

<b>Application Number:</b>	<b>23/10661</b> Full Planning Permission
<b>Site:</b>	SS8 LAND AT HORDLE LANE, HORDLE SO41 0HT (PROPOSED LEGAL AGREEMENT)
<b>Development:</b>	Hybrid application: Outline planning application for development of up to 155 dwellings (Use Class C3) including affordable housing, public open space, and associated landscaping and infrastructure works; with all matters reserved except for the principal access junctions with Hordle Lane; A full application for including Alternative Natural Recreational Greenspace (ANRG), public open space, allotments and parking
<b>Applicant:</b>	Bargate Homes Ltd and Vivid Homes
<b>Agent:</b>	Turley
<b>Target Date:</b>	11/09/2023
<b>Case Officer:</b>	Robert Thain
<b>Officer Recommendation:</b>	<b>Service Manager Grant subject to Conditions</b>
<b>Reason for Referral to Committee:</b>	1. One of the Council's Strategic Sites 2. Parish Council contrary view

---

## 1 SUMMARY OF THE MAIN ISSUES

1. Principle of Development
2. Housing Mix and Affordable Housing
3. Highways and Access
4. Green Infrastructure: Public Open Space, Landscape, Trees
5. Residential Design and Density
6. Ecology
7. Flood Risk and Drainage
8. Heritage Assets
9. Infrastructure Contributions
10. Environmental Protection: Air Quality, Contaminated Land, Minerals, Noise, Residential Amenity, Sustainable Construction.
11. Other Matters
12. Planning Balance and Conclusions

## 2 SITE DESCRIPTION

The application site forms a significant portion of the Local Plan Strategic Site Allocation SS8 Land at Hordle Lane, Hordle. The application site is an irregular shape and has a size of 12.21 hectares. The New Forest National Park boundary is approximately 1km from the site, to the north. The site does not form part of or lie adjacent to any Conservation Areas. The village of Hordle has evolved with two developed areas, connected by Everton Road which runs north-south through the length of the village. The nearest towns are Lymington which is located approximately 4 miles to the east of Hordle and New Milton approximately 2 miles to

the west. The site is in close proximity to Hordle CE Primary School and its associated nursery as well as All Saints Church, both located on the eastern side of Hordle Lane, near to the cross roads of Hordle Lane, Everton Road and Woodcock Lane. There is also a recreation ground at Dudley Avenue to the south of the site which contains a play area and BMX track.

The application site is split by Hordle Lane into two portions. The portion to the west of Hordle Lane comprises grassland with hedgerows, scattered trees and parcels of woodland. The footprint of former plant nursery structures is located within the of northeast of this portion of the application site. The western portion of the application site extends to the rear boundaries of existing dwellings on Hordle Lane, Nursery Close and Everton Road to the north. To the west, beyond the woodland belt, is a large park home site. To the south-west, again beyond the woodland belt, is a Sidney Street an existing residential road. To the south are two detached houses in large plots accessed from Stopples Lane. The south-western part of the site boundary is adjacent to residential dwellings on Sidney Street and Wisbech Way. The western boundary of the site is wooded forming part of the Hordle Wood Site of Importance for Nature Conservation (SINC) and abuts the Woodland residential park homes site. The boundary with Hordle Lane comprises mature trees and hedgerows. A mature tree belt is located in the centre of this portion of the site.

The application site includes a small area outside of Local Plan Allocation Site SS8 to the south of Nursery Close which is fenced off with permission for allotments (although these have never been laid out). The application site has a connection to Everton Road to the north via a public right of way.

The eastern portion of the site, which is located between Hordle Lane, Sky End Lane and Vicarage Lane, comprises a large arable field and bordered by scattered trees and mature hedgerows. The proposed ANRG excludes a modest strip of open land to the rear of the existing dwellings on Vicarage Lane and a rectangular shaped portion of the land identified for ANRG identified in the Local Plan Concept Masterplan.

The key highway serving the site is Hordle Lane, a single carriageway road of approximately 4.8m in width. Hordle Lane connects to Everton Road / Woodcock Lane at its northern end (via a priority crossroads junction) and the A337 / Downton Lane (via a staggered priority crossroads junction) at its southern end. It is subject to a 30mph speed limit within the village of Hordle, increasing to 40mph south of its junction with Sky End Lane / Stopples Lane. Hordle Lane is generally a rural road bounded by vegetation on both sides, with frontage development limited to its northern section between Vicarage Lane / Nursery Close and Everton Road / Woodcock Lane. To the north of its junction with Vicarage Lane / Nursery Close, Hordle Lane is street lit with footways on both sides, whereas to the south there is no such provision owing to the comparatively rural setting.

### **3 PROPOSED DEVELOPMENT**

The proposal is a Hybrid application for the following:

- Outline planning application for development on the land to the west of Hordle Lane of up to 155 dwellings (Use Class C3) including affordable housing, public open space, and associated landscaping, surface water drainage and infrastructure works; with all matters reserved except for the principal vehicular access junction with Hordle Lane;
- The proposed housing comprises 60% open market dwellings (up to 93) and 40% (up to 62) affordable dwellings.

- A full application on the land to the east of Hordle Lane for public open space comprising Alternative Natural Recreational Greenspace (ANRG), pedestrian and vehicular access, allotments, surface water drainage and car parking.

The proposed vehicular access to the site is via Hordle Lane in the form of a simple priority junction, with a 6.0m wide carriageway. A separate vehicular access will be provided on the south side of Hordle Lane to provide vehicle access to the proposed allotments. To the north of the proposed site vehicular access, a 3.5m wide build-out will be introduced in Hordle Lane as part of a scheme of highway improvements and will provide a walking route towards Everton Road and the school. Cyclist access will be via the proposed vehicular access junctions.

A 2m wide footway will be provided on both sides of the access road towards Hordle Lane in order to provide pedestrian access into the site. This will tie into a new 2m wide footway leading north from the site access (within the site) which will then connect a new length of footway as part of the proposed priority working arrangement described above. This new footway will then run north immediately after the Nursery Close access and will tie into the existing gravel footpath and tarmac footway along Hordle Lane which is proposed to be improved. To the south of the site access, the new 2m wide footway will tie into a new pedestrian crossing with dropped kerbs and tactile paving across Hordle Lane where a 2m wide pedestrian access will be introduced to access the proposed public open space on the eastern side of Hordle Lane.

