing woodland area lying south of the river will be retained and incorporated into a network of public open space (POS) and Alternative Natural Recreational Greenspace (ANRG formerly known as SANG). The SANG that was formed to go with the Ford 1 Augustus Park development will be partly removed by the new roundabout and bridge/road works. This is to be replaced and brought forward by a S106 agreement prior to any works taking place to create the access. Parts of the POS will have restricted access e.g., through some of the wooded or flood plain areas because ecological sensitivity of those parts. The layout also makes provision for a series of drainage basins and a dedicated wetland area.

### Phasing of development

With regard to the phasing of development at this point there is no indication if the development will be phased into two or more phases or built out in one phase. What is clear is the roundabout and river bridge with the primary access route into the site are likely along with the consequential flood water attenuation works and other infrastructure works likely to be the first phase. No dwellings will be constructed until the access road is completed to at least basecourse level. Construction traffic will not be permitted to access the site other than through the new road. In terms of development economics this is a substantial financial outlay required well in

advance of the first house being sold. Whilst there are no guarantees it is likely that the development will be built out in one go over a period of 2-6 years. As for phasing with other Fordingbridge sites the applicants have indicated that the site will not come forward until after their major land interests on Site 18 have been completed (see application 21/11237 for details). Again, there is no guarantee that Site 17 will be taken forward by the current developer – it might therefore come forward earlier in the suggested programme.

#### Amended plans

The original plans submitted in January 2021 have been amended previously in September 2021 with a further round of consultations. A further set of amended plans (June 2022) has again been the subject of full consultation with statutory and other consultees as well as neighbours and other interested 3<sup>rd</sup> parties who have expressed views on the earlier plans. The application is accompanied by an Environmental Statement and the changes have been the subject of the necessary press notice publication and site notices. Changes to the original Environmental Statement have formed part of the latest set of amendments. All the documents now submitted including an affordable housing viability assessment are available to view on line.

Finally, following on from the June 2022 amendments the applicants have responded to the negative comments of some consultees and provided a further selected set of amendments dealing with highway matters, landscaping, lighting, and drainage. These plans received on 12 August and 24 August have been placed on line and any further comments received will be reported either below or via late correspondence update at the Committee meeting.

## **4 PLANNING HISTORY**

20/10351 Applicants agreed to submit an Environmental Statement to cover the bulk of Strategic Sites 17 and 18

Scoping Opinion issued 29/05/20 for Site 17

15/10960 1.1m high boundary fencing; gate  
Land off MARL LANE, FORDINGBRIDGE SP6 1JR

Planning permission granted 09/10/2015 (See Article 4 constraint above)

Various planning permissions based on the use of Sequoia Farm and other holdings within the site for agricultural purposes and use in association with horses – not directly relevant.

#### Other Fordingbridge Strategic Site applications

##### **Site 16      Land to the north of Station Road**

20/10522 Infinite Homes Ltd

Development of 240 dwellings, a new access off Station Road, 10.7ha of public open space (SANG, formal open space and informal open space), associated private amenity space, off-street car parking and access roads." (Outline Application with details only of Access) - LAND NORTH OF, STATION ROAD, FORDINGBRIDGE SP6 1JW

Withdrawn 22 April 2022 – new submission pending from CALA Homes Ltd.

**Site 17****Land at Whitsbury Road**

20/11469

Pennyfarthing Homes Ltd (PFH)

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

LAND AT TINKERS CROSS, WHITSBURY ROAD, TINKERS CROSS, FORDINGBRIDGE SP6 1NQ

Resolved to grant permission subject to S106 at February 2022 Committee – permission not yet issued.

17/10150

Pennyfarthing Homes Ltd

Development of 145 dwellings comprised: 39 detached houses; 31 pairs of semi-detached houses; 1 block of 8 flats; 1 block of 7 flats with terrace of 3 houses; 1 block of 7 flats; 1 terrace of 6 houses; 2 terraces of 5 houses; 1 terrace of 3 houses; garages; parking; SANG; public open space; access onto Whitsbury Road; associated infrastructure; associated development works; landscaping

LAND at WHITSBURY ROAD, FORDINGBRIDGE SP6 1NQ

Planning Permission granted 26/03/18

(Now completed and occupied and known as Augustus Park – site allocated as part of Local Plan part 2 in 2014 – Ford 1 – NB this number of new dwellings is not included in the overall new minimum allocation of 330 for Site 17)

**Site 18****Land at Burgate**

20/10228

Metis Homes Ltd

Construction of 63 dwellings, creation of new access, parking, landscaping, open space and associated works, following demolition of existing buildings - Land at BURGATE ACRES, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX (NB: PROPOSED LEGAL AGREEMENT) – Resolution to grant subject to S106 10 February 2021

Planning permission granted 14 April 2022 – work commenced July 2022.

21/11237

Pennyfarthing Homes Ltd.

Hybrid planning application comprising: Outline planning application (all matters reserved except means of access only in relation to new points of vehicular access into the site) for residential development and change of use of land to Alternative Natural Recreational Greenspace, together with a community hub (to comprise a mix of some or all of; local food retail, local non-food retail, community use and business use) and all other necessary on-site infrastructure. Full planning application for the first phase of development comprising 111 dwellings, public open space, Alternative Natural Recreational Greenspace, surface water attenuation and all other necessary on

site infrastructure  
LAND WEST OF BURGATE, SALISBURY STREET,  
FORDINGBRIDGE SP6 1LX

Not determined – awaiting amended plans

## 5 PLANNING POLICY AND GUIDANCE

### The Core Strategy 2009 (Saved policy)

CS7: Open spaces, sport, and recreation

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

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity, and geodiversity

DM4: Renewable and low carbon energy generation

DM5: Contaminated land

DM9: Green Infrastructure linkages

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

STR1: Achieving Sustainable Development

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

STR3: The Strategy for locating new development

STR4: The Settlement hierarchy

STR5: Meeting our housing needs

STR7: Strategic Transport Priorities

STR8: Community services, infrastructure, and facilities

STR9: Development within a mineral safeguard area

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

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

HOU1: Housing type, size, and choice

HOU2: Affordable Housing

CCC1: Safe and Healthy Communities

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

IMPL2: Development standards

Strategic Site SS17: Land at Whitsbury Road Fordingbridge

### Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites 2021
- SPD Parking standards 2022
- SPD Housing design, density and character 2006
- SPD Fordingbridge Town Design Statement 2008
- Air Quality SPD 2022
- Developer contributions towards air quality

- Cabinet Report on Monitoring Contributions 2022
- Draft SPD guidance on play provision within development sites
- Draft SPD Strategic sites masterplanning
- Ecology and Biodiversity Net Gain Interim Advice Note

### **Relevant Legislation**

#### Planning and Compulsory Purchase Act 2004

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

#### Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

#### Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

#### Listed Buildings and Conservation Areas Act 1990

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

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

### **Relevant Government advice**

#### National Planning Policy Framework July 2021 (NPPF)

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 14 Climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

#### National Design Guide 2021

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

Fordingbridge Town Council (comments set out in full)

### **Earlier submission comments (December 2021)**

As discussed, at an extraordinary meeting of the planning committee to consider application 21/10052 (Land to West of Whitsbury Road, Fordingbridge) the Town Council recommended REFUSAL under PAR4.



The reasons for the recommendation were as follows:

- Pedestrian links need resolving - They are not adequate at present including having to cross the road at a roundabout
- The roundabout is too intrusive
- The bridge is not in keeping
- Flood risks have not been addressed
- There is a lack of usable ANRG
- There are concerns about the effectiveness and attractiveness of the suds
- The density of houses is too great
- The biodiversity net gain target has not been reached - The Town Council is not happy to consider net gain across more than one site
- Any standards that need to be met should be in excess of the bare minimum. The developer needs to look to the future regarding sustainability.
- There are concerns about lighting affecting biodiversity
- Ecology and nature recovery needs much more thought - Merely providing bat boxes etc. is not sufficient, especially if creatures have already moved on because of the development as that is too late.
- The phosphate issues have not been addressed
- There is no updated HCC traffic report - This is in the context that it is felt there is inadequate information in relation to a number of issues, without which the Town Council can only recommend refusal.

The Town Council is also of the view that no roundabout should be built or there be any development to the west of Whitsbury Road until the sites to the east have been finished with the road to A338.

### **Amended plans comments (August 2022)**

Fordingbridge Town Council recommends REFUSAL of planning application 21/10052 under PAR4 for the following reasons.

1. The link road from the A338 must be built before this application can be started. This should be the most important condition. The existing roads will not be able to cope with all the construction traffic and vehicles from 342 additional dwellings unless a link road to the A338 is built first.

2. We disagree with the Highway Authority for raising no objection, as they do not report on the impact of traffic using (i) residential roads that carry school traffic, are used for school parking and have children walking to school or (ii) a single lane country road too narrow for cars to pass without pulling into residential drive entrances in order to reach the A338 to the north of the town. In addition, previous Highways comments on the traffic assessments for the Bridge Street mini-roundabout junction appear to conflict with one another:

#### **20/10522 comment**

"The model results show that without the proposed development in 2024...the Bridge Street mini-roundabout would breach its capacity and is likely to experience delays and congestion as a result..... Any additional traffic would exacerbate this situation and add further delays, congestion and the likelihood of accidents to the highway network such that any additional impacts would be considered severe."

#### **21/10052 comment**

"The modelling forecasts that with the traffic development and committed development, the mini-roundabout B3078/Salisbury Street/B3078 Bridge Street junction would operate within capacity in both future years of 2025 and 2036."

3. With 342 new houses and no new employment land all traffic will have to travel through the already congested town roads to access employment. There is a lack of measures looking at sustainable transport.

4. The Council consider a traffic management plan necessary for this development.

5. The figures on the amount of recreation land do not add up. Most of the proposed open spaces are small areas spread around the site, rather than accessible ANRGs. The proposed areas don't compensate for the SANG being lost from the previous development to form the new roundabout and access road. Some areas noted as ANRG will not be able to be used all year round. The proposed new road separates the existing SANG, reducing both its utility for recreation and also for wildlife, eliminating the possibility of creating a wildlife corridor as recommended in the Nature Recovery Plan adopted by Fordingbridge Town Council. The fact that the provision of Formal Public Open Space can be avoided by way of a contribution detracts from the proposed scheme and is to the detriment of residents of the site. Appropriate Formal Public Open Space should be included within the scheme.

6. The impact on existing facilities such as healthcare and schools. The existing facilities struggle to provide services to existing residents and won't be able to cope with additional demands. There are no proposals to improve these facilities.

7. The ecological damage caused by developing this green space which has always been an important rural part of the town.

8. The impact on, and the reduction in, the quality of life of the residents of Fordingbridge due to construction work and additional traffic using roads through residential areas. There will be significant harm to quality of life for many residents.

9. The large number of conditions is not acceptable. The responses from some statutory consultees are dependent on many conditions being complied with, and most of these will be difficult to enforce. The Highway Authority require an hourly bus to be provided, but the adjacent roads are not suitable for buses. They also require a construction phase traffic management plan, but no roads are currently suitable for large lorries.

10. Phosphate mitigation needs further explanation, especially if decommissioning of the Bickton trout farm has already started. What was the level of phosphates from the Trout farm previously versus what will be the level of phosphates from all the developments? Was the farm already being decommissioned prior to purchase by Penny Farthing homes? Allowing additional phosphates (mitigated elsewhere) is to the detriment of the local area.

11. The capacity of the sewerage system needs further explanation. There appears to be no overall strategy to improve the sewerage works. The proximity of the proposed new pumping station to existing properties in Sharpley Close was considered to be very close.

## **7 COUNCILLOR COMMENTS**

No comments received

## 8 CONSULTEE COMMENTS

*The following comments in summary have been received. The full comments of each consultee can be found on the planning web site. Comments received are split between those submitted for the original plans and the first amended scheme submitted in September 2021 (together under heading earlier submission), and the second amended scheme (submitted in June 2022) the subject of this final report (under heading of amended plans).*

### Cranborne Chase AONB Partnership

**Earlier submission** – refers to national guidance and protection policies for AONB areas. Expresses concern regarding impact on Dark Skies Reserve, but no objections on landscape impact. Concerns however expressed regarding increased recreational impact on AONB from new development which is close and accessible to the protected area.

**Amended plans** – Dark skies reserve will be adversely impacted - suggests light survey is flawed as carried out when moonlight was present. Makes other comments regarding technical inadequacies of the survey and requests this be carried out again.

### Environment Agency

**Earlier submission** – No objection subject to conditions requiring the following

- Compensatory flood plain works to compensate for bridge and road impact
- Any raising of land levels should be outside of the flood plain
- No storage of materials including soil within flood risk areas
- Bridge level is more than 600mms above post development flood levels.
- Implementation time period for mitigation works
- Maintenance requirement for flood compensation works

**Amended plans** - We have reviewed the additional information that has been submitted and have no further comments to make. Our previous response dated 29 October 2021 (our ref; HA/2021/122963/02) still stands, and this is copied below for ease of reference:

*“We have no objection to the proposed development as submitted, subject to the inclusion of conditions and mitigation measures as set out in our response.*

### National Park Authority (Archaeology)

No archaeological interest - no objections

### Natural England

**Earlier submission** - standing advice provided with regard to nutrient neutrality, impact from recreation on protected areas, SuDS schemes being suitable for biodiversity and BNG requirements of NFDC ecologist. These measures must be addressed.

**Amended plans** – Provided the applicant complies with the NFDC SPD for recreational disturbance impacts on European sites, we have no further comments than those made in our remarks dated 09 November 2021.

### NFDC Conservation

**Earlier submission** - Concerns expressed regarding the impact of the development on the setting of Forres Sandle Manor at the south west corner of the site. Refers to adverse impact on setting of Listed Building with new development now so close. Harm to setting sits at lower end of scale, however. Any harm to be balanced against overall public benefits.