A second point of pedestrian access will be provided towards the south-western boundary of the site and will be a 2m wide footway with dropped kerbs and tactile paving to cross Hordle Lane and safely access the land either side of Hordle Lane. There will also be pedestrian and cycle access to the Public Right of Way that runs along the northern boundary of the site giving access to Stopples Lane and Everton Road. Access points for a future footpath connecting the housing to Sidney Street are identified.

The proposed public open space includes 3.26 hectares of Alternative Natural Recreational Greenspace (ANRG), the relocation of the existing allotment area and the provision of 5 new allotments which equates to 15 full size allotment plots. Vehicular access to the relocated allotments will be via a new priority T-junction on the eastern side of Hordle Lane.

For reference, the proposed detailed design (appearance, landscaping, layout and scale) of the housing and public open space in the area subject to the Outline element of the application will be determined in a subsequent Reserved Matters application. However, the three supporting Parameter Plans set out:

- The topographical extent of built development (buildings and roads);
- The full extent of the area of Public Open Space (POS); and
- The maximum height of buildings - up 11 metres on roof ridgeline of 2.5 storey buildings

## 4 PLANNING HISTORY

22/10577            Development comprising site for 156 dwellings; open space; alternative natural recreational greenspace (ANRG); allotments and vehicular access via Hordle Lane

Application Withdrawn 1 December 2022

21/11511 Screening Opinion to determine whether the proposed development on land at Hordle Lane constitutes an Environmental Impact Assessment (EIA) development as defined by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Screening Opinion).

Development is not an EIA development – 30 November 2021

## 5 **PLANNING POLICY AND GUIDANCE**

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

CS7: Open Spaces, Sport and Recreation

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

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM4: Renewable and low carbon energy generation

DM5: Contaminated land

DM9: Green Infrastructure linkages

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

Strategic Site SS8: Land at Hordle Lane, Hordle

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

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

- SPD Mitigation Strategy for European Sites (2021)
- SPD Climate Change (2024)
- SPD Air quality in New Development (2022)
- Ecology and Biodiversity Net Gain Interim Advice Note
- NFDC First Homes Advice Note
- SPD Air quality in New Development (2022)

- Hordle Village Design Statement Supplementary Planning Document (December 2014)

### **Relevant Hampshire County Guidance**

Hampshire Minerals and Waste Plan (2013)  
Local Transport Plan Four (February 2024)

### **Relevant Legislation**

Planning and Compulsory Purchase Act 2004  
Environment Act 2021  
Habitat Regulations 2017  
Levelling Up and Regeneration Act 2023

### **Government Planning Guidance**

National Planning Policy Framework (NPPF) December 2024  
Planning Practice Guidance (PPG)  
National Design Guide 2021  
Manual For Streets 2007

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

### **Hordle Parish Council**

19 November 2024

PAR 4 – Recommend Refusal. Hordle Parish Council's main concerns for this application have not been fully addressed by the developer in this amended hybrid application.

#### 1. Impact on highway safety, including matters relevant to car parking:

##### 1.1 Highway safety & car parking

The Parish Council acknowledges that Hampshire Highways have stipulated the addition of a footpath outside the church, on safety grounds, and that results in the reduction of parking outside the church, which has in part been mitigated by 8 spaces in the Nursery Close area. The Parish Council continues to have extremely strong concerns about the proposed build-out near Nursery Close. Hordle Lane is already a single-track lane with parked cars for the majority of the day – not just at busy school times. This plan will make the road impassable and will displace the parking issues to other areas in the immediate vicinity, including the roads in the new development. The verge is worn away and cars regularly mount the pavements near the school to pass each other; this issue will be exacerbated as a result of these proposals.

Hampshire County Council had concerns on the previous application (22/10577) that, with the current on-street parking along Hordle Lane outside the church and school, the road is only wide enough for single file traffic which could result in an unacceptable impact on the highway network due to the forecasted increase in traffic.

HCC recommends the provision of a car park within the site layout which can act as a 'park and stride' for the school and church allowing the street parking to be controlled. The Parish Council strongly supports the provision of a park and stride

site for the school and church. It does not consider the 8 places to be 'new' provision as it is relocation of spaces removed outside the church.

The Parish Council is concerned about the location of the crossing point at the southern end of the site from the ANRG to the main housing development. This stretch of Hordle Lane regularly encounters speeding traffic (the Speedwatch Group recorded 25% of all road users to be travelling well in excess of the 30mph limit here at 4.30 – 5.30pm on weekdays) and a crossing here, without any gateway signage, rumble strips or other measures to slow traffic may result in accidents.

The Parish Council would like to know how the proposed crossing point referred to in the Travel Plan near the school on Hordle Lane will work with the current school crossing patrol at the crossroads. It is unrealistic to expect children leaving the development to walk all the way to the school crossing patrol at the crossroads – instead they are likely to cross before between parked cars outside the school and church. There is also no safe way for carers and children to walk to their cars parked on the bend in Hordle Lane without walking in the road. The proposals are contrary to sections RRTS01 (Traditional and rural character of parish roads and narrow lanes) and RRTS02 (Future Development – safe access and egress onto existing roads and the suitability of roads to carry any increased volume of traffic) of the Village Design Statement.

Hordle Primary School is also concerned about the safety of children crossing Hordle Lane as follows: “There are significant concerns that the developers have not shown due consideration to the road infrastructure surrounding the development. We are on Hordle Lane which on a daily basis is subject to exceptionally heavy parking and congestion problems. The church car park is already at capacity on a daily basis, leaving the public with no option but to park on the road. There have been a number of road traffic accidents in the area and we are greatly concerned for the safety of our pupils and wider community. We have only recently had to manage a complaint about children being forced to walk on the road because the pavements in the area are not satisfactory or, in the case of Hordle Lane, non-existent. Any pavement planning would need to show due consideration for pupils crossing Vicarage Lane and then navigating their way behind a row of cars parked at the church. This simply isn't a safe solution currently and would need to be considered.” – Extract from letter to HPC from School Governing Body, December 2023.

The Parish Council does not consider Bargate's response to the point that HCC Highways have made to be sufficient. The School Travel Plan alluded to, was written in conjunction with HCC in 2016 and does not adequately address the lack of a usable Park and Stride facility (Dudley Avenue is too far to be practical).

The Parish Council also has concerns about the width of the access into the development from Hordle Lane – this access will be busy particularly at school times and moving forward will be prone to additional residents' parking, thereby potentially hindering the progress of emergency vehicles into the site.