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

### NFDC Ecology

**Earlier submission** - In summary my main, currently unaddressed concerns relate to:

- The assessment does not address the core biodiversity net gain principle of additionality.
- Habitat Creation - Use of 'Urban - Suburban/ mosaic of developed/ natural surface' is not appropriate; and
- Habitat Creation & Enhancement – use of unrealistic target condition given intended use.

Subject to satisfactory resolution of my concerns surrounding biodiversity net gain, I have provided a number of suggested wordings for planning conditions or otherwise flagged the need for planning conditions including the following:

- The need for updated ecological surveys to identify shifts in the baseline ecological condition and
- to support EPS derogation licence applications as required given the proposed phased delivery of
- the development;
- Requirement for a Great Crested Newt Mitigation Strategy (and licence) to be submitted; Sensitive lighting strategy to be submitted at detailed design;
- Secure bat boxes on 25% of dwellings and bird boxes on 75% of dwellings; and
- Pre-construction badger and reptile surveys.

**Amended plans** – My previous comments have now all been addressed satisfactorily e.g. relating to additionality, the realistic target condition of created and enhanced habitats etc.

I have no problem in principle to the shortfall in biodiversity units (to reach the 10% BNG) being provided on SS18 or offset via another provider e.g. Environment Bank or other provider. I do think however that the offset needs to be linked to the point of impact i.e. offset to be provided pre-occupation (or other timeframe which you are content with). I wouldn't want a situation where the offset is provided a decade after the impact for example, there needs to be an end point. Recommend approval subject to conditions.

### NFDC Environmental Health (Contaminated Land)

No objections subject to standard contaminated land condition being imposed to deal with unexpected contamination should this be encountered on the site.

### NFDC Environmental Health (Pollution)

**Earlier submission** - No objections subject to further noise assessment being required at detailed stage and Construction Environmental Management Plan

condition should be applied to any approval to be agreed prior to commencement of development works. Condition also required to agree any lighting scheme to ensure this is not detrimental to public health.

**Amended plans** – No objections to lighting scheme for road and roundabout. Condition needed to cover future reserved matters application.

With regard to noise levels the increase as a result of the proposed development will generally be less than 3 dB for identified receptors on all but one of the road links, these increases will be negligible and not significant. Receptors on Whitsbury Road south of the site access are predicted to experience a 5.5 dB increase in road traffic noise levels, which is considered to be a moderate, significant adverse effect. The ES further outlines that such impacts upon receptors in Whitsbury road would only occur if the development were to be brought forward in isolation and with the construction of a spine road and access to the A338 as a result of the Land at Burgate development (which according to the proposed phasing would be constructed first), traffic will be diverted from Whitsbury Road.

It is noted that the overall conclusions of the revised assessment are not affected by the revised addendum, as the changes in noise levels resulting from the revised traffic movements associated with the proposed development are similar to those set out in the original ES. No significant residual adverse noise effects are predicted as a result of the proposed developments; however, should the applicant amend the proposed phasing plan advised in the application, the potential impact from traffic noise should be revised and mitigation measures outlined.

Environmental Health (Pollution) do not wish to raise any objection to this application, subject to the proposed conditions outlined in our email below dated 04 March 2022 being attached to any granted permission.

#### Air Quality

**Earlier submission** - With regard to air quality awaiting further information and clarification on traffic routes together with final approval of highway authority with regard to trip assignment for all traffic. Further information is therefore required to satisfy air quality issues.

**Amended plans** - The submitted air quality assessment (ref: A11338/7.0 June 2022) appropriately assesses the potential impact of the proposed development of SS17 on local air quality in terms of the operation and construction phases of the development. As such the conclusions are agreed.

It should be noted that should the applicant amend the developmental phasing scheme advised in the application (including reference to the development of SS18), the potential impact on local air quality should be reconsidered by the applicant and if required a further air quality assessment undertaken.

Environmental Health (pollution) supports the applicant's reference to the New Forest District Council Air Quality Assessments in New Development SPD and noted intended mitigation measures as stated in paragraph 5.3.2 of the air quality assessment.

In conclusion Environmental Health (pollution) has no objection to the application subject to the following condition be applied should permission be granted:

Prior to construction (including demolition) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

## NFDC Strategic Housing Manager

**Earlier submission** - Affordable housing needs stand at around 361 homes per annum from 2016-2036. Refers to Local Plan guidance on tenure type and mix required. Awaiting viability assessment and proposed offer. Need for S106 to secure eventual affordable housing offer.

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

## NFDC Open Spaces

**Earlier submission** - Requires the following matters to be addressed adequately either now or at detailed stage

- Replacement SANG lost from FORD 1 scheme due to road infrastructure works
- Details of all play areas and equipment to be provided at detailed stage
- Details of all paths and cycleways
- Drainage basin and potential conflict with POS to be resolved
- Potential conflicts between ANRG and drainage basins to be resolved
- Adequate access needed for maintenance of all POS and ANRG areas.

**Amended plans** – Detailed comments set out on web site - further details to be conditioned and submitted for approval. Further to the plan submitted for the “replacement SANG”, provided this area is provided in full and Practical Completion is certified by NFDC prior to commencement (of the SS17 access) and subject to construction, planting and ecological protection details (at the appropriate stage), the plan proposed looks very satisfactory and has my full support.

The proposed path/route would be attractive to potential users, therefore delivering the mitigation functions, alongside starting to cohesively link together the mitigation/POS space within all three developments, so they start to work “as one”, therefore delivering stronger public and ecology benefits and community cohesion. The potential for SS17 ANRG to be ready before first occupation and therefore connect the existing SANG, this “replacement SANG” across the river valley ANRG and into the PROW network has potential to be a strong contributor towards CS7 and mitigation outcomes for residents in the local area.

## NFDC Trees

**Earlier submission** – Trees on site protected by a group TPO. Some elements of the proposal such as drainage basins and proximity of new roads may have an adverse impact on important trees. Two veteran oak trees in particular are bisected by the new access road and will be adversely impacted. Currently object pending further information.

**Amended plans** – Further information requested on impact on veteran trees. Also concerned about new pathway through woods. Currently holding objection.

Further to my previous comments the applicant has now submitted an amended road layout WSP drawing ref 1334-SK-516 which show the road layout with the surface water drainage layout overlaid with the root protection areas of the trees on the western side of the site. This shows that the drainage course will have a small impact on the southern end of the woodland group and result in the loss of a small categorised C grade tree. No drains are shown within the root protection areas of

the veteran oak trees.

The layout for the access road, bridge, drainage basins for the site. Broadly, follows what has already been discussed and the two veteran Oak trees are still to be retained with the maximum root protection areas of 15m provided for these trees. The trees on the north eastern side of the river that are shown to be lost have already been, in principle, accepted provided sufficient replacement tree planting is included within the landscaping of this site to mitigate this loss.

A number for footpaths have been shown in the woodland areas, these can be constructed/created with minimal impact to the trees if sufficient tree protection measures and non-dig construction techniques are used. The position of these paths can be agreed as a reserved matters submission.

Overall, I have no objection on tree grounds subject to the conditions on work details and tree protection measures which need to be agreed.

### NFDC Urban Design

**Earlier submission** - There is much to commend this application in terms of design within the development areas and in the provision of a green infrastructure, but the access issues – particularly the bridge and roundabout are currently matters for objection while other matters need further clarification in terms of design.

Please ask the applicant for the following:

- Amendments to ANRG to increase size of main area
- Development on brow of hill to be further justified
- Phasing diagram for the site
- Density should be reduced to accommodate lower density along site edges
- Bridge and roundabout need to be reduced and their impact softened
- More details needed on access road to assess impact
- Sustainability aspirations should be included in DAS
- Possible design code to guide Reserved Matters
- Any conditions should tie reserved matters applications to details now submitted.
- Condition number of dwellings to be no more than 340.

**Amended plans** – Objections - see detailed response dated 26 July and 19 August (in response to the 12 August plans) – notes the improvements in layout and reduction and removal of housing blocks in sensitive locations and welcomes these positive changes, but there are still some remaining concerns regarding access pathways, location of road, landscaping for road, lighting, and impact of the foul water storage area, as well as adverse impact from engineering works associated with the roundabout and bridge, and how SuDS basins and channels will work in practice. More tree and hedgerow planting also needed to reduce impacts overall. Further amendments now received do partially address the points raised. This project has come a long way through a fruitfully iterative process, engaging the applicant's team. I really cannot see why embracing my comments should be so difficult or why it might be seen as onerous.

### NFDC Landscape officer

**Earlier submission -**

- Further details required regarding planting strategy and habitats proposed.
- Note LVIA impacts and design of site and planting needs to be mitigate this.

- New road access and bridge will have an adverse landscape impact. Raising of existing levels and sharp slopes from road and bridge down to river.
- Poor design and over engineered creating a conspicuous landscape feature not in character with other local bridges.
- Detailed comments offered on ANRG strategy. Management plan needed for existing woodland together with new planting proposals.
- Number of crossing points of river need to be rationalised to reduce physical disturbance to this sensitive area. Two crossing points suggested.
- Makes suggestions for detailed planting plan. SuDS features not fully detailed and need to be well designed.
- Quantum of POS and ANRG not clear yet. Loss of FORD 1 SANG needs to be clearly provided.
- SINCS must not be counted as ANRG

**Amended Plans** – see urban design comments above

### NFDC Waste Management

Need to consider requirements of new waste strategy in detailed plans.

### Hampshire Constabulary

Provides detailed advice regarding designing out crime. Recommends condition be imposed seeking full Secure by Design accreditation.

### Hampshire County Council (Countryside Services)

Would not be in favour of Puddleslosh or Marl Lane being used for vehicular purposes as this will impact on a right of way (bridleway in both cases). Any day to day use would not be acceptable. Emergency access use would need to be tightly controlled.

### Hampshire County Council (Education)

**Earlier plans** - The County Council has used previous extension projects to derive a cost for the proposed expansion to the primary places within Fordingbridge, and this is estimated at **£1,721,100**. This is based on the provision of two teaching spaces at both Fordingbridge Infant and Junior School, i.e., a total of four classrooms. Details of how these costs were derived can be found in Appendix B. This will go towards any expansion at Fordingbridge Infant and Junior Schools. In summary, the contribution towards the expansion of Fordingbridge Infant and Junior Schools is necessary as without an expansion they will not be able to accommodate the children from the development.

No contribution will be sought to provide additional secondary school places owing to the out country recruitment of pupils to the school.

**Amended plans** – As I understand that this is an amendment rather than a new application, I will base my response on the 2019 guidance rather than the 2022. That would make the revised contribution £1,471,592. This cost is indicated, at 4th Quarter 2018 prices (BCIS All-in TPI Index 322) as per the 2019 guidance.

### Hampshire County Council (Fire and Rescue)

Standing advice provided regarding building regulations and other fire safety



regulations. No further comments to add with amended plans.

#### Hampshire County Council (Highways)

**Earlier submission** – Holding objection pending the submission of further information to cover the following issues

- Design of roundabout needs further details before we can comment fully
- Details of bridge not acceptable and further improvements needed in road safety terms.
- Proximity of bridge to roundabout raises concerns
- Details and access to sewage holding tank needs to be re-assessed.
- Further details needed on access road into site
- Street lighting schedule needed
- Attenuation of highway water from the increased catchment not yet clear
- Sustainable transport inadequate at present. Puddleslosh Lane needs to be improved
- Farm shop link needed from both this development and the Tinkers Cross development.
- Public transport and bus route improvements are not adequate at present.
- Travel plan needs to be amended
- Need further information to assess junction capacity, local road capacities and trip assignment to different roads along with assessment of impact
- Traffic modelling further work required - Different routes for traffic to be agreed along with junction modelling – impact on various roads and junctions to be completed.
- Mitigation for any impacts needed along with mitigation on roundabout at Ringwood

**Amended plans** – see detailed comments dated 5 August.

In summary the highway authority has reviewed the information submitted and raises no objection subject to provision of the following obligations:

- Travel plan
- Public transport strategy
- Off-site highway improvements including footpath improvements

and conditions to cover the following matters

- construction traffic management plan
- vehicle cleaning measures during construction
- access road detailed design including foot and cycle paths

#### Hampshire County Council (Local Lead Flood Authority - LLFA)

**Earlier submission** – no objections **subject to** detailed surface water drainage plan and maintenance plan being submitted at detailed application stage.

**Amended plans** – comments awaited.

Groundwater level information has been added to the surface water drainage. The general strategy has not changed, and a condition has already been proposed for surface water drainage so we have no further comments at this time.

#### Hampshire County Council (Minerals)

No comments received to original or amended plans consultation

Hampshire County Council (Public Health)

Welcome provision of open spaces, sustainable transport links and other measures to control air and noise pollution. Encourages good design and affordable housing.

Scottish and Southern Power

Advice provided on apparatus affecting site.

Southern Gas Networks

Standing advice on working with or close to pipelines

Wessex Water

**Earlier submission** - The foul attenuation tank shown has not yet been formally approved by Wessex Water. Provided the Burgate schemes are able to connect foul drainage through site SS17 then Wessex Water will be to facilitate design and construction of this tank. We also acknowledge concerns regarding access to the foul storage tank and would seek a site meeting to discuss this further with our final comments to follow that.

**Amended plans** – I refer to the email below, the amended drawing from WSP attached (version P05) and a site meeting between the applicant and our project manager on 3<sup>rd</sup> August 2022. We acknowledge the Highway Authority are satisfied with the revised arrangements. We note the swept path analysis on the drawing and accept that vehicles will be able to access and exit the site compound providing a turn is not made immediately into the site from the south (vehicles from this direction will need to navigate the entire roundabout)

We withdraw our objection but wish to identify the following items to be considered during detailed design of the station compound which will be instrumental to it's successful operation:

We acknowledge the aesthetical requirements and will endeavour to use surface materials to lessen visual impact including, for instance, "truck pave" type surface as opposed to concrete hard standing.

A concrete hard standing may be required, however, for a dosing kiosk if modelling shows a need for chemical dosing to reduce septicity risk. Kiosks will be placed balancing operational requirements with visual impact. Most of the apparatus will be below ground.

We have some concerns over the open nature of the compound and reserve the right to consider installation of bollards or other security measures if the area starts to be used inappropriately by third parties.

## 9 REPRESENTATIONS RECEIVED

*The following is a summary of the representations. There are a number of objectors who have written in on more than one occasion, so the number of overall objectors listed is not representative of the number of households objecting or supporting. All comments received can be viewed on the public comments section of the web site.*

160 letters of objection

- In principle objections – brownfield not greenfield,
- Change in character of town
- Visual intrusion into countryside and loss of open green spaces and green lungs
- Adverse impact on areas of natural beauty
- Impact on local infrastructure like doctors, dentists, and schools – town can't cope at present, increase already in traffic speeds along Whitsbury Road from Augustus Park development
- Promises of facilities and services after development is wrong way round.
- Development at Alderholt will exacerbate the impact of Fordingbridge developments
- Development is not sustainable
- This development is not carbon neutral - house design should be improved
- Impact on more anti-social behaviour since last development
- Where are all these new residents supposed to work. Town is fast becoming a dormitory settlement – not sustainable in the long term.
- New development will not bring new affordable homes
- Area being flooded with new homes already - we don't need any more
- Loss of green fields works against need for food security
- Cumulative impact with other housing developments and loss of amenity to adjoining residents through noise, disturbance, and light pollution
- No new development should take place until the Burgate link road is completed.
- Concern about safety of pedestrians trying to cross Whitsbury Road – better crossing points needed and better pavement network
- Concern about road layout and the gap onto Puddleslosh Lane leaving door open for future town expansion to the west of the Lane.
- Augustus Avenue can't cope with increase in traffic from all developments
- Concerned about raised nature of road and its impact on adjoining residents
- Access road is too close to neighbouring properties.
- Local roads will suffer from rat running and extra traffic
- Location of roundabout and road near existing play area not acceptable
- Adverse impact on ambience of Marl Lane and Puddleslosh Lane
- Concern about Puddleslosh Lane being used for emergency or general access as it is simply inadequate for motor traffic.
- Alternative view that access should be from Puddleslosh Lane and not as

shown

- Additional use of Roger Penny way for commuting traffic
- Lighting assessment submitted is flawed and incorrect – adverse impact on local wildlife as well as dark skies.
- Potential adverse light impact on Cranborne Chase dark skies reserve
- Ecological survey work and analysis is inadequate.
- Proposals for long terms biodiversity not guaranteed
- Loss of SANG land from Ford 1 development unacceptable and must be replaced
- Concerns about local disruption through building works
- Adverse impact on local wildlife
- Additional impact on water courses and River Avon, this development with others will adversely impact and create more pollution and flood risk. Chalk systems and Karst especially sensitive to such changes to water environment.
- Surface water drainage to Sweatfords Water must be avoided.
- Concerned about impact already on water quality on Sweatfords Water
- Site of pumping station should be moved away from local housing.
- SuDS design needs to be improved from that shown on Augustus Park
- Large developments not being monitored for adverse impacts
- Concerns about off-site flooding and downstream flooding on existing homes
- Adverse impact from roundabout
- Impact of roadway on veteran trees
- Impact of bridge and roadworks will exacerbate flood risk.

10 letters of support or neutral comments

- Supports additional housing will help to widen choice and benefit young people
- Affordable housing needed for our young families
- Additional revenue to the Council will assist in supporting infrastructure improvements
- Fully supports new road link through Augustus Avenue
- How will biodiversity be protected from dog impact
- Off and on-site maintenance of any new infrastructure is vital
- Any permission should be subject to legal agreement and robust monitoring takes place
- Would support reduction in speed limit along Whitsbury Road to 30mph
- New development will help to support local businesses in the town centre.
- Open space management should be handled by Town Council not the developer

- Makes sense to expand town next to existing estate development.

## 10 PLANNING ASSESSMENT

### A) PRINCIPLE OF DEVELOPMENT AND HOUSING LAND SUPPLY

Members are referred to the web link below which gives details of the Fordingbridge Strategic Sites and indicates how they fit together both in geographic and in infrastructure terms. (See Local Plan pages 161-175 for the Fordingbridge sites).

[Local\\_Plan\\_2016-2036\\_Part\\_One\\_FINAL.pdf \(newforest.gov.uk\)](#)

SS17 policy is set out in full below

- iii. *Land at Whitsbury Road, Fordingbridge as shown on the Policies Map is allocated for residential development of at least 330 homes and open space dependent on the form, size and mix of housing provided, in addition to the 145 homes already permitted within the site boundary.*
  
- iv. *The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed new neighbourhood of Fordingbridge securing the protection and management of the Sweatford green corridor and helping to deliver enhanced flood management for the wider town by:*
  - a. *Protecting and enhancing the landscape and ecological value of the woodlands, wetlands and watercourse features that make up a central belt of green infrastructure through the site, centred around Sweatford Water and the woodland tree groups west of the stream and along the former railway line.*
  
  - b. *Integrating the management of fluvial, surface and groundwater flood risk for all development at Strategic Site 17: Land at Whitsbury Road and to Strategic Site 18: Land at Burgate, into the design and management of landscape and greenspace.*
  
  - c. *Providing three distinctive neighbourhoods in terms of setting, sense of place and character with a gradual transition to lower densities and detached properties along rural edges including Puddleslosh Lane and Marl Lane: • Enhancing Tinkers Cross as an identifiable hamlet accessed off Whitsbury Road and close to the top of Puddleslosh Lane. • A new rural edge neighbourhood between Sweatfords Water and Puddleslosh Lane. • The land east of Whitsbury Road as a suburban neighbourhood focused on a corridor of high quality streets and linked spaces. • Provision of footpath adjacent to former railway line east of Whitsbury Road 92.*
  
  - d. *Creating two main access points as a roundabout on Whitsbury Road, offering a new access for local traffic towards the A338 (via development at Strategic Site 18: Land at Burgate) and providing a sympathetically designed bridge to provide the primary access to land west of Sweatfords Water.*
  
- iii **Site-specific Considerations to be addressed include**
  - a. *The developers of Strategic Site 16: Land to the north of Station*

*Road, Strategic Site 17: Land at Whitsbury Road, and Strategic Site 18: Land at Burgate will be required to work cooperatively with each other and with Wessex Water to deliver a suitable foul sewer connection to the Fordingbridge treatment works.*

*b. Access to the site will be from a roundabout on Whitsbury Road, with access to the south west side from a bridge crossing Sweatfords Water.*

*c. Contributions towards the provision of formal open space on Strategic Site 16: Land to the north of Station Road and/or Strategic Site 18: Land at Burgate.*

*d. The loss of healthy specimen trees to accommodate development or provide access should be minimised.*

*e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b*

Site 17 is split between the current applicant's other development at Tinkers Cross (north of the current site) for which Members resolved in February 2022 to grant permission for a total of 64 dwellings, and three other smaller parcels of land on the eastern side of Whitsbury Road for which as yet there are no planning applications submitted.

The Council cannot at this point in time demonstrate a five-year supply of deliverable housing land and the Council's Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. The updated housing land supply position remains below the required 5 years. In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing). The current proposal is for a new estate development of 342 dwellings which will make a valuable contribution to housing supply in the District.

The July 2021 NPPF states the following

*For **decision-taking** this means:*

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

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

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 7; or*

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

The remainder of this report will now turn to other environmental and

sustainable development factors to be balanced against this government advice to Local Planning Authorities.

## **B) SITE LAYOUT, NUMBER OF DWELLINGS, DESIGN AND IMPACT ON LOCAL CHARACTER AND APPEARANCE**

Policy ENV3 of the Local Plan states that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive. New development should be accessible for those with different needs with realistic levels of car parking, and attractive and appropriate green spaces. The Local Plan includes a concept Masterplan on which any new developments that come forward should be based unless the developer can show any changes to that concept masterplan are improvements or equal in quality. The Council's draft SPD guidance on masterplanning sites is also to be afforded some weight. Added to this local policy the Government has now revised its NPPF in July 2021, and this together with the Governments Design Guidance provides further advice in achieving improved standards of design in layout and house types.

### (i) Masterplan and Parameter Plans

The applicants have now submitted what is their third illustrative masterplan for the site. Whilst the masterplan is for illustrative purposes it is supported by a detailed Design and Access Statement (DAS) which includes a number of drawings which show how the proposed densities in various parts of the site can be achieved, as well as typical street scenes and a commentary on quality of design and open spaces. The Masterplan should be read in conjunction with the submitted Parameter Plans which are for approval at this stage and which set out zones of density, maximum building heights, land use and open space, and vehicular and pedestrian movement through the site. These documents together now refer to an upper limit of 342 dwellings being proposed. This is a significant reduction from the original proposal for 403 dwellings. The Local Plan indicates a minimum requirement on this site of 270 dwellings based on the work carried out to create the concept Masterplan. There is however no impediment to a greater number of units provided it can be demonstrated that the quality of the design and layout is acceptable in policy terms.

This is an outline application, and any approval can be conditioned with an upper number of dwellings and that reserved matters plans shall be based on those submitted plans and design statements submitted at outline stage. At this stage the application does seek approval of the Parameter Plans as well as the detailed drawings supporting the means of access into the site (see section below) but matters of design and appearance of the houses and the exact layout of the site along with matters of landscaping and public open space are matters for future approval. The quantum of ANRG land and other recreational public open space land is directly related to the number of dwellings so the current submission must show a correlation between dwelling numbers and sufficient land being available for open space etc.

In design and layout terms the applicants have met with officers on a number of occasions. Amendments have been made by the applicants to address officer's comments on earlier submissions. The site has now been laid out in masterplan

terms such that the sensitive western, southern and northern development edges have been reduced in density and pulled back from the public highways known as Puddleslosh Lane and Marl Lane. These countryside edges have been protected by the transitional approach to development with lower densities and lower building heights and more landscaping and open space areas on the edge of the development.

Overall densities on the site will vary with the lowest band of up to 20 dwellings per hectare (dph) along the sensitive countryside edges, rising to a higher density of between 35-45 dph in the centre of the site to create a new 'centre' and focal point to the development. A parameter plan showing building heights indicate the highest buildings being 2.5 storey. In design terms these density arrangements across the site are considered acceptable. The overall density of the site is around 28 dph which is well below government expectation. There is a balance here between making effective use of land and recognising the sensitive location of the site on the edge of the settlement and respecting the character of the adjoining countryside. It is noted that the Local Plan expresses a minimum housing number on this part of Site 17 as being 270. This however is not an upper target. Applicants can put forward a greater number of units and this can be considered acceptable provided the overall design and layout along with all other considerations pointing to this being a sustainable form of development which is expressed in the NPPF as satisfying economic, social and environmental objectives. The Development Plan policies must also be considered as part of this sustainable development test. In this case the number of dwellings originally put forward did not pass that test but the current reduced scheme has it is considered met both the policy and national guidance tests.

To conclude on this topic there has been considerable discussion which has led to the improved site layout and overall design framework and Design and Access Statement (DAS) to the point where subject to conditions and further Reserved Matters application(s) which provide for final details to be agreed the scheme is now considered acceptable in design and layout terms. The submission of Reserved Matters detailing the individual house designs, and further design of the public open spaces, landscaping and other elements of the scheme will be expected to follow the masterplan and DAS

## (ii) ANRG and Public Open Space

The proposals for ANRG and POS are summarised as follows

Required ANRG for 342 dwellings based on submitted mix = 7.34 ha.

- Total ANRG provided 7.98 ha (1 hectare = 10,000 sq m or 2.471 acres)
- Ford 1 SANG lost to road works = 0.43 ha
- Reduced ANRG with need to compensate for loss of Ford 1 SANG = 7.55 ha
- Informal Open Space = 8.45 ha
- POS land located within SINCS and with some restrictions on access = 3.59 ha
- Net informal open space without SINCS = 4.86 ha
- Children's play space = 0.25 ha with additional opportunities for doorstep play provision in the informal open space to be determined at the detailed design stages.



Added to this the Local Plan also requires the provision of formal open spaces i.e., playing pitches or kick about areas. There is no requirement to provide formal POS on this site, but the development would be expected to contribute towards an off-site provision of a new formal multi use and all weather playing pitch with ancillary facilities which is being sought elsewhere in the town.

Officers have looked at the applicants suggested ANRG and POS offer which has been calculated on the basis of an unknown housing mix taking the maximum number of dwellings and an average occupancy rate as part of the Council's agreed methodology. A further calculation has been carried out on the basis of the housing mix set out in the affordable housing viability assessment and the result is there is still more than sufficient land to accommodate policy requirements.

Regarding public open space and ANRG the revised masterplan shows sufficient areas to accommodate the number of dwellings now proposed. The main ANRG area to the south of the access road now shows a better pedestrian linkage to ANRG areas to the north of the access road with better and narrower crossing points of the road. The ANRG areas also avoid those areas of highest ecological sensitivity (SINC areas) and there is sufficient quantum of ANRG land now shown to accommodate 342 dwellings.

Similarly, the plans indicate sufficient areas of public open space which will include play areas throughout the site. Play areas will take the form of natural play areas alongside more formalised play areas containing larger pieces of play equipment. The future management of all ANRG and open space will be delivered through the S106 agreement attached to any permission.

The site at Augustus Park (Policy allocation Ford 1) will have to sacrifice some of its ANRG (known then as SANG) area to accommodate the new roundabout, road and bridge works. This lost SANG land will be replaced in the current application site and can be made available prior to any works taking place on the road infrastructure works. There is also an alternative access to this new ANRG area safely separated from any road works.