The Parish Council would like to see an additional vehicular access to the south of the development. There will be in excess of 300 cars based on this development who will transit via the one proposed exit. This will inevitably have a detrimental impact on highway safety and congestion, particularly at peak times.

The Parish Council queries how utility companies will access the pylons which run through the woodland.

## 1.2. Traffic volumes

Additional traffic volume will be placed on rural lanes and will affect access to the school and church as well as key junctions: crossroads of Hordle Lane and Everton Road, the A337 with Everton Road and also with Hordle Lane. Additional traffic from the development on an already stressed infrastructure and will lead to additional journeys to the Primary School. The single point of access onto Hordle Lane could lead to a build-up of traffic exiting the development. This is at odds with the Concept Masterplan which indicated an additional access at Nursery Close.

## 1.3. Pathways and connectivity

There is still no footpath access to Vicarage Lane to the north of the ANRG, as recommended by NFDC's Open Space Officer. This is a missed opportunity for greater connectivity to the rest of the village. The path to Sidney Street is welcomed, although the Parish Council queries the safety and security of users – particularly children - as it goes through woodland and is identified as Boardwalk.

## 1.4 Construction traffic

The Parish Council is still concerned that construction/worker traffic potentially will use the old nursery access to the north of the site. This was an issue when the greenhouses were demolished as many pedestrians, including children at school times, use this route to school and encountered lorries accessing the site. The Parish Council requests that this access is not used at all by any traffic so as to safeguard users of the footpath/cycleway which exits onto the old nursery access of Everton Road. In addition, it strongly requests that site movements are prohibited during school pick up and drop off times, again to maximize safety of school pupils.

## 2. Housing Density

Hordle Parish Council welcomed the 50% affordable housing provision initially proposed for this site but are disappointed that this has been reduced to 40%. It is concerned about the high density of housing for this site. The Council believes that 155 homes is too great a number for this plot, particularly given that this does not cover the whole of the SS8 site. It will substantially increase the size of the village and there are no plans to improve the infrastructure required to support a larger population. The Parish Council believes there should be a maximum of 160 houses on the whole of SS8. This is contrary to RBE02 of the Village Design Statement (Housing Density). It requests that there is screening to protect the privacy of existing adjacent properties.

## 3. Impact on Community Safety

The Parish Council still considers the location of the allotment car park to be too far away to be of use as school parking/ drop off and that its remote location, with no oversight or direct footpath, would lead to antisocial behaviour, such as County Lines, illegal encampments and fly tipping. Height barriers are required at the car park and the allotments would require security gates and fencing, which would introduce a degree of hard urbanization in a rural gateway environment which would be contrary to the creation of a healthy and safe community through good design.

## 4. Impact on provision of open space, sport and recreation, community services and infrastructure

4.1. Allotments - 10 plots (20 x ½ plots) had to be provided as a condition of the Nursery Close development. The current offer of 15 full plots in total means that only

an additional 5 plots are being provided as part of the SS8 development. The Parish Council does not consider the proposed 15 full size allotment plots to be sufficient for the needs of the community.

The Parish Council is concerned that the area allocated to the allotments is very wet and waterlogged during rainy periods. It has concerns that the proposed Swales will not adequately resolve this issue and note the Lead Local Flood Agency comments regarding water levels, lack of filtration and its request for further details. These concerns are regularly borne out by the widespread flooding on the corner of Hordle Lane and Sky End Lane, as illustrated. Officer Note: the photograph is available to view on the representation on the NFDC website.

In addition, the allotments which were planned for the SS9 development off Everton Road were deemed by the NFDC to be unsuitable as they would be unsightly in a central position in the village. The present proposed site is at a green gateway to the village. This proposed location is contradictory to sections GE02 (Setting of the parish), GE03 (Rural/ semi-rural character of the parish) and RRTS01 – Traditional and rural character of parish roads and narrow lanes) of the Village Design Statement.

There are also security considerations for the allotments to be at this location, which is remote with no oversight and would therefore be an easy target for theft or vandalism.

The Parish Council would only accept the management of the allotments if they were transferred to the parish in perpetuity.

#### 4.2. ANRG

Assuming a satisfactory S106 agreement can be achieved, the Parish Council would consider managing the ANRG provision to the east of Hordle Lane in perpetuity, instead of a Residents' Association or Management Company. It has extensive experience in managing public open spaces for the benefit of the whole community and economies of scale would ensure best value for all residents of Hordle.

#### 4.3. Play Provision

Again, subject to a S106 agreement, the Parish Council would be prepared to accommodate up to 50% of the play provision of the site, to be based at Dudley Avenue Recreation Ground. The Parish Council would consult the community about what facilities it wants and is well-placed to deliver a quality scheme for local children whose needs are not fully catered for in the current provision – eg: children with additional needs, older children (10-16 years) and girls. This could augment the existing facilities at Dudley Avenue as this location is close to the SS8 development and has an established use.

#### 4.4 Education Provision

Given that Hordle Primary School has no scope to expand, the Parish Council is disappointed that the £900k mitigation will not benefit our local school or community. The School is concerned: "about the need for school places within catchment. The school is currently full in all year groups with a 45 PAN. Whilst our application analysis shows that we do take a number of pupils from out of catchment, it would be poignant for the council to note that we have no further spaces currently to offer to any new families moving into the area. The school is at maximum capacity currently. As I am sure you can appreciate, families moving into the area will need to attend their catchment school for practical reasons. Currently, there is no way that



the school can absorb the additional applications.” – Extract from letter to HPC from School Governing Body, December 2023.

#### 4.5. Infrastructure

The Parish council are highly concerned that the current infrastructure will not withstand the increased pressure caused by up to 155 new homes. Recently there have been several lengthy road closures due to cases of collapsed sewer pipes which are old networks already struggling with volume. There has also been high level traffic flow disruption caused by gas main replacement works over the last few years, followed by road diversions due to high speed-fibre provision being delivered. The parish council are highly concerned that the past and prospective (water, electric, gas, sewer) infrastructure works will add to a road network already at capacity and crumbling – literally. All of the traffic goes to roads unable to withstand increased traffic volume and with greater vehicle weights present degradation, particularly edges, then require HCC to complete road repairs.

As part of any mitigation for Highways impacts, the Parish Council requests that the crossroads of Hordle Lane/ Woodcock Lane/ Everton Road is considered, as well as improvements to the crossing point on Ashley Lane opposite Hordle playpark and pharmacy.

#### 5. Impact on ecology and in particular protected species

The Parish Council concurs with the previous comments of the NFDC Ecologist.

Earlier representations received from Hordle Parish Council on 20 July 2023 and 20 December 2023 can be viewed online.

#### 7 **COUNCILLOR COMMENTS**

No comments received.

#### 8 **CONSULTEE COMMENTS**

The following comments have been received and summarised. The full comments of each consultee can be found on the NFDC planning website. Comments listed below have been reviewed and updated following the most recent amended plans submission in October 2024.

#### **Local Highway Authority (Hampshire County Council) – no objection subject to conditions and obligations**

28 October 2024

The Highway Authority previously provided a no objection response dated 26th January 2024, subject to a list of obligations and conditions, and therefore this still remains.

However, this current re-consultation includes a proposed construction access, which was not previously assessed by the Highway Authority. This will take the form of a 6m carriageway with a 10.5m radii. Visibility splays of 2.4m x 80m south and 2.4m x 53m north have been provided. Tracking has also been undertaken demonstrating a range of vehicle movement in and out of this access. This is therefore acceptable to the Highway Authority. It is worth noting to the applicant, it is likely that this construction access may require a separate minor works agreement, if this is being provided ahead of any full s278 works.

Furthermore, it should be noted that the proposed location of the temporary construction access is in close proximity to a proposed pedestrian access and crossing point to the ANRG land on the southern side of Hordle Lane. However, the submitted information indicates that due to the phasing of the development, the area of the site where the construction access is to be located will be the last phase to be built/occupied. There is however, an additional link to the ANRG land to the north of this. Whilst not ideal, this is acceptable to the Highway Authority, and the phasing of the site should be secured within the s106 agreement, ensuring this construction access is fully closed off when no longer required, with the proposed pedestrian access installed.

#### 13 March 2024

The route between Everton Road and Yerville Gardens provides direct and convenient cycle access to several key destinations and facilities within the vicinity of the site, and the Hampshire Highway's no objection response was based on a connection to this route from the proposed development and future use by cycles in perpetuity.

Furthermore, Hampshire Highways have agreed a contribution of £97,179 towards sustainable transport improvements in the vicinity of the site; this should be used for the delivery of measures in the vicinity of the site to provide access for all to local amenities. Hampshire County Council has identified that having the entire length of the route as a bound surface is in the interest of the public for it to be utilised as an active travel route, which would in turn assist with reducing existing and future traffic on the road network.

#### 26 January 2024

The Highway Authority previously responded to this application dated 23rd August 2023, requesting the following additional information.

- Additional consideration given to the WCHAR mitigation's.
- Up-to-date PIA Analysis
- Clarity regarding the on-street parking along Hordle Lane
- Access – additional details including RSA and tracking
- Further modification to the proposed narrowing section of Hordle Lane
- Confirmation between the stagger distance of the new access and the existing access of Vicarage Lane
- Additional tracking for allotment access
- Confirmation that visibility splays will remain clear of vegetation
- Modification to travel Plan.

The applicant has subsequently submitted a revised Transport Technical Note covering these points, dated 20th November. Upon review, the Highway Authority would like to make the following comments.

#### *Walking Cycling and Horse Riding Assessment (WCHRA)/Sustainable Access*

Drawing 6589-MJA-SW-XX-DR-C-600 P11, now shows the existing gravel footway between Nursery close, and the Hordle Primary school will be tarmacked, with an additional dropped kerb tactile crossing point proposed opposite the school. This is acceptable to the Highway Authority, and this improvement should be secured within the S106 agreement to be delivered via s278.

Furthermore, an additional crossing point along Elvin Close/Stopples Lane is shown providing a safer route to the parade of shops on Stopples Lane. The applicant is proposing to provide this as a part of a contribution, and therefore have provided a cost estimate for these works. This is acceptable to the Highway Authority, and therefore a contribution of £30,268.94 should be secured for sustainable mode improvements within the s106 agreement.

### *Cycling*

The applicant is proposing to make a financial contribution to the improvements to the cycling infrastructure between the site and New Milton, as in line with the contribution secured for Land East of Everton Road, application number 21/11731. Discussions have taken place between HCC and the applicant and a contribution of £66,910 has been agreed and therefore this should be secured within the s106 agreement, to be used toward improvements to the sustainable mode's infrastructure within in the vicinity of the site.

### *Public Rights of Way (PRoW)*

The applicant previously suggested a contribution to upgrade the surface of PRoW 738. Upon further analysis, this PRoW is within the applicant's control, and therefore it is being proposed to upgrade this footpath, making it physically suitable and amending the right to accommodate cyclists. Whilst the Highway Authority have no objection regarding this proposal, HCC Countryside services should be consulted regarding these proposals.

### *PIA Data (Personal Injury Accident)*

The applicant has obtained additional accident data for the most recent up to date time period. This revealed an additional 6 accidents within the vicinity of the site. However, there is no accident pattern indicating a deficiency in the highway network and therefore the Highway Authority are satisfied that this development will not impact the safety or operation of the Highway within the vicinity of the site.

### *Parking Survey*

The Highway Authority previously requested clarification on the parking surveys that were undertaken, as the results previously provided were unclear. The applicant has subsequently undertaken additional parking surveys. These new and updated surveys have also been displayed in an easier way to review, making the information clearer to understand. The surveys do however indicate several cars parked along Hordle Lane during the school pick up/drop of times. The results also indicate that there is significant parking to the south of Vicarage Lane. However, the Highway

Authority note that this would be discouraged by the implementation of the proposed pinch point. The Highway Authority note that the parking spaces outside the Church are not formalised, and currently this parking arrangement is ad hoc, with no marked parking bays. This could impact on traffic flow on Hordle Lane and the visibility at the junction with Vicarage Lane if not managed/formalised. Therefore, as part of the s278 access works, the applicant has agreed to formalise the parking space outside of the church as shown on drawing 6589-MJA-SW-XX-DR-C-600 Rev P11. This is therefore acceptable to the Highway Authority in principle, subject to detail design review at the s278 stage.

### *Junction Assessment*

Revised and updated flow diagrams for the development traffic have been submitted. These are acceptable to the Highway Authority, and therefore junction modelling at the Ashley Lane / Stopples Lane junction and Hordle Lane / Christchurch Road junctions is not required, as the traffic flows through these junctions are low enough not to warrant further assessment.