With regard to formal POS an off-site contribution currently of the order of £1000 per dwelling has been collected from other strategic housing site applicants to put towards a project currently being developed elsewhere in the town to provide a multi-use all weather pitch together with suitable floodlighting and ancillary facilities. This can be collected by a S106 contribution.

### (iii) Wider benefits of new ANRG and POS

It is important to recognise that the site will deliver significant benefits not just to the residents who live on the site but to those adjoining and other local residents in the wider town in terms of recreational opportunities. At the present time access provision within the site is strictly limited to narrow defined partly tightly fenced public rights of way routes. Whilst there may be some divergence away from these routes at present from users of the public footpaths these amount to trespass on private land and are not legal access rights. Access and recreational opportunities will be considerably expanded with this new development with a much expanded area of public access and dog walking routes throughout the site. The objectors are incorrect in suggesting their rights to recreate will be harmed by the development. This development will also link through to other adjoining developments at Tinkers Cross, the Ford 1 site at Augustus Park and beyond to Site 18 which are also to

have their own ANRG and POS facilities, as well as southwards to Site 16 when that comes forward. Members are also referred to the ecology section of this report which sets out the benefits of the development under that heading.

Notwithstanding the comments of the Town Council, it is considered that both the quantum and quality of ANRG and POS land is sufficient to serve the new development. The Fordingbridge Strategic Sites between them will deliver a wider choice of green spaces and green infrastructure linked by improved public rights of way and river crossings linking Site 16, 17 and 18 together and opening up areas of what were once private land for people to enjoy.

(iv) Local and wider landscape character impact

Officers recognise from the outset the development of this site will have a marked impact on its current greenfield agricultural character. This has formed the bedrock of local objections to this development and is a common theme. The site however is allocated for housing development in the Local Plan and therefore the principle of residential development on this land has been established. The question now is how the proposed development has mitigated this landscape impact and retained wherever possible landscape features of importance, and what the impact will be on the wider character and landscape.

In localised terms the key impact for the public will be the views currently enjoyed from the river bank and Ford 1 SANG as well as from Puddleslosh and Marl Lane. These local views are much enjoyed and appreciated. There will also undoubtedly be a significant impact on the local scene when viewed from the entrance to Augustus Park and along this limited stretch of Whitsbury Road across the river. The proposals as amended however have reduced the impact when seen from both Puddleslosh and Marl Lane by reducing housing densities and pulling the edges away from those lanes.

Regarding the impact from the Augustus Park entrance and Whitsbury Road the negative impact of the road infrastructure works has been the subject of much discussion between your officers and those of the County Highways team. They have stressed the need to ensure that all road infrastructure works are designed so that they are safe for all road users. The most appropriate form of junction here is a roundabout it is considered from both a safety and traffic flow point of view.

The height of the bridge, size of the roundabout and details and width of the road have been influenced by safety concerns which are critical matters which cannot be set aside. A more traditional design may have been originally envisaged. That said the road works have been reduced in their scale and with appropriate landscaping in the longer term will not have a wider landscape impact. Added to this the design of the bridge itself has been improved and its height above existing levels and the river has been reduced as far as possible.

The road into the site it should also be noted is for a significant part of its length without any built up frontage, this is a high cost for the developers and unusual in urban design terms. The road access as proposed will therefore assist in retaining some of the local rural character.

Turning to the wider impact on landscape and landscape character, the site is sensitively located in a countryside edge position situated more widely between two protected landscapes i.e., New Forest National Park to the east and Cranborne Chase AONB to the west. The Council has a statutory duty to consider the impact

on both protected landscapes. Policy STR2 applies and requires there to be no unacceptable impact on the special qualities and purposes of both areas including their settings. Great weight must be given to ensuring that the character and scenic beauty of the two areas is protected and enhanced.

In this case the site is well screened from the National Park by the existing mature tree belt along both sides of the river. The impact of the development when seen from the National Park will be limited and at a distance. The retention of nearly all the existing tree cover and a significantly large block of native woodland will help to reduce any adverse impact either when the site is seen from the National Park or on the setting of the National Park looking from the site itself eastwards. Breaking up the residential parcels with further tree planting will assist in assimilating the development into the wider landscape.

Similarly, the impact from and to Cranborne Chase will be limited again because of distance and existing tree cover along the western and southern boundaries of the site. Again, the river corridor tree planting will provide an attractive backdrop to the development when seen from high land to the west. It is considered that in both cases the development is not sufficiently prominent or intrusive as to harm the special qualities of either area.

The AONB Partnership have referred to light pollution and this is a matter that can be better controlled at detailed application stage. The lighting of the access road and a general restriction on any significant lighting within the residential blocks will be encouraged along with the correct type of lighting and suitable restrictions on security lighting affixed to dwellings to reduce general sky glow and to protect the Dark Skies Reserve status of the AONB. A restriction on lighting will also benefit wildlife corridors (see below under ecology). Overall, it is considered that the requirements of policy STR2 have been met.

Overall, officers are satisfied that the submitted plans can form the basis of an approval. The layout forms a balance between making effective use of land and achieving a quality layout and integrated green spaces strategy which will link up well with adjoining strategic site allocations. There are no overriding concerns in relation to the local or wider landscape impact.

## **C) ACCESS AND HIGHWAY SAFETY**

### **(i) Trip generation and capacity of local roads**

Much concern has been expressed by local objectors and the Town Council regarding the impact of additional houses of the scale envisaged on local road capacity. In particular there is concern regarding the impact on the town centre and its ability to cope with the extra traffic without significant periods of delay for road users. In addition, there is concern about 'rat running' through residential streets to avoid the town centre. The Highway Authority have been asked to consider the Traffic Assessment submitted by the applicant now with revised data and provide views on local road capacity and the suggested split between various routes and the impact of this. The Highway Authority are aware of the concerns raised by local objectors and the Town Council.

The applicants Transport Assessment addendum has updated the earlier 2016 survey information with new information gleaned at a 2020 survey and one carried out this year. The Assessment also takes account of traffic generated now by Augustus Park and the soon to be developed new estate at Tinkers Cross. In

addition, a further survey has been carried out at the mini roundabout junction in the town centre which is the major pinch point. The applicant's assessment concludes traffic generated by the development can be accommodated on the existing network without a severe residual cumulative impact on the highway network. The assessment concludes that a proportionate contribution towards an improvement of the A31/A338/B3347 roundabout at Ringwood is however required and they confirm they would be willing to provide a reasonable and proportionate contribution to those works.

The Officer report on the development at Snails Lane, Ringwood (Strategic site 15 – application 18/11606) included the following comments when the same matter was raised by the Highway Authority.

*Two junctions were assessed as to whether they can acceptably accommodate the additional traffic volume, this included the proposed modified junction at the A338 /Snails Lane and the existing A338 Salisbury Road/A31/B3347 roundabout at Ringwood. The results show that both junctions are expected to operate below their capacity during the agreed future assessment year, 2023, with the development.*

*However, the only exception to this is on the northern arm of the existing A338 Salisbury Road/A31/B3347 roundabout during the 2023 AM peak period when the traffic estimated to be generated by the recently adopted Local Plan allocation sites at Ringwood, Bransgore and Fordingbridge are included within the traffic flows.*

*This means that, when the other allocation sites are included in the traffic flows, and the proposed development, the forecasts show that there will be an increase in queuing on the A338 northern arm of the junction by 24 vehicles and increase the average delay on this arm by approximately 20 secs. Even without the proposed development, the forecast show that the north arm of the roundabout will exceed its capacity. However, it is important to note that the junction is only forecast to operate at over its capacity on the northern arm of the junction only for ¾ of an hour over a full day.*

*Accordingly, it is considered that this level of increase in delay would not be noticeable by drivers during a busy morning commute. It should also be noted that Highways England do not raise any objection in relation to the increase in traffic flows onto the A31.*

Given the above your Officers consider that the current proposal on Site 17 would not justify a contribution to the upgrade of this roundabout at Ringwood.

The Highway Authority's detailed comments dated 5 August 2022 are available to view on line but notwithstanding the concerns raised by the Town Council they do not dispute the modelling provided by the applicants and consider the scheme is acceptable as submitted.

(ii)     Vehicular access

There are separate elements of road infrastructure to consider i.e., a new 4 arm roundabout on Whitsbury Road, a new road bridge over the Sweatfords Water, and a new access road serving the residential development site. The application contains a high level of detail for all three elements, and these are submitted now for approval and not left to reserved matters. All three elements however will need final engineering drawings and details to be prepared as part of the Section 38 and Section 278 agreements under the Highways Act. It will be important the LPA are a party to and agree those final details so this will be covered under conditions and

the S106.

**Roundabout** - There is only point of vehicular access into the site from Whitsbury Road. This follows the line shown in the concept Masterplan, and is to be created with a new roundabout leading to a bridge across the river and an approximate 500 metre long section of carriageway south of the bridge. The roundabout is required by the Highway Authority because there will be in effect a four way junction. A roundabout is the most effective way of providing such an access and easing the flow of traffic. The roundabout is approximately located on the junction of the existing access into Augustus Park using land set aside as partly open space land and existing public highway land. None of the land required falls within any private ownership, and is all within the control of the applicant or public highway land. The land required which forms part of the now completed Augustus Park development was safeguarded as part of the S106 covering that site.

The plans indicate a roundabout of some 34 metres in outer circumference including a two lane carriageway on each arm with short stretches of cycle way and pedestrian crossing points and central refuge areas, and with a centre circle of some 22m which is large enough to accept some tree planting to soften the impact. The scale of the roundabout has been questioned by officers and the comments of the Highway Authority here are noted. Whilst the roundabout is large in overall landscape terms it is contained and for the most part uses the existing T junction serving the new estate. On balance it is considered the roundabout is acceptable subject to a good planting and landscape mitigation scheme. The details as submitted at this stage are generally acceptable and final details together with landscaping mitigation will need to be agreed prior to commencement of any works in consultation with the Highway Authority. The roundabout will also need to provide service vehicle access to the foul storage tank holding facility (see below under drainage). Wessex Water had concerns with the original arrangements but are now happy to agree the details as shown on the amended scheme.

The Highway Authority have been asked to consider a reduction in normal standards to offset any visual harm and have done what they can to reduce the impact subject to adhering to necessary safety requirements.

**River bridge** - The carriageway then swings south from the roundabout towards the river leading to a bridge across the river. The bridge details are shown on the submitted drawings as being a double carriageway of some 6.5 m in width with a 3.5m wide pedestrian and cycleway on the northern side of the road. The bridge is set back from the existing road frontage by about 45m and has a river span length of some 16 m with a 12m approach section each side of the bridge. The bridge is designed with a single shallow span arch across the river and has a clearance above the river of 3m with a minimum head height clearance under the bridge onto the bank of 1.5-1.8m. An otter ledge is to be incorporated into the bridge design. The bridge will be constructed with pre cast concrete with an outer skin of facing brick. Above the level of the bridge deck a 1.4m high length of painted steel safety railings will be provided. The approach roads to the bridge will be raised gradually and embanked from ground level up to 3.5m above existing ground level.

Concerns have been expressed by officers regarding the impact of the bridge and if it can be reduced in height above the river, but this has not proven possible taking into account the comments of the Highway Authority. The height of the bridge is governed by clearance needed above the river as required by the Environment Agency as well as the need for safe maintenance working under the bridge. The bridge will also remove some significant tree planting along the river bank which will

need to be replaced.

There is no doubt that the dual impact of the new roundabout and bridge will be very urbanising until landscaping works have taken place and reached a level of maturity. That said this is the only potentially feasible access into this site. A roundabout is referred to in the SS17 Local Plan policy with the need for a bridge being self-evident. Suggestions by some objectors of using Puddleslosh or Marl Lane would require those bridleways to be considerably expanded in width on land that is not all public highway land. The loss of these two bridleways as generally car free and very popular access and recreation routes for local people would not be acceptable.

The submitted lighting strategy centres on those parts of the scheme which are for approval at this stage i.e. the roundabout, bridge and main site access road. The summary of the lighting scheme concludes there will be no harmful impact on dark skies, residential amenity, or on any ecological receptors. That said the impact of lighting will inevitably add to the overall impact of the roundabout, bridge and access road. Further comments are set out below regarding residential, ecological and wider landscape impact.

The Highway Authority in their comments have agreed to some changes to the bridge which have been incorporated into the latest plans. This together with a more sensitive approach to external cladding is sufficient to allow the development to go forward. Officer's agree that the details of the bridge are guided both by highway safety and flood risk requirements as well as safe working under the bridge itself during any need for maintenance. Again, landscaping will play a crucial part in mitigating any initial harmful impact. Over time however the bridge impact is adjudged to be acceptable.

**Carriageway into development site** – leading downhill from the bridge and then sweeping up hill to the first residential parcel the main carriageway is for the most part 7m in width but narrowing at two pinch points to create a chicane type feature to single carriageway width of 4.8m which makes it much easier for pedestrians to cross, and which has the double benefit of slowing down traffic coming out of and going into the development site. The pedestrian walkway and cycleway is apart from that section going over the bridge separated from the vehicular carriageway by a grass verge of between 2 and 4 m in width. This will provide a safer and more pleasant experience for those walking and cycling to and from the site. The main carriageway into the site has been designed on a sinuous line to take into account landscape form and the need to protect trees. The road is for the most part provided at level with only a 90m section shown to be on a slightly raised embankment of no more than 0.5m. Adhering to existing contours will assist in ensuring the road is not intrusive in landscape terms.

The Highway Authority again have been asked to consider amendments to the original standard two lane design and have agreed to the reduced widths and crossing points. Over time with new landscaping, it is considered that the road will blend into the local landscape and the proposals as now submitted subject to approval of final details will be acceptable.