### *Site Access*

Revised site access drawings, visibility splays and tracking as requested in the Highway Authority's previous response have been provided. The site access design is considered acceptable. Furthermore, the stagger distance between the new site access junction and Vicarage Lane has been confirmed to be greater than 50m and therefore a Departure from Standards is not required. The site access is therefore acceptable in principle to the Highway Authority; it should be secured with the s106 agreement that the applicant enters into a s278 agreement to undertake these works.

It is noted that additional details such as Street Lighting and drainage can be fully resolved at the detailed design stage of the S278, and any land within the visibility splay at the access should be made available to adoption by the Highway Authority.

Details regarding a high-level construction management plan have been submitted, which includes tracking for a larger tipper manoeuvring the site access. A full construction management plan should be conditioned to be provided for review if planning permission is granted. Additionally, the tracking provided for a HGV movement turning left into site is slightly odd: revised tracking should be provided within the future s278 submission and/or the construction management plan should the site come forward.

### *Highway Build Out*

Revised drawings for the highway build out point have been submitted, which now includes a carriageway width of 3.2m, with a wider footway of 2m. This is acceptable to the Highway Authority, and therefore these works should be secured within the s106 agreement, to be delivered via a s278 agreement. However, whilst the RSA and designers' response indicates flush kerbing will be installed on the eastern side of the footway to formalise the road edge, the Highway Authority request that a full height is implemented instead. By having a formal full height kerb it will distinguish between the footway and the carriageway. This can be resolved during s278 detailed design.

### *Allotment Access*

Additional tracking for the allotment access has now been provided. This is acceptable to the Highway Authority, and therefore should be secured within the S106 agreement that the applicant enters a S278 agreement for the implementation of this access.

### *Travel Plan*

A revised framework travel plan dated 20th December 2023 reference SJ/IN/LJ/ITB18370-003C has been submitted. The Highway Authority are satisfied with this, and therefore this framework travel plan and associated fees should be secured within the S106 agreement.

## *Recommendations*

In light of the above, the Highway Authority are now satisfied that sufficient information has been submitted and raise no objections to this application subject to the following obligations and condition:

### *S106 Obligations and conditions.*

The following works should be secured for delivery by the applicant in the S106 agreement:

- Site access arrangements on Hordle Lane, including the Pinch point/additional footway on Hordle Lane, Allotment access, pedestrian crossing point and the formalisation of parking spaces, tarmacking the current gravel section of footway on Hordle Lane, and the additional dropped kerb crossing point opposite the school shown in principle on drawing 6589-MJA-SW-XX-DR-C-600 P13.
- Highway contribution of £97,179, toward sustainable mode improvements within the vicinity of the site.
- Provision of a Travel Plan and associate approval and monitoring fees and bond.

No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for:

1. The parking of site operatives and visitors' vehicles.
2. Loading and unloading of plant and materials.
3. Management of construction traffic and access routes.
4. Storage of plant and materials used in constructing the development.
5. Wheel washing facilities. Reason: In the interests of highway safety.

### **Countryside Services (Hampshire County Council) - no objection subject to conditions and obligations**

17 May 2024

As a result of the development and its reasonably foreseen intensification of footpath use, HCC Countryside Services will seek obligations for £11,883 for the upgrade to the approximately 35 metres of footpath from Everton Road that is currently a gravel surface.

### **Lead Local Flood Authority (Hampshire County Council) - No objection subject to conditions**

The LLFA provided comments on Outline application area in June 2023 and the Full application area in December 2024. These are summarised below.

Hampshire County Council as Lead Local Flood Authority (LLFA) has reviewed the following documents relating to the application:

- Flood Risk Assessment & Development Drainage Strategy, Rev. B (MJA Consulting, 6/6/23)
- Winter Groundwater Monitoring (Geo-Environmental, 5/4/23)

- Drainage Strategy Technical Note MJA SS/24/0855/6589 25/11/2024
- SUDS Management & Maintenance Plan SS/24/0855/6589 First Issue 21/11/2024

The application site is within Flood Zone 1, with an elevated surface water risk flow path along the north-western boundary. The rest of the site is at very low risk of flooding from surface water. Infiltration testing and groundwater monitoring results do not support an infiltration drainage strategy, therefore the proposal is to attenuate surface water runoff and discharge at a restricted rate to an adjacent watercourse. The initial outline calculations show that sufficient attenuation can be provided for the development site while achieving a discharge at or below greenfield runoff rates. Detailed design should consider updated peak rainfall allowances in the calculations and ensure that discharge rates from the site remain consistent with greenfield runoff rates. Water quality has been considered through the use of a SuDS treatment train. Maintenance has been considered at a high level

In consideration of the proposed use of the site (Full application area for public open space) and the surface water drainage strategy that has been submitted, we are satisfied that the applicant has presented a design that will closely mimic the existing natural drainage of the site. Therefore, the proposals will not increase flood risk in this location.

As such, the LLFA are satisfied with the principles of the development and have no objection subject to suitable conditions.

**Local Education Authority (Hampshire County Council) - no objection subject to obligations**

29 June 2023

The proposed development of 155 dwellings would usually be expected to generate a total of 47 additional primary age children and 33 additional secondary age pupils. This is based on a figure of 0.3 primary age children per new dwelling and 0.21 secondary age children per dwelling which was derived by conducting demographic surveys of developments that have been completed within Hampshire and calculating the average number of primary age children on those developments. The development site is served by Hordle CE Primary School and The Arnewood School. The primary age phase schools are full and forecast to remain full for the foreseeable future. To accommodate the additional primary age pupils a contribution will be sought.

The County Council has used previous extension projects to derive a cost for the proposed expansion to the primary places within the New Milton planning area, and this is estimated at £974,263. This is based on the provision of two teaching spaces at a pro-rata cost to accommodate the pupils from this development. This will go towards any expansion at Hordle CE Primary School, Ashley Infant and Junior Schools or New Milton Infant and Junior Schools.

No contribution is being sought for secondary provision due to existing capacity at The Arnewood School.

In summary, the contribution towards the expansion of Hordle CE Primary School, Ashley Infant and Junior Schools or New Milton Infant and Junior School is necessary as without an expansion they will not be able to accommodate the children from the development. The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the schools and therefore is fairly and reasonably related in scale and kind to the

development. This information is supported by the County Council's '*Planning for School Places Guidance Document*' which sets out the methodology for assessing the impact of development on education infrastructure.

28 September 2023

To hopefully clarify our thinking for the education contributions, it is expected that those children moving into Hordle developments would be able to go to Hordle primary school. There is (just) enough capacity at the school to accommodate the future catchment area.

What that would likely mean however, is that the school would no longer be able to accommodate any of the out of catchment children that it currently does. Ashley and New Milton children would be 'pushed back' to those areas. It feels the right longer-term solution as if we expand Hordle, they will continue to have space for children from outside of their catchment area, so no reduction in car travel. In the short term though, if a child were to move to Hordle in any year group other than year R, they might struggle to immediately obtain a place. Because there are several smaller developments within one school place planning area, the thinking is to have an area wide solution. Only one school will need expanding, so it is agreeing which of those schools is the right one to expand to ensure that all three areas can meet their own catchment demand.

### **Minerals and Waste Planning (Hampshire County Council) - no objection subject to conditions**

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

In line with the submitted Mineral Safeguarding Assessment (25 May 2023), following pre-application discussions, conducted under application ENQ/21/20422/ELPS and recorded within our consultation responses to the previous application of 22/10577, it has been agreed that the site is not a viable option for prior extraction of mineral reserves.

However, the MWPA would still like to encourage full consideration of the opportunities for mineral extraction prior to and as part of the proposed development. Particular opportunities may lie in the recovery of mineral deposits uncovered during the preparation and construction phases of the project, for example through the excavation of footings or trenches for buildings, roads, landscaping and utility infrastructure associated with the development.

The recovered mineral could then either be re-used on site, which could encourage a reduction of excavation waste removed from site as well as inbound materials for construction uses associated with reduced costs, as well as potential to export off site to a local mineral operator for further treatment which has potential for additional revenue for the developer. It is recommended that discussions are made between the developer and a local mineral operator at the earliest stage. There should be no additional vehicle movements associated with these practices, as well as noise, vibration, dust issues. Suitable conditions (as set out) should be added.

**Natural England - No objection providing the mitigation can be fully delivered, funded and secured in perpetuity.**

26 November 2024

### *Recreational disturbance in the New Forest*

Recent analysis shows that new residential development within a 13.8 km buffer zone of the New Forest designated sites is likely to have a significant effect on the sites via recreational impacts (including disturbance, trampling, eutrophication amongst others), alone and/or in combination with other plans or projects. Larger developments (e.g. EIA development) beyond this zone but within 15km may also contribute to recreational impacts on the designated sites. This application is situated within the 13.8 km zone and will result in an increase in residential accommodation. Natural England is aware that your authority has adopted a strategy to mitigate against adverse effects from recreational disturbance on European sites. Providing that the applicant complies with your adopted strategy, Natural England is satisfied that the applicant can mitigate against the potential adverse effects of the development on the integrity of the European sites and has no objection to this aspect of the application providing the mitigation can be fully delivered, funded and secured in perpetuity.

### *ANRG*

The designated ANRG on site which has been provided for mitigation purposes, must be secured for its intended purpose in perpetuity, which is here defined as 90 years. A management and monitoring plan is required to ensure that the ANRG is functional for the entire 90 years. The management plan should include details of the proposed capital works, and ongoing maintenance and management of the greenspace to enable it to function effectively over the lifetime of the development. Costs, funding mechanisms and responsibilities should be fully outlined. If any capacity will be available for other developments, then this should also be clearly detailed.

### *Habitat Regulation Assessment*

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

The Appropriate Assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that there remains a lack of certainty for the mitigation provision in the absence of a secured management plan. We advise that the applicant provides this for the Council to secure appropriately and refer to in their Appropriate Assessment.

### *Deterioration of the water environment*

The applicant has undertaken an Appropriate Assessment, informed by a nutrient budget which concludes that the proposal will not result in adverse effects on the integrity of designated sites in the Solent. As Competent Authority it is your responsibility to ensure that you are confident that there is sufficient information to support the values used in the calculation, and that the nutrient budget calculation is correct.



We understand that the excess nutrient budget of 63.48 kg TN per year will be mitigated through the purchase of credits from a suitable identified mitigation site and secured by a suitable legal agreement. Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful nutrient effects on the Habitats Site(s) for the duration of the proposed development. This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development.

#### *Recreational disturbance - Solent Special Protected Areas (SPAs)*

This application is within 5.6 km of the Solent and Southampton Water SPA and will lead to a net increase in residential accommodation. Natural England is aware that New Forest District Council have adopted planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP), also known as Bird Aware Solent. Provided that the applicant is complying with the policy and the Bird Aware Definitive Strategy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of this European site and has no objection to this aspect of the application. Your authority should be assured that proposed financial contribution rates for any contributions in your authority's appropriate assessment are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the RPI where relevant.

#### *Surface water drainage*

Best practice SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753). The detailed design of a Sustainable Drainage System (SuDS) should be submitted and agreed with the New Forest District Council. This should include evidence to show that the proposed SuDS scheme will ensure there will be no deterioration in water quality [or changes in water quantity] in discharges from the site. Information on the long-term management and maintenance (including funding) of the SuDS for the lifetime of the development should also be secured prior to the commencement of any works.

#### *Priority Habitat*

The supporting illustrative masterplan dated 10/10/2024 indicates that this development borders SINC woodland which is a priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. We recommend that this aspect is agreed with the Council's ecologist.

**Environment Agency- no objection subject to conditions**

1 March 2024

The Environment Agency has no objection to the proposed development subject to a Finish Floor condition.

#### **Active Travel England**

14 August 2023

Following a high-level review of the above planning consultation, Active Travel

England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application.

### **NHS Hampshire and Isle of Wight**

24 July 2023

This application has been reviewed from a primary care perspective and the response has been informed by the Health Contributions Approach which was jointly prepared with NHS England. The GP surgeries within the catchment area that this application would affect, currently have sufficient infrastructure capacity to absorb the population increase that this potential development would generate. Whilst at this time there is no requirement for a Section 106 contribution towards NHS Primary Care infrastructure from this application, as a contingency, we would recommend you take this into consideration, factoring in an estimated sum of £580 per dwelling towards NHS Primary Care infrastructure to any viability assessments.

### **Archaeologist – No objection**

11 July 2023

I agree with the findings of the submitted (dated 24 May 2023) Desk-Based Archaeological Assessment (DBA) that there is little to suggest that archaeological sites or features are present within the development area. Whilst the absence of archaeological remains cannot be stated as a certainty, the archaeological potential, that is the potential to encounter remains which are as yet unrecorded, is low and any remains, if present, are likely to be of limited significance, such as not to merit the burden of the imposition of an archaeological condition.