**Emergency access points onto Puddleslosh Lane** – Given the cul de sac nature of the main carriageway and the need to cross the river it will be necessary to make provision for perhaps one or two emergency access points westwards onto Puddleslosh Lane should the bridge be closed for any reason. In the unlikely event this happens then any emergency access provision should be shown in a future

Reserved Matters application and tightly controlled so that it is not used at any other times by lockable bollards or some other control mechanism. There is a potential conflict here to be noted regarding the loss of open space which is required for BNG purposes. Any emergency access should therefore not be through the central open space corridor onto Puddleslosh Lane. Such an access should be further north towards the upper end of Puddleslosh Lane to minimise any impact on the use of the Lane by walkers and cyclists. Any access should also be prohibited in allowing traffic to turn right and to run southwards towards the junction with Marl Lane as this part of Puddleslosh Lane is totally unsuited to vehicular traffic.

(iii) Pedestrian, cycle access and sustainable transport

**Walking and cycling** - The Parameter Plans indicate movement through the site with a network of roads, footways and cycleways with some routes based on the existing definitive footpath routes and other routes being new. This plan forms a basis for the Reserved Matters application going forward and the details of these internal links will need to be more fully shown. The existing rights of way that cross the site are to be maintained in their current location with no diversions being necessary albeit Footpath 79 which connects the site with the Avon Meade/Parsonage Park development to the east is bisected by the new main road into the site. A new crossing point will be located at the point where the footpath hits the road with a localised narrowing so whilst it will still be possible to cross the road at an angle on the line of the definitive right of way it is likely that pedestrians will use the new safer crossing point. In time that may lead to a formal diversion application, but it is not required at this stage. Generally, all the existing rights of way will be preserved in their current positions and provided with green corridors of a much greater width than at present with some of these footpaths tightly constrained on either side by post and wire fencing.

In addition to on site provision there is a requirement to provide sustainable transport links on foot or cycle to the wider strategic site network and beyond. In this regard the site is well located and served by public rights of way along the western, southern and eastern boundaries. Puddleslosh Lane and Marl Lane are existing very popular walking cycling and horse-riding routes which are enjoyed by many people. However, in places these routes are hampered by poor surfacing due to a small amount of vehicular traffic accessing residential properties. Puddleslosh has a very poor surface in places which is not conducive to safe cycling or walking. Marl Lane is also worthy of localised improvements, but it is considered the surfacing along the site frontage with Site 17 is adequate. Any improvements to Marl Lane lower down towards the junction with Station Road can be picked up as part of the Site 16 application. Both these routes form part of a potential strategic rights of way network which can be more fully utilised both for recreation but also for safe routes to school.

Other sections of rights of way alongside Strategic Site 18 will provide footpath widening improvements and resurfacing. In the case of Puddleslosh Lane a scheme of localised surface improvement is required only rather than any widening. Given the routes are used for access only purposes to a small number of dwellings it seems unlikely that either route will experience any significant increase in vehicular use. This is certainly not something the council would wish to encourage as these routes should be retained in their principal use as rights of way. A condition will be applied to require a scheme of localised improvement and repair to Puddleslosh Lane as part of any grant of outline permission along with an implementation

timetable.

For clarity, the improvements will only be required along the edges of the site (including the section of Puddleslosh Lane from the electricity substation to the junction of Whitsbury Road), as the remainder of Marl Lane can be picked up as part of Site 16. Whilst the surface of the rights of way are not controlled by the Highway Authority there are rights to carry out improvements to rights of way under other highway legislation. The most appropriate way of securing this work would be for the developer to cost up a scheme and provide the full cost contribution to the Highway Authority and Hampshire Countryside Team who can either carry out the works themselves or through one of their approved contractors. Whilst this work has not been requested by the Highway Authority it is a key requirement in terms of sustainable transport improvements and is required to make the development acceptable.

One of the most significant improvements locally brought about by the three Strategic Sites in Fordingbridge will be the availability of a new network of sustainable walking and cycling routes brought forward by the housing sites. At the present time Site 16 and Site 18 have no public access with Site 17 only having limited access. These three sites between them will open up a much wider network of walking routes to the benefit of all. Such new opportunities are also designed to prevent and reduce car borne trips to the National Park particularly but not exclusively by dog walkers so fit well with the sustainable travel aspirations set out in the Local Plan policies. Every dwelling will also be provided with secure cycle storage.

**Bus Services** - The Highway Authority in their comments have also asked for an improvement to the X3 bus service which currently runs between Salisbury, Ringwood and Bournemouth.

This service currently has the following stops in the town

- Burgate Cross A338
- Surma Valley restaurant A338
- Waverley Road
- Alexandra Road
- Salisbury Street (town centre)
- Fordingbridge service station

The Highway Authority in their recommendation require the S106 agreement to include

*Delivery of a public transport strategy prior to commencement, setting out the details of the bus service serving the site; noting this must as a minimum provide a bus service stopping within close proximity to the site access roundabout on Whitsbury Road and provide a bus service with a minimum hourly frequency on Monday – Saturday (excluding bank holidays) between the hours of 07:00 – 19:00 between the development, Fordingbridge Town Centre and Ringwood Town Centre.*

This Service should be provided with a new route which should be re-routed through Site 18 from Salisbury Road along the new link road through Augustus Park and then onto Salisbury Road in the vicinity of the new roundabout and bridge serving Site 17. The existing route stops will also need to be picked up so this may require a new service in addition to the existing service. The existing X3 route running down Salisbury Road and then onto the town centre needs to remain as



this is necessary to pick up passengers along Waverly and Alexandra Road and to serve the two Site 18 parcels served directly by the A338 rather than the new link road. Added to this there will be a requirement for new bus stops. The Site 18 application can pick up any stops required within its boundary with the current application funding two new bus stops on Whitsbury Road. The current unacceptable distance of 1.4kms from Site 17 to this service will then be cut to a maximum of 800 metres with many residents much closer than that to Whitsbury Road.

**Travel Plan** - Finally there will be a need for a residential Travel Plan to encourage more sustainable forms of travel. This will need to be monitored with a bond, along with the usual set up fees administered by the County Council. Contributions can be collected via the S106 agreement.

(iv) Car parking

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

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

The applicant's Transport Assessment suggests that both car and cycle parking would be provided in accordance with the Council's Parking Standards, as set out in the Parking Standards Supplementary Planning Document April 2022. This would be appropriate. The detailed arrangements, however, will need to be considered at reserved matters stage as part of a detailed layout. It will be important that the parking is well designed.

## **D) ECOLOGY**

(i) On Site Biodiversity and protected species

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

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

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

The Council's Ecologist has carefully assessed the proposals and subject to conditions set out below is satisfied the proposal adequately protects on site

protected species, and provides for sufficient opportunities for new facilities to encourage wildlife. There are concerns and objections raised by local residents regarding the harmful ecological impact, but this is not borne out by the evidence and protection and enhancement measures included. A balance here needs to be struck as the site is allocated for development. The LPA has discharged its duties set out under the policies and through separate legislation to protect and enhance wildlife opportunities. Of course much of the important woodlands areas are to be retained and enhanced with specific areas protected with public access restrictions.

(ii) Biodiversity Net Gain (BNG)

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

The submitted application is supported by a 'Biodiversity Metric Assessment'. The report sets out whether the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures. The results show a shortfall of BNG from the required 10% uplift principally because of the high ecological value of parts of the current site. The latest calculations indicate a net gain of around 6% with a shortfall of approximately 6 'habitat units'. The applicant proposes to make this shortfall up by using potentially surplus capacity on Site 18 within their ownership or alternatively in line with Government advice contributing to an off-site scheme. Either way the shortfall can be made up and the matter can be covered by condition requiring the details of any off site scheme to be submitted to and agreed in writing with the LPA. It is likely that by the time site 17 comes to be commenced Site 18 will be completed and other off site projects will be brought forward.

The Councils ecologist has provided detailed views on BNG in his response dated 25 November 2021 and 11 August 2022. He is now satisfied with the application proposals subject to an off-site scheme being secured to offset any shortfall.

A financial monitoring contribution to ensure long term performance of BNG based on the April 2022 Cabinet report will need to be included in the S106.

(iii) Habitat Mitigation against recreational impact on protected areas and species

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.

In accordance with Local Plan policy the applicants have put forward a range of on-site ANRG areas to provide areas of recreation for dog walkers including a range of pathways and woodland walks as well as a main off lead exercise area measuring some 60m x 80m with a suitable fence enclosure to keep dogs in and prevent uncontrolled access onto the main carriageway. The site will also form part of a wider strategic network of access including linkages with other parts of Site 17 to the north both at the Tinkers Cross end and the Ford 1 end of the development. Linkages with and improvements to public rights of way network will provide good quality dog walking opportunities linking to both Site 16 to the south and Site 18 to the north both of which will provide further extensive ANRG opportunities. In this regard the proposals comply with policy and are sufficient to offset the potential for harmful impact on protected areas within the New Forest National Park. At this point it should be noted that the Cranborne Chase AONB Partnership have raised similar impact issues, but the provision of financial contributions cannot be supported as there is no policy requirement to do so. In any event the points made above will deflect visits away from the AONB it is considered.

Policy also requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This contribution cannot be calculated exactly due the outline nature of the application; a precise contribution will be calculated through the submission of reserved matters. What is important is that the required mitigation contribution is secured through a Section 106 legal agreement. Payment based on the precise dwelling mix can then be taken at Reserved Matters stage.

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

(iv) Air Quality mitigation

Policy ENV1 of the Local Plan Part 1 Strategy requires all new residential development to provide for air quality monitoring, management and mitigation. To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

The applicant will be required to contribute towards a District wide monitoring programme as part of the S106 contributions in the event of a permission being granted. The current contribution is set at a rate of £91 per dwelling = £31,122.00.

(v) Phosphate neutrality and impact on River Avon SAC

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

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

Applicant's phosphate mitigation scheme

The applicants have now brought forward their own phosphate migration scheme which involves taking an established fish farm at Bickton out of production and revoking any Environment Agency licenses to operate. A standalone Section 106 Agreement has now secured this new scheme which also has the blessing of Natural England and the Environment Agency.

As there is now a 'Project' the Council can use a Grampian style condition and again grant planning permissions within the Avon Valley including the whole of Fordingbridge for residential development. The applicant can use this new scheme to demonstrate Phosphate credit to discharge the Grampian condition. It should be noted that this applicant is not linked to the Bickton Fish Farm project and the applicant could come forward with credit from other project in the future. The Bickton Fish Farm project did not require planning permission.

**E) FLOOD RISK, SURFACE, AND FOUL WATER DRAINAGE**

(i) Flood risk

The majority of the site lies in flood zone 1. This covers all the intended house building zones on the site which will not therefore be at risk from river flooding. However, the river corridor lies within flood zone 3 and this is the area affected by the proposed river bridge and road works. The larger site is subject to flooding from both the river and surface water due to the underlying geology. This requires any new bridge and associated works to be accompanied by compensatory flood overflow areas as well as a detailed surface water drainage strategy. The Environment Agency are concerned with fluvial flood risk whereas the Hampshire Local Lead Flood Authority are concerned with surface water drainage and flood risk.

The proposals provide a new bridge set at a height appropriate above the river to avoid future impedance to flows and together with flood zone compensatory shallow basins either side of the bridge are considered by the Environment Agency to be acceptable subject to condition which includes reference to the submitted documents which includes a framework CEMP to be further detailed at Reserved Matters stage to include for the overall mana agent of the construction works on site and the monitoring of those works to prevent any pollution into the river and other watercourses.

(ii) Surface water

HCC LLFA have considered the detailed surface water management scheme. This takes the form of a series of shallow SuDS basins to take surface water that may be displaced by building works and other run off from the dwellings and hard surfaced areas with preferably a series of swales to filter that run off prior to it entering into the basins. The basins themselves need also to fulfil a biodiversity and amenity function so will not take the form of deep steep sided ponds but rather a series of shallow depressions and land scrapes in line with best practice issued by the government. None of these surface water basins are intended to be wet all year round apart from the larger basin to the north of the main access road specifically designated as natural wetland. None of the drainage basin areas will need to be fenced either. The strategy is shown on plan dated 12 August 2022 and with further illustrative details set out in the Design and Access Statement dated 28 June 2022. HCC are satisfied that the strategy is acceptable subject to condition. Your officers are also content that the illustrative details set out in the DAS will form attractive areas with a multiple use allowing them to be used for biodiversity and amenity as well as surface water overflows. All the basins will need to be conditioned as part of the Reserved Matters approval.

(iii) Foul water

Wessex Water is the sewerage undertaker responsible for the foul sewer network in Fordingbridge. In general, the northern part of Fordingbridge drains via a gravity foul a sewer network which takes flows through the centre of the town, eventually discharging to the Fordingbridge Waste Water Treatment Works (WWTW) at the southern end of Frog Lane. This includes the properties located to the south-east of Site 17. One potential point of connection – the sewer located in Whitsbury Road – has recently been extended northwards as far as the access to Augustus Park, adjacent to the proposed site access. WW has advised that the existing sewer network has limited capacity and that engineering works to increase the capacity of the network through Fordingbridge would be constrained by the sewer routes, which pass through the town centre. Works to these sewers would require significant

traffic management. A new strategic sewer network taking foul flows from the new development to the north of Fordingbridge westwards via a series of gravity sewers, pumping stations and rising mains from SS18 through SS17, and then south through SS16. South of SS16 a new pumping station would direct flows to the WWTW. This strategic solution would bypass the existing sewer network in Fordingbridge and therefore avoid the need for extensive sewer upgrade works within the town itself. WW subsequently confirmed that budget is provided for the strategic sewer in the WW AMP7 investment period from 2022/23 to 2025/26.