### **Southern Water**

24 August 2023

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

### **Scottish and Southern Electric**

12 July 2023

SSEN would like to highlight the presence of a high voltage cable to the west of the application site. Providing the scheme allows for the overhead line as indicated within the illustrative map, SSEN hold no objection.

### **NFDC Conservation**

6 July 2023

Whilst the submitted Heritage Statement contains limited assessment of the non-designated assets adjacent to the pedestrian access onto Everton Road at the northern end of the site, I concur with overall conclusions of the assessment the development will not result in any significant changes to the setting or significance of any designated or non-designated heritage assets.

## **NFDC Ecologist**

31 January 2025

The NFDC Ecologist is satisfied that the remaining concerns on the BNG assessment have been satisfactorily addressed with the latest submission - namely the previous inclusion of good condition other neutral grassland. This is now included as moderate condition which I feel is more realistic and precautionary.

Overall, there is a net loss recorded, it will be necessary to demonstrate how this will be addressed e.g. offset on off-site land owned by the developer or a 3<sup>rd</sup> party or via the purchase of credits from an offset provider i.e. habitat bank. The report states that the buying of biodiversity units from a 3<sup>rd</sup> party habitat bank will be secured by planning condition and s106 agreement.

22 November 2024

### *Summary*

Most points are now addressed. The following points are raised to flag forthcoming requirements, items requiring further consideration or points requiring clarification: • Age of survey data – update surveys soon to be required. Resurvey obligation to be added to EMMP • BNG queries – key missing on drawings and questions raised of extent and deliverability of good condition other neutral grassland. Queries if trees have been included in the private gardens in the metric.

Recommend planning conditions for:

- Stage 2 Woodland Management Plan
- Completion of ecological enhancement schedule e.g. bird boxes, bat boxes, hedgehog highways etc.
- Sensitive lighting strategy
- Pre-commencement badger survey or secure adherence to EMMP S106
- Secure the management, maintenance and monitoring of 'significant' on-site habitat retention, creation and enhancement for a period of 30 years

### *Lifespan of Ecological Reports*

The majority of the survey work is on the cusp of acceptability in terms of age of data. The applicant should be aware that we are getting to the stage where elements of the ecological baseline will need updating or at least reviewing against CIEEM'S Lifespan of ecological surveys and reports guidance. I believe that the baseline is still largely representative but should the application drag into next survey season I will be seeking targeted updates. As a minimum and reflecting the aged nature of some of the data, I would suggest that something similar to this be added to the EMMP: "Updated ecological surveys, where necessary, to identify shifts in the ecological baseline condition (such as to support EPS derogation licence applications) should be undertaken as required in order that revised impact avoidance and mitigation measures can be adopted as required".

### *Designated Sites & HRA*

The application is supported by a Report to Inform Appropriate Assessment (Stage 1 and 2), produced by TetraTech. There are eight relevant internationally designated sites are present within 10km of the application site (Solent and Southampton Water Ramsar/SPA, Solent and Dorset Coast SPA, Solent Maritime SAC, New Forest SPA,

SAC and Ramsar, Solent and Isle of Wight Lagoons SAC). NFDC Ecology is content that all relevant designated sites requiring consideration in the assessment have been identified bar Solent and Dorset Coast SPA. Likewise, NFDC Ecology is content with the HRA screening undertaken and that the pertinent issues which could affect the identified Natura 2000 sites have been identified. The report concludes that development proposals would not impact on the integrity of the identified sites. NFDC Ecology is in agreement with this conclusion.

A Nitrogen Budget Calculation has been produced for the site, resulting in an increase of total nitrogen in 63.48kg TN per year requiring mitigation. An occupancy rate of 2.63 has been used to inform the calculation as specified by NFDC when dwelling mix is unknown. Natural England has provided updated comments on the nutrient assessment. The latest version of the Report to Inform Appropriate Assessment report includes responses to the comments made by NEI The NFDC Ecologist is happy with these responses.

#### *Locally Designated Sites – SINC*s

Hordle Wood SINC lies in the west of the site. Hordle Wood is designated under Criteria 1Cii: Other seminatural woodland that comprises important community types of restricted distribution in the County, such as yew woods and alder swamp woods. The woodland is not identified as ancient woodland on the relevant mapping. The SINC is being retained and a landscaping buffer is provided. The indicative block plan shows no properties backing onto the SINC and a footpath running along this margin of the site. I am of the opinion that with a suitable landscaping and access plan, impacts on this woodland can be mitigated i.e. access controlled and the wood bought into positive management.

A woodland management plan has been submitted and provides the framework. The plan states that a more detailed stage 2 plan will be required at a future stage and will be completed in line with the EMMP, CEMP and any updated species surveys that may be required. This is agreed and should be secured. I would suggest as a pre-commencement or pre-occupation condition once the woodland access proposals have been fully developed.

#### *Habitats*

The Ecological Appraisal report states that the extended Phase 1 habitat survey was undertaken on the site on 19th May 2020. An updated assessment of habitats was undertaken on 16/05/2023 to inform the BNG assessment.

#### *Biodiversity Net Gain (BNG) assessment*

The BNG Assessment has been undertaken by a suitably qualified and competent ecologist and has been updated. The statutory Biodiversity Metric (BM) has been used. The headline results of the assessment are that a 9.68% net gain is predicted for area-based habitats when taking account of additionality and a 37.92% net gain is predicted for linear habitats (13.55% and 47.10% not allowing for additionality). No irreplaceable or very high distinctiveness habitats have been recorded on-site in the baseline. Section 5.1 of the BNGA report provides a list of 'significant' on-site enhancements, the maintenance of which should be secured with via s106 for a period of 30 years. I am broadly in agreement with this and it is largely consistent with the habitats Mycelia has flagged

NFDC Ecology welcome use of the precautionary approach whereby all created habitats are assumed to reach at most moderate condition. NFDC Ecology note that this level of precaution has not been applied to the enhanced habitats such as

woodland and forest – lowland mixed deciduous woodland which is afforded a ‘Good’ condition. Public access is being considered and may be feasible in the woodland “in limited places and provided that sufficient protection measures can be implemented” (Landscape Strategy Plan). This should be kept under review for the detailed design. Should public access be granted and depending on what protection is proposed it may be necessary to reduce the habitat condition in some of the woodland from good, to moderate.