WW's strategy is based on the installation of two new storage tanks and pump facilities if required to be installed at key locations to manage flows from new development and avoid a negative impact to the existing network from new development. One storage location would be at Whitsbury Road in the vicinity of the Augustus Park and SS17 access and would manage flows from SS18, Augustus Park and the Tinkers Cross site. The second storage location would be at Station Road and would manage flows from sites SS16 and SS17. There would also be an option for the storage at Whitsbury Road to be sized to manage flows from SS17.

Local Plan policy SS17 requires the developers of Strategic Sites to work cooperatively with each other and with Wessex Water to deliver a suitable foul sewer connection to the Fordingbridge treatment works. A memorandum of understanding has now been signed by all the Fordingbridge developers to ensure that the required cooperation is in place.

To support the development of the NFDC Local Plan Review, WW carried out network modelling to test the impact of the proposed development to the north of Fordingbridge and develop a strategic sewer scheme proposal to serve the allocated sites.

The applicant's agent WSP met with WW in March 2017 to discuss the proposals for the Augustus Park development (145 homes) located to the east of Whitsbury Road. As this site would be developed before a strategic sewer could be funded and constructed it was agreed that an interim gravity connection would be made to the existing WW foul sewer in Whitsbury Road. It was also agreed that the new foul sewer through Augustus Park would be designed and constructed to accommodate foul flows from potential future development to the north, now confirmed as SS18. The sewer through Augustus Park therefore forms the first part of the strategic sewer infrastructure.

The applicant's preferred option is that the on-site foul drainage network will drain by gravity to a new holding tank located in the east of the site. And from there to the existing Whitsbury Road foul sewer. The proposed storage is expected to receive flows via an overflow from the foul sewer during times of high flow in the sewer network. It would then discharge flows back to the sewer at a controlled rate.

Wessex Water have now confirmed the original plan for a pumping station is no longer needed with gravity being sufficient. The holding tank will ensure that there is no overloading of the existing Whitsbury Road sewer at times of peak flow. Wessex Water are content with the storage tank details subject to final details being approved.

## **F) IMPACT ON SETTING OF LISTED BUILDINGS**

The only Listed Building (designated heritage asset) that is affected by the proposed development is that relating to the Listed Buildings at Forres Sandle

Manor School which is located to the southwest alongside Marl Lane.

The Historic England List entry describes the building in brief as a m

Section 66(1) of the Listed Buildings and Conservation Areas applies. It requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate securing its optimum viable use.

The application is accompanied by a detailed Heritage Assessment which identifies that there are several heritage assets in relatively proximity to the application site, whose setting could be affected by the proposed development. Although there are no designated heritage assets recorded on the site, the Heritage Assets that could be affected by the proposed development because of changes to their setting are those based on the Forres Sandle Manor School which is itself incorporates the old Manor House. The open land to the south and east form part of the setting of the former house. This has to an extent been partly impact by new school playing field structures and other buildings. Marl Lane separates the school site from the development site. The building of the railway has also compromised the former setting of these heritage assets.

The Conservation Officer has assessed the development as causing less than substantial harm to the setting of the Listed Buildings at the school. In this regard he considers the development site is too close to Marl Lane and that with some pulling back in this area the setting of the heritage assets could be better protected.

In response Officers can confirm that there is a reasonable gap between the southern edge of the housing development and Marl Lane. The intervisibility between the building zones and the school is limited because of land forms and existing screening. Further tree planting in the bottom SW corner of the site coupled with a low and loose density and arrangement of housing in this SW corner will alleviate to an extent any setting impact. The setting of the heritage assets is however a wider appreciation rather than simply a visual relationship between the development and the heritage asset. Walking on Marl Lane at present provides a rural walk which will change with the new development. That said the new development is set back from the Lane and this must be balanced against the overall public benefits of the development.

### **Policy balance**

Paragraph 199 of the NPPF makes it clear that when considering any harm to a heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 of the NPPF makes it clear that any harm to a heritage asset requires clear and convincing justification, whilst Paragraph 202 of the NPPF advises that in the case

of less than substantial harm, the harm should be weighed against the public benefits of the proposal. No harm is identified and therefore these policies are not engaged

The applicants consider their proposals would deliver significant public benefit comprising: delivering the Local Plan the creation of an exceptional quality of built and natural environment; the creation of a sustainable community that delivers new homes. The applicant's position is noted. Your officers would add to the public benefits in terms of releasing further opportunities for economic benefits during the building period, support for local business, and new recreational opportunities to enjoy the large areas of new POS and ANRG released by the development.

In summary, the impact on heritage assets is very balanced, as there are some benefits and a degree of harm. The balancing exercise, as set out in both local plan policy and the NPPF, together with the statutory test will be applied at the end of the assessment under the Planning Balance and Conclusion section.

## **G) ENVIRONMENTAL PROTECTION**

### **(i) Contaminated land**

The comments of the NFDC EHO confirm there are no overriding issues with regard to contaminated land, subject to standard contaminated land condition being imposed to deal with unexpected contamination should this be encountered on the site.

### **(ii) Noise, dust, and light pollution**

The Council has assessed the impact of the development in regard to noise and dust pollution.

Noise impact has been evaluated from the development in isolation and also the cumulative impact of all committed development in the Fordingbridge area. A number of receptors were used to measure and model potential noise from additional traffic in particular throughout the town. Noise will be created in two ways, first by construction works, and secondly through increased operational noise once occupation has taken place. The EHO is satisfied that construction noise can be mitigated through a construction environmental management plan (CEMP) governing noise limitations. With regard to operational noise there will be traffic noise emanating from the road but other noise impacts will be limited due to the distance of the new dwellings from existing dwellings. Road noise can be mitigated in this case through additional landscaping without the need for any baffling or acoustic fencing alongside the road or the nearby estate boundary. As for the wider impact on noise in the area the EHO considers these increases will be negligible and not significant.

With regard to light pollution this will be thorough additional street lighting to light the new roundabout, bridge and road works and additional lighting on the houses themselves. The latter can be dealt with at reserved matters whilst the impact of road infrastructure lighting can be mitigated by using the latest lighting technology. The impact on dark skies is covered elsewhere in this report as is the impact of lighting on ecological receptors. (iii) Air quality impact

The submitted air quality assessment (ref: A11338/7.0 June 2022) models the potential impact on local air quality from different developmental scenarios from both the SS17 and SS18 proposed developments. The impacts are assessed in terms of the potential impact from vehicle emissions from the operation of the proposed development(s) (nitrogen dioxide and particulate matter) and construction operations (dust / particulate matter) on site and on the local road network. The air



quality assessment considers a number of developmental and phasing scenarios and takes into account the cumulative impact from other proposed development sites in the vicinity of Fordingbridge. All model outputs are predicted for the year 2025 for comparison purposes rather than 2036 once all developments are predicted to be completed because of the likely drop in air pollution through a ban on petrol and diesel vehicles sales after 2030. This leads to a more conservative view (worst case scenario) if 2025 is chosen as a base year.

The Council's EHO has carefully assessed air quality impact arising from additional motor vehicles but considers there to be no reasons not to grant planning permission subject to conditions covering a dust management plan during construction phase (to be included as part of the CEMP referred to above). Changes in development phases will however trigger a re-assessment at reserved matters stage or separately via consideration of the applicant's separate application under Site 18.

## **H) RESIDENTIAL AMENITY IMPACT**

Members will note that a number of objections raise matters of concern regarding a loss of amenity. The Town Council in their comments also refer to a loss of quality of life. The most immediate impact from the new development will be a loss of outlook across an open greenfield site from the adjoining estate which currently forms the built up edge of the town on the south side of Whitsbury Road. That however is not a material planning consideration. The land is clearly allocated for development and consequently the loss of the greenfield site is unavoidable and already agreed in principle. The following matters can however be taken into account.

### **(i) Road impact – noise and lighting**

The new access road will run close to a small number of properties on the eastern boundary of the site. This new road will impact on their loss of outlook, create additional road noise and street lighting. With regard to outlook this is dealt with above. Regarding noise the EHO is satisfied that road noise will not be so great as to warrant acoustic fencing or some other type of noise attenuation. Physical restrictions on the access road are designed to reduce traffic speeds on the main approach road into and out of the site. On lighting the latest amended plans move some of the planned light standards further away. Such lighting is limited and will be up to improved standards to prevent undue light pollution. Other lighting impact will arise from car headlights and again this has been minimised by moving the road away, and allowing space for further screen planting along the boundary. The adjoining residents will however enjoy the fact that the first 500 metres of the access road has no housing alongside it. The rural nature of this part of the site will change to a road corridor rather than a new estate development.

### **(ii) Loss of outlook**

Clearly this will be the main impact on those local residents who border the site and currently enjoy a green field view. Whilst loss of outlook is not a planning matter such loss will be tempered by significant retention of existing tree groups and woodland and a significant number of new trees to be planted. In addition, the impact of the new development has been reduced by moving the first elements of housing further away from those residents.

(iii) Loss of Privacy

There will be no loss of privacy from direct overlooking between new dwellings and existing dwellings. There may be some privacy loss caused by increased pedestrian and cycleway use close to the eastern boundary, but this is not at such a level as to warrant a refusal of permission. The benefits of new access routes for pedestrians, dog walkers and cyclists far outweigh any consequential loss of privacy to a small number of dwellings.

(iv) Impact of foul pumping station

The applicants have now confirmed the pumping station is no longer required. This has removed the objectors concerns.

Overall, therefore the impact on local residential amenities is considered to be proportionate in nature bearing in mind the site has been allocated in an adopted Local Plan and will be developed. Any harmful impact has been considerably lessened given the site layout. The wider public amenity impact has been covered under landscape impact above. The proposal is considered to be in line with policy ENV3 which seeks to safeguard residential amenities.

**I) MINERAL SAFEGUARDING**

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

**J) AFFORDABLE HOUSING AND PROPOSED HOUSING MIX/TENURES**

The delivery of affordable housing (AH) is key element of the Local Plan and a key corporate priority for the Council, and this is reflected in the Council's Corporate Plan.

Application housing mix and policy background

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

Whilst the application is in outline at present the applicants in their affordable housing viability assessment have provided the following as a likely mix of units. This gives the total number of dwellings as 342.

- 30 x 1 bed flats
- 34 x 2 bed flats
- 76 x 2 bed houses
- 150 x 3 bed houses

- 52 x 4 bed houses

This equates to the following housing mix which looks reasonable when set against Local Plan Policy HOU1 which seeks to provide a greater percentage of smaller to medium size homes.

- 41 % 1-2 bed units
- 44% 3 bed units
- 15% 4 bed units

It is considered important that the mix of development reasonably reflects the identified objectively assessed housing need across the district. Based upon the indicative details provided, the proposal would provide a good number of flats and smaller dwellings which meets the aspirations of the local plan to provide smaller homes but still providing a slightly higher proportion of 3 bed family homes. Overall 85% of the proposed mix is for smaller or family homes with only 15% larger homes.

With regard to Local Plan Policy HOU2 the policy requirement in this case is for 50% of the units to be affordable, and those units to have a split tenure mix with 70% being affordable homes for rent (with an equal split between social and affordable rent) with the remaining 30% of units to be intermediate/shared equity homes. (Shared ownership falls into this latter category).

The Policy states that the viability of development will be taken into account in applying this policy as set out in Policy IMPL1: Developer Contributions.

The introduction of First Homes postdates the adoption of the Local Plan but they are now officially recognised as an affordable housing product by Government who have recently published new guidance on First Homes. The Council have followed this with their own guidance adopted in June 2022.

*(Officer explanatory note - First Homes is a new Government scheme designed to help local first-time buyers and key workers onto the property ladder, by offering homes at a discount of 30% compared to the market price. Whilst the discounts will apply to the homes forever, meaning that generations of new buyers and the local community will continue to benefit every time the property is sold, the price paid after discount currently set at £250k outside London will rise with inflation etc. The Government guidance allows LPAs to develop and adopt their own criterion on such matters as the level of discount, and any local occupancy requirements. An NFDC First Homes Guidance Note has now been published setting out national requirements and local requirements relating to eligibility criterion etc. Government Guidance goes on to state that where First Homes are provided, they should be at a proportion of 25% of the affordable housing offer with the other 75% of affordable units being based on the Local Plan policy requirements of the LPA).*

Policy HOU2 therefore requires that the development should provide

- 171 units as affordable with
- 120 dwellings being split equally between social and affordable rent, and
- 51 units provided on a shared equity basis as intermediate.

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

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

#### Applicant's viability assessment and first offer

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

The applicant's in their submitted viability assessment confirm that the proposed development is not policy compliant principally due to the significant abnormal costs of bringing the site forward e.g., cost of road infrastructure, phosphate mitigation and education and other S106 contributions. These and other costs according to their appraisal account for nearly £31m. Not all these costs were accounted for in the Local Plan viability assessment.

The applicant's viability assessment (see web site dated 30 June 2022) has carried out a series of scenarios based on different levels of affordable homes and tenures. The optimum they say that can be achieved provides for the following mix which includes First Homes

- 17 First Homes x 2 bed
- 14 Affordable Rent x 1 bed
- 23 Affordable Rent x 2 bed
- 16 Shared ownership x 1 bed

Total number of affordable units = 53 + 17 First Homes =70  
This is equivalent to 20% with First Homes included.

The proposal fails policy requirements in four ways

- Does not comply with 50% requirement
- Does not comply with housing mix
- Does not comply with housing tenures
- Does not comply with guidance on First Homes

The Council has appointed its own independent viability advisor to consider the detailed appraisal which also analyses construction costs, suggested profit levels, suggested revenues from sales along with other variables. Their initial advice considers that there is room to negotiate on land values, profit levels and the ultimate number of affordable units, and that costs are not yet fixed and agreed.

#### Second Revised Offer

Following an initial assessment of this original offer the applicants have met with officers and the viability consultant and following negotiation have provided a revised offer set out as follows with three different scenarios with a varying mix.

- 50% affordable (171 units) based on 48 First Homes and 123 Shared ownership
- 30% affordable (103 units) based on 26 First Homes, 24 affordable rent and 53 shared ownership
- 25% affordable (85 units) based on 21 First Homes, 32 affordable rent and 32 shared ownership.

Excluding the 50% offer as it includes no affordable rent and too many First Homes, the other offers also skew the provision to smaller 1 and 2 bed apartments with only 6no. 3 bed family homes.

### Third Revised Offer

Following further discussions with your officers and viability consultant the applicants have now provided a new offer which provides the following mix and numbers. They have been asked to look at the Local Plan policy advice and adjust the mix so that there are more 3 bed home included.

30% affordable (103 units) split as follows

**First Homes** - 26 units all as 2 bed homes

**Affordable Rent** 16 units

- 7x 1 bed apartments,
- 4 x 2 bed apartments
- 5x 3 bed homes

**Shared ownership** 61 units

- 23 x 1 bed apartments,
- 18x 2 bed apartments
- 20 x 3 bed homes

The Council's viability consultant has provided further detailed comments in his appraisal of the applicant's position (available to view on web site dated September 2022).

### Officer comments

This is a highly complex application which has resulted in a number of potential scenarios being provided setting out affordable housing and what can be achieved taking into account (as is required by Government Policy and Local Policy) the key costs of infrastructure and S106 contributions to bring the development forward, together with land costs, revenues achieved, profit levels, contingency costs etc.

Judging the offers made and looking carefully at tenure split and housing mix it is considered that the applicant has fairly represented the high costs and fairly set out other revenues achieved and profit levels expected particularly taking into account the current high risk associated with doing so exacerbated by current economic circumstances.

Whilst the third offer now put forward does not meet with policy aspirations it does

however represent a fair position and provides for 103 affordable units with a reasonable tenure and size split which recognises local housing need. All affordable dwellings will be subject to restrictions imposed by a Section 106 agreement which provides for long term retention of these units as affordable homes and not just for first occupiers. The latest tenure mix and proportions between 1,2 and 3 bed homes is also considered to be more in line with policy tenure mix proportions i.e. equal split between 1,2 and 3 bed homes.

## **K) TOWN COUNCIL OBJECTIONS AND REBUTTAL**

Whilst the views of the Town Council are noted and respected the comments below should be taken into consideration for each of their numbered points and weighed against the objections set out. Officer's comments in italics below each sub heading.

### **1 Link Road first before any development of Site 17**

*The technical evidence submitted by the applicants and assessed by the Highway Authority do not support this view, and they have not required such a condition to be imposed. Construction traffic can be managed in terms of timings and routes through the town by condition. The Link Road will be constructed as part of Site 18 applications and that proposal will be considered separately by Committee and options for conditions and timings of the Link Road can be considered then. It is not a reasonable condition to impose on Site 17 that no works take place until a Link Road that is the subject of a separate application is completed.*

### **2 Traffic impact disagreement with Highway Authority**

*Up to date modelling has now taken place which has been accepted by the Highway Authority. Modelling of traffic is complex with a number of alternative access roads available for traffic so not all traffic will travel through the Town Centre. The extent of any delays is also important and must be borne in mind. The time of delays at key junctions is relatively small when compared with much busier centres. There is no alternative expert evidence submitted by the Town Council to set aside the views of the Highway Authority. The reference to Site 16 is now outdated by updated traffic flow evidence.*

*The site is well located within walking distance of both schools and with improvements to key routes pedestrian and cycling links to school there is no evidence to support this view. A condition will be imposed to restrict construction traffic during peak times.*

### **3 Traffic impact and lack of sustainable transport measures**

*The report above and the S106 requirements set out below a range of sustainable transport measures. The site is well located in relation to schools and is within walking distance of a range of facilities. The site is already allocated, and this allocation took into account the position of the site and its relationship to the town.*

### **4 Construction traffic impact**

*A construction traffic management plan can be conditioned – this can include preventing construction traffic accessing the site around peak school drop off and pick up times. It is not agreed by the Highway Authority that no routes through the town are suitable for construction traffic. A routing plan will form part of the above condition. It is not possible to manage and control traffic post development other than through physical interventions which the Highway Authority do not consider to be needed.*

**5 Quantum of POS and ANRG is insufficient**

*The proposal is compliant with Local Plan policy and policy governing ANRG. The quality of such areas is also in line with Local Plan and SPD advice. The site provides sufficient ANRG for its own development as well as space to compensate fully for the lost SANG land relating to the Augustus Park Ford 1 development. SANG replacement will be a first phase and open before any road works start and ANRG will also be prioritised to occur prior to first occupation as per phasing of the residential element that may be approved. Formal open space was never intended to be provided on this site but on site 16 and 18 instead. Other alternatives to that are now being considered to realise such new facilities as soon as possible.*

**6 Health and education infrastructure**

*Healthcare facilities are not within the purview of the District Council LPA but are matters for central government funding. The full education contribution required by the Local Education Authority would be included. It is a matter for the LEA to bring forward proposals and use the money contributed by this site and other strategic sites.*

**7 Ecological damage to this important greenspace**

*The proposal can fulfil BNG requirements and all the important elements of SINC and woodland areas are being protected and not developed. The principle of development here is long established by the Local Plan allocation. Conditions will ensure protected species and trees to be retained are not harmed. The Council's ecologist is satisfied the proposals are acceptable. Anecdotal comments are insufficient to set this aside.*

**8 Impact on quality of life for local residents**

*Whilst there will be short term disruption during construction the quality of life argument needs to be balanced against the availability of larger areas of POS and ANRG for all to enjoy, and new much needed housing some of which is affordable fulfilling government and local plan policy. The development will also support short term employment opportunities and longer term sustainability of town centre businesses, as well as new formal recreational facilities for the town.*

**9 Number and enforcement of conditions**

*It is not unusual for a large number of planning conditions on a complex scheme of this size. Monitoring is now more robust on those conditions with staff resources now available to do so. The combination of planning conditions and S106 obligations are an effective means of control. Best practice allows for whatever conditions and S106 obligations are necessary to make the development acceptable. All conditions meet the tests of being necessary, relevant to planning, relevant to the development, enforceable,*

*precise and reasonable in all other respects. The S106 adds further strength to those conditions with a Court injunction against any breach available to remedy such a breach if required in the public interest.*

#### **10 Phosphate mitigation needs further explanation**

*The specific Project has enabled the Council to now grant planning permission with Grampian style conditions. Natural England have agreed the phosphate mitigation scheme and the detailed S106 agreement already in place covers a wide range of management issues covering the site. The specific phosphate project is not part of this application and therefore any views about the project is not material to the consideration of this application.*

#### **11 Sewerage infrastructure inadequate and pumping station concerns**

*The applicants have set out their strategy document (Foul Drainage Statement dated 14/01/2021 on the web site), based on the updated strategy of Wessex Water. There is an agreed timetable for Wessex Water to provide an upgrade of the Fordingbridge Sewage works. Recent Government statements also underline that they will legally require future sewage works improvement. There is no evidence that the current proposals which are supported by Wessex Water will not be able to deal with foul outflows. The on site storage tank will be sized to regulate peak flows. The pumping station has now been deleted from the scheme.*

### **L) SECTION 106 REQUIREMENTS**

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits:

- **Affordable Housing** – provision of affordable housing including future monitoring costs
- **Education** - financial contribution of £1,471,592 towards expansion of Fordingbridge Junior and Infants School payable to Hampshire CC.
- **Biodiversity net gain (BNG)** long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site and other areas within the application site currently designated as SINC
- **ANRG provision and maintenance** and long-term management/maintenance plan, monitoring costs and requirement – potentially privately managed. Structure of management company. Failure safeguards. If managed by Council, then maintenance contributions TBC.
- **SINC enhancement and maintenance scheme** – as per the ANRG clauses above with contribution level TBC
- **POS provision and maintenance including play spaces** – triggers for



implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas. If to be adopted by the Council, future maintenance financial contributions TBC, and monitoring costs

- **Monitoring charges** – as set out in the April 2022 Cabinet paper relating to affordable housing , BNG, POS, and ANRG
- **Formal open space (playing pitches and infrastructure)** contribution towards off-site formal open space and new playing facilities for the town to be confirmed. £1000 per dwelling = £342k.
- **Internal roads not to be adopted** – management company arrangement etc potentially a County Council bond.
- **Provision of on-site drainage** – management company to look after on-site drainage including SuDS basins and any underground equipment within POS areas if not publicly adopted.
- **Air quality assessment** monitoring contribution of £91 per dwelling = £31,122 in line with Local Plan policy.
- **Sustainable travel improvements** including new bus stop(s) on Whitsbury Road, provision of hourly bus service and re-routing of bus service to Whitsbury Road through link road if available at point of commencement for Site 17
- **Highway works** for new junction, roundabout and bridge works and associated highway works– under S278 Highways Act agreement
- **Puddleslosh Lane improvements** – localised improvements to the surface of Puddleslosh Lane along its length to remove pot holes in particular. Costed scheme to be drawn up and secured through S106 agreement with works to be carried out by Hampshire County Council Highways or Countryside team with funding met by applicant
- **Provision of a full Residential Travel Plan** with bond, monitoring fees and approval fees so as to encourage more sustainable forms of transport other than the private motor car.

## 11 CONCLUSION AND PLANNING BALANCE

The development proposal before Members has come forward as a result of the adopted Local Plan allocation. The proposal has garnered a significant number of local objections as well as an objection from Fordingbridge Town Council.

However, many of those objections cover matters of principle which the allocation of the site in the Local Plan makes non material. Other objections submitted are not supported by the technical advice of consultees such as the Highway Authority, Environment Agency, Water Authority and Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The loss of the attractive greenfield site will undoubtedly change and have an impact on local character, but this must be balanced against allocation of the site and the aspirations to deliver new housing including an element of affordable housing.

The tilted balance as set out in the NPPF does apply in this case as the Council cannot demonstrate a 5 year supply of housing land. The tilted balance sets out a

presumption in favour of sustainable development and that greater weight should be afforded to the delivery of new housing unless other harmful impacts outweigh that presumption. In this case Officers consider the balance is in favour of permission.

The development will have an impact on the setting of a designated heritage asset, but this must be set against the considerable public benefits both in economic and social terms.

The ecological impact of the development including that relating to habitat mitigation and protected species has been carefully considered by officers and statutory consultees. The impact on ecological matters of importance is assessed that subject to conditions the development will not result in harm to protected species or areas. The proposal indeed brings forward opportunities for greater protection and further public appreciation of fauna and flora within the site. The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional phosphorous entering the River Avon will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm.

The development has evolved since its submission and whilst the earlier scheme for 403 dwellings was not considered to be acceptable for a number of reasons the reduced scheme of 342 supported by a good quality Design and Access Statement and the other submitted plans showing a quality greenspace environment which retains all landscape features of importance weighs considerably in favour of a permission. There is considered to be no overriding wider landscape impact and harm arising from the development on the protected areas of the New Forest National Park and the Cranborne Chase AONB.

The Council has had careful regard to the submitted Environmental Impact Assessment. Plans and reports with their conclusions have been amended following discussions with officers and these amendments have been the subject of a further round of consultations and consideration of any comments made by statutory and other consultees and interested 3<sup>rd</sup> parties. The Council considers that the environmental impact of the development proposed has been properly framed and that officers judgment on the impacts is that the development is acceptable subject to conditions and a S106 Agreement.

The Council has had regard to the quantum of affordable housing now secured as part of this development. The number of units or mix/tenure does not comply with Local Plan policy aspirations but given the significant infrastructure and other costs which are borne by the scheme a reduction in the amount of affordable housing is warranted. The proposal does deliver a reasonable amount of affordable housing however against a background of a pressing need and very difficult economic circumstances.

Overall given there are no technical objections to the proposal coupled with the benefits including those centred on sustainable development as set out in this report the proposal is considered to be generally in line with local and national policy and guidance and recommended for approval subject to conditions and the applicant first entering into a Section 106 agreement to deliver the benefits as set out above.

## Human rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed as well as the wider public interest. In this case it is considered that the protection of the rights and freedoms of the applicant and the wider public interest outweigh any possible interference that may result to any third party.

## Equality

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

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

## **13 RECOMMENDATION**

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

- (i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of this report; such agreement to be completed by end of April 2023.
- (ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Development Management - Service Manager, having regard to the continuing Section 106 discussions.

### **Proposed Conditions:**

#### **1. Time Limit for Approval of Reserved Matters**

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

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

Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**2. Time Limit for Commencement of Development**

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

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

**3. Development phasing plan**

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan, the number of reserved matters phases and including all on and offsite works, including all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage and highway works, shall be submitted to and agreed in writing with the LPA.

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

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted or to be permitted as part of future phases.

**4. Reserved Matters Details**

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

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

**5. Approved plans**

The Reserved Matters shall fully accord with the following plans comprising:

- Site Location Plan PP005 rev B
- TOR-PP001 SS17 rev G – Land use and landscape
- TOR-PP002 SS17 rev E – Building heights
- TOR-PP004 SS17 rev E – Access and movement

The Reserved Matters and means of access details shall be in accordance with the following plans subject to final approval of the details shown therein

- TOR SK030 masterplan
- TOR-PP003 SS17 rev J – Density
- CSA/3560/108 rev E – ANRG Strategy Plan
- CSA/3560/107 rev C – ANRG Biodiversity Net Gain
- TOR SK104 Ford 1 replacement SANG plan
- TOR-LA/PL/002 rev M – SS17 Roundabout access Landscape Plan
- ITB12264-GA-305 rev X - Site access road alignment
- ITB12264-GA-341 rev C - Long section
- 70061334-WSP-17-DR-C-501 P06 –Flood Compensation
- 70061334-WSP-17-DR-C-502 P07 – Indicative FW Storage Layout
- 70061334-WSP-17-DR-C-506 P05 –Development Access Levels
- 70061334-WSP-17-DR-C-611 - P08 – Southern Access & Wetland Area Layout
- DR WS 0001 rev P06 Surface water drainage strategy

Reason: To ensure the development is carried out in accordance with the approved plans and in line with other plans submitted which are subject to final approval in consultation with statutory consultees, and to ensure that the approved plans are based on high standards of urban design to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context in accordance with Local Plan Policy ENV3.

## 6. Dwelling Numbers & Development Mix

The development hereby permitted shall not exceed 342 dwellings.

The detailed designs for the approved development shall accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

- 30 x 1 bed flats
- 34 x 2 bed flats
- 76 x 2 bed houses
- 150 x 3 bed houses
- 52 x 4 bed houses

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

## 7. Site Levels

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

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

## **8. Connectivity To The Wider Strategic Site**

No development shall take place until a plan and details showing the locations where pedestrian connections will be made/secured to the immediately adjacent land to the north (Tinkers Cross and Ford 1 SANG) that is allocated for development or completed through Policy Strategic Site 17 of the Local Plan 2016-2036 Part One: Planning Strategy and saved Local Plan Part 2 2014. The approved connection / pedestrian access points including any necessary bridges across the river, shall thereafter be provided to link with the connections referred to above and made available before first occupation.

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

## **9. Contaminated land**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the [Local] Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

10. **Construction Environmental Management Plan**

Prior to the commencement of development within each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

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

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and in accordance with policy ENV3 of the Local Plan

11. **Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless in the case of any emergency works that may be required urgently.

Reason: To safeguard residential amenities.

12. **Noise levels post occupation**

Prior to the commencement of each phase of the residential development, a full stage 2 Acoustic Design Statement (ADS) incorporating the four key elements of good acoustic design in accordance with *PPG: Planning and*

*Noise 2017 'Professional Practice Guidance on Planning and Noise for new residential development'* shall be submitted to ensure that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority and the approved scheme shall be implemented, maintained and retained.

Reason: To safeguard the amenities of future occupiers in accordance with LP Policy ENV3

### 13. **Flood Risk**

The development permitted shall be carried out in accordance with the submitted documents and the following mitigation measures detailed within:

12. 420m<sup>3</sup> of compensatory flood plain storage is provided as set out in Technical Note 1334-WSP-17-TN-DI-00001 Rev P03 and drawing Ref. 70061334-WSP-17-DR-C-501 Rev.P06 by WSP dated June 2022 and reference tables therein.
- 2 Ground level raising and proposed bund for the wetland creation is located outside of the floodplain. There shall be no raising of existing ground levels in the floodplain.
- 3 There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.
- 4 The new bridge soffit level is 32.00 mAOD which is more than 600mm above the post-development flood level 100yr 40%cc of 30.80 mAOD.

The mitigation measures shall be fully implemented in accordance with the phasing arrangements embodied within the scheme. Excavation of the compensation area must be complete before development/infilling commences to ensure that floodplain capacity is maintained during construction of the development.

Prior to commencement of the first dwelling on the site the details and mechanism for future maintenance of all flood compensation and flood storage areas shall be submitted to and agreed in writing with the LPA, in consultation with the Environment Agency. Future maintenance shall be implemented as per the details of the scheme so agreed and maintained as such thereafter.

Reason: In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To also reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of flood plain storage.

### 14. **Foul storage tank details**

Prior to the commencement of any part of the works to install the sewage storage tank and any associated infrastructure, full details of the final design



for the foul sewage storage tank and associated infrastructure shall be submitted to and agreed in writing with the Local Planning Authority in consultation with Wessex Water Authority. The development shall only be carried out in accordance with the approved details and agreed phasing plan and maintained as such thereafter.

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

Reason: in the interests of the provision of acceptable foul storage and pumping station details

#### 15. **Surface water drainage**

No development shall begin on a phase until a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Surface Water Drainage Strategy ref: 70061334-WSP-17-DOC-FRA-0001, has been submitted and approved in writing by the Local Planning Authority.

The submitted details should include:

- (a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- (b) Infiltration test results undertaken in accordance with BRE365 (2016 methodology) and a groundwater assessment between autumn and spring, providing a representative assessment of those locations where infiltration features are proposed.
- (c) Drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- (d) Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
- (e) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- (f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- (g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

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

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

Reason: To ensure the development site is served by an adequate surface water drainage arrangement and that such details as may be approved are fully implemented and maintained to comply with Local Plan policy ENV 3 and CCC1

#### **16. Construction Traffic Management Plan**

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

Reason: In the interests of highway safety.

#### **17. Final details of road infrastructure**

Prior to the commencement of each phase of the development, including any elements of site clearance, the final details of the design for all new road infrastructure works and access roads (including foot & cycle paths, pedestrian cycle crossing points) as set out in principle on drawing ITB12264-GA-305 rev X for the main access, to be submitted for approval by the local planning authority in consultation with the local highway authority. No dwellings shall be occupied until the approved details have been fully implemented in accordance with the agreed phasing plan.

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

#### **18. Car & Cycle Parking**

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

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

19. **Travel Plan**

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

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

20. **Sustainable transport links**

Prior to the commencement of any part of the development full details of all pedestrian and vehicular transport links including all footways, cycleways, paths, boardwalks and river crossing points shall be submitted to and agreed in writing with the Local Planning Authority and implemented in accordance with the details of the phasing plan that may be agreed.

Reason: To ensure a satisfactory form of development is carried out compliant with Local Plan Policy ENV3

21. **Vehicle cleaning**

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

Reason: In the interests of highway safety.

22. **Waste Collection Strategy**

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

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

23. **Incidental mineral extraction**

Prior to commencement of any part of the development hereby approved the following details shall be submitted to and agreed in writing with the LPA,

which may be included within a construction management plan or similar.

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

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

Reason: In the interests of utilising any mineral deposits which could be used on the site as part of the construction works and in accordance with Local Plan Policies STR1 and STR9

#### **24. Electric Vehicle Charging Points**

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

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

#### **25. High Speed Fibre Broadband**

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

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

#### **26. Framework for lifespan of ecological reports:**

Where the approved development is to proceed in a series of phases in excess of 2 years from the date of this permission, further supplementary ecological surveys updates shall be undertaken and submitted to the LPA to inform the preparation and implementation of corresponding phases of ecological mitigation measures. This should have regard to CIEEM's April 2019 Advice Note on the lifespan of ecological reports. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guideline. The development shall not be carried out other than in compliance with any survey findings and mitigation measures required.

Reason: To ensure the development is in accordance with advice and

other legislation governing protected species and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

**27. Great Crested Newt Licence and Mitigation:**

Vegetation clearance, earthworks or activity likely to cause harm to great crested newt within 250m of Pond 6 shall not in any circumstances commence until the LPA has been provided with a Great Crested Newt Mitigation Strategy and one of either:

- a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the development is in accordance with advice and other legislation governing protected species and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

**28. Bats & Lighting:**

No development shall take place until 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:

- 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; and
- 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 strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed including on or within the curtilage of any dwelling without prior consent from the local planning authority, the details of which shall be submitted as part of any reserved matters application(s).

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

29. **Badger pre-construction survey:**

Prior to the commencement of any construction work on site, including any site clearance, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

30. **Reptiles – Addressing information gap:**

Prior to the commencement of any construction work on site including any site clearance, an updated reptile survey shall be undertaken by a suitably qualified and experienced ecologist including those areas which were inaccessible previously. The results of this and any updated mitigation measures required shall be submitted to the Local Planning Authority for written approval". The development shall not be carried out other than in strict accordance with the mitigation measures so approved, unless otherwise agreed in writing with the LPA beforehand.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1

31. **BNG net gain- securing 10% uplift**

The first residential unit of the development hereby approved shall not be occupied until details of a package of on-site supplemented if necessary off-site of Biodiversity Net Gain (BNG) has been 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 10% BNG arising from the development and include:

- i. a calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric 3.0 Calculation July 2021 (or a metric based on the latest guidance);
- ii. details of the BNG project including its location;
- iii. a timetable for the provision of the BNG project;
- iv. details of the management of the BNG project
- v. details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.

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

Management), NFDC interim Biodiversity Guidance and the Environment Act 2021.

**32. Biodiversity Net Gain: Additional Statement**

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

Reason: Due to the outline nature of the application and the illustrative nature of much of the supporting information, it is considered necessary to ensure the detailed designs will deliver a minimum 10% uplift (together if necessary, with any off-site provision) in the site's biodiversity value in accordance with the policies of the New Forest District Local Plan Review 2016-2036.

**33. BNG Monitoring and Management Plan**

Prior to the occupation of the first dwelling a Biodiversity Net Gain (BNG) Monitoring and Management Plan shall be submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years from commencement). The Plan shall incorporate the requirements set out in the informative note at the end of this permission. The Plan shall require the submission of a BNG monitoring report produced by a suitably qualified ecologist and shall be submitted to the LPA as a minimum in years 2, 5, 10, 20 and 30 following first commencement. The development shall be completed in accordance with the BNG Monitoring and Management Plan prior to the occupation of the last dwelling on the site.

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

**34. Ecological Measures (Opportunities for Birds / Bats / Invertebrates)**

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

As a minimum 75% of all dwellings (257) shall include a bird box, and 25% (86) of all dwellings shall include a bat box, with all dwellings provided with bee bricks. In addition, unless otherwise agreed in writing with the LPA, nest boxes for dipper species and grey wagtail shall be incorporated in the new road river bridge.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1.

**35. Landscape & Ecological Enhancement, Mitigation and Management Plan**

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

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

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

Reason: To ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1.

**36. Protection of Trees: Adherence to Approved Arboricultural Statement**

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Tree Protection Plan reference HDA 969.1/03b and Tree Survey Report and Arboricultural Impact Assessment dated March 2022 - Ref: 969.1, or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Local Plan policies ENV3 and STR1

**37. Protection of Trees: Submission of additional details**



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

1. The arrangements to be taken for the protection of trees and hedges on the site as identified for protection in the approved plans.
2. A method statement and engineering drawings for the installation for sewers, drains, roads, paths within the root protection areas of trees identified for protection within the approved plans.

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

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

**38. Notice to tree officer**

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed.

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

**39. Final landscape details for each phase**

Prior to the commencement of any part of the development (including any site clearance or demolition works), a detailed landscape masterplan and all final landscape details (planting and hard landscape), for each phase of development including the first phase of road and drainage infrastructure works shall be submitted to and agreed in writing with the LPA. This shall follow an approved landscape framework to be agreed.

This scheme shall include:

- (a) the details of existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) details of all tree pits and root barrier protection systems
- (f) all drainage runs, pipeways, culverts and other underground services in proximity to tree planting
- (g) a method and programme for its implementation and the means

to provide for its future maintenance.

- (h) A landscape masterplan which shall include a detailed phasing plan for all landscape works.

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

#### 40. **Maintenance of landscaping**

The hard and soft landscaping details as agreed shall be fully implemented and maintained in accordance with the agreed framework, masterplan, details, management and maintenance plans and any agreed phasing of those works. Planting works, if delayed, should be completed in the first available planting season (October-March). If any planted areas fail or trees and shrubs die or become damaged or diseased within 5 years of planting, they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season.

Following such an initial establishment period, all planting, shall then be maintained in accordance with the long-term landscape and maintenance provisions approved as part of this permission, including any relevant clauses set out in the accompanying Section 106 Agreement attached to this permission.

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

#### 41. **Lighting Cranborne Chase AONB And Dark Skies**

Prior to the installation of any street or highway lighting or lighting to be placed on any dwellings on the site full details (including the design of lanterns and lighting standards and the lux levels of lighting) shall be submitted to and agreed in writing with the LPA in consultation where necessary with the Highway Authority. No other street lighting or on building lighting shall be erected including any security lighting without the further written approval of the LPA.

Any lighting installed shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises in accordance with Environmental Zone E2: 5 lux pre-curfew (07:00-23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs) in accordance with Guidance Notes for the Reduction of Obtrusive Light (GN01:2020) by the Institute of Lighting Professionals (ILP).

Reason: To promote an acceptable and light sensitive means of site and street lighting in the interests of good design, residential amenity, wildlife protection, and so as to promote dark skies

**42. Street furniture, play equipment, information boards**

For each phase of the Reserved Matters applications a detailed specification of all new play equipment and street furniture to be provided within each phase including any facilities such as benches, bins, interpretation boards in connection with ANRG, SINC or POS areas, together with a specification for illustration and interpretation boards relating to the ecological value of the SINC and adjoining Sweatfords Water area shall be submitted to and agreed in writing with the LPA. There shall be a minimum of two ANRG boards and two boards in relation to the SINC in positions to be agreed with the LPA.

The details and facilities as may be agreed shall be provided and made available for use prior to the first dwelling being occupied or in line with a phasing plan of provision to be agreed as part of this condition. All play equipment and street furniture, and other facilities in connection with the use of the ANRG and SINC shall be kept available for the public use in perpetuity and maintained in accordance with any provisions set out in other conditions or as part of any Section 106 Agreement accompanying the application.

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

**43. Permitted Development Restrictions**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that order, no access, vehicular or pedestrian, other than that shown on the approved plan shall be formed to the site from either Puddleslosh Lane or Marl Lane. In the event that the main site access is closed and strictly only for any emergency access that may be required the details of this and its securing and closure during non-emergency periods shall be submitted to and agreed in writing with the LPA as part of the Reserved Matters conditions listed above.

Reason: In the interests of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**44. Water Efficiency and phosphate mitigation**

The development hereby approved shall not be occupied unless

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

A proposal for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:

Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development.;

Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

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

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

**Further Information:**

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