Condition Assessments. The condition assessments are generally comprehensive and reasonable. Adherence to the mitigation hierarchy has been demonstrated. Additionality - the report addresses the key principle of additionality.

The key to the baseline and post intervention figures is missing and not displayed – this is requested. NFDC Ecology is keen to establish where the good condition other neutral grassland is (if it is publicly accessible and subject to recreational pressures NFDC Ecology think moderate would be more appropriate). The trees in the ANRG have now been added into the metric as small in line with the user guidance as opposed to medium. This is welcome. The metric user comments on rows 24/24 of the on-site habitat creation tab appears suggests 160 small trees are to be included in vegetated gardens. Under the user guidance, trees should not be included separately within vegetated gardens. While their inclusion is supported in landscape and ecological terms, for assessment in the biodiversity metric these should be removed. Clarification is sought if this is the case or not.

#### *Monitoring and Management*

The Biodiversity Enhancement Management Plan includes monitoring provision over a 30-year period and states that monitoring reports will be submitted to NFDC as a minimum in years 2, 5, 10, 20 and 30. My previous comments have been addressed in this document. The BEMP states that its implementation during construction will be the responsibility of Bargate Homes with support from an Ecological Clerk of Works (to be appointed by Bargate Homes) and post-construction management will be the responsibility of Bargate Homes or an appointed management agent. Given this is an outline Application with details of Access only, should permission be granted, it would be necessary to re-run the metrics at the reserved matters stage to ensure that the gains predicted at outline stage remain deliverable. This requirement should be secured.

#### *Invasive Species*

Consistent with details provided in a representation from Catherine Chatters (New Forest Non Native Plants Officer at HIWWT in relation to the previous application 22/10577, Himalayan balsam was recorded on-site in the ground layer of the woodland at survey point 1, point 3 (SZ 27136 95252) and point 4 (SZ 27063 95074) in the BNG report. I previously recommend that a pre-construction invasive species survey and any necessary mitigation or management measures to eradicate the species are secured and included in the EMMP. This was now noted to be included in the EMMP.

#### *Protected Species*

A number of ecological enhancements are proposed including bat boxes, bird boxes etc. The ecological enhancement schedule should be completed by the developer pre-commencement. (Available here: Ecological Enhancement Schedule - New Forest District Council) I would seek that this is conditioned in order to provide a clear log of what enhancements (bird boxes, bat boxes, bee bricks etc) are proposed and where. This provides clarity for both developer and NFDC who will be actively

monitoring their provision and inclusion.

### *Bats*

A ground level roost assessment has been undertaken of trees identified as being felled. This has now been submitted, no concerns to raise. One building (Building B3) was found to support a day roost for common pipistrelle. This building needed to be demolished and the works were carried out under a Demolition Prior Notification Application Reference:22/10729 under licence. Additional detail has been provided indicating the indicative location of bird boxes, bat boxes and bee bricks. This increase is welcomed, the completion of the enhancement schedule should be secured by condition (Available here: Ecological Enhancement Schedule - New Forest District Council)

The assemblage of bats recorded at the Site includes the rare barbastelle, and higher numbers of more common and widespread bat species. Seven bat species were recorded, and it is valued at up to the County scale. Update surveys were undertaken in 2023. This information has now been submitted. The species assemblage was found to be consistent across survey years and the County valuation remains appropriate.

The bat activity surveys showed that the woodland edge and hedgerows are an important commuting pathway for local bats including the Annex II barbastelle. I agree that the proposed development will require a sensitive lighting strategy to mitigate the potential for impacts on bats (and adjacent habitats/designated sites). I would ideally request that this is provided prior to determination. If you were minded to grant permission I would request that a detailed sensitive lighting strategy be conditioned including modelling and lux plots be provided to demonstrate the dark corridors and adherence with BCT/ILP guidance. Recommended lighting condition set out.

### *Birds*

No breeding bird surveys have been undertaken, given the nature of the habitats present on-site this is considered acceptable.

Additional detail has been provided indicating the indicative location of bird boxes, bat boxes and bee bricks. This increase is welcomed, the completion of the enhancement schedule should be secured by condition (Available here: Ecological Enhancement Schedule - New Forest District Council).

### *Badgers*

A main and an annex sett have been identified. NFDC Ecology is happy with the recommendations included in the confidential badger survey report. A pre-construction survey for badgers should be undertaken to determine the current status of existing setts and establish any further setts have been newly created. Recommended condition set out.

### *Hazel Dormouse*

Dormouse survey identified hazel dormouse nests as present on both sides of Hordle Lane. As stated in the dormouse report, a European Protected Species Licence (EPSL) from Natural England (NE) is required for any development works that would affect dormouse or dormouse habitat (e.g. hedgerows or scrub) where the species is known to be present. The dormouse report has been updated with what

mitigation will be provided and be included within the EPSL. The mitigation, enhancement, management and monitoring requirements of the dormouse report should be secured. The EMMP is noted in the introduction as being a working document that will be updated as further information is collected. The report states that the EMMP will be agreed with the LPA prior to commencement of works on site and any amendments discussed with the LPA throughout the duration of the 30-year monitoring. This should be secured.

#### *Hedgehogs, Reptiles and Great Crested Newt*

The enhancement section of the Ecological Appraisal identifies provision of hedgehog highways but no further detail is provided. Provision and incorporation of hedgehog-friendly gravel boards or equivalent to maintain permeability for hedgehogs across the development and associated gardens is welcomed and is a standard requirement in emerging NFDC Policy. The routes of the 'hedgehog highways' should be provided in detail in an Ecological Mitigation and Management Plan at detailed design (Reserved Matters). This should be secured by condition.

Reptiles are considered likely absent on the main application site. No further comments.

The site contains suitable terrestrial habitat for great crested newt in the form of scrub, woodland and rough grassland. Surveys have been undertaken but not recorded any GCN. The assessment concludes that GCN are likely absent. The GCN Report states that "These results are valid until May 2024, at which time surveys would need to be repeated". See comment of lifespan of reports. The majority of Hampshire local planning authorities, including NFDC are now will part of the Naturespace GCN District Level Licence scheme. A review of the GCN risk maps for the application site indicate that the bulk of the site is green and amber which indicate "moderate habitat suitability and that great crested newts may be present" and "suitable habitat and that great crested newts are likely to be present" respectively.

### **NFDC Environmental Design - Holding Objection**

22 November 2024

The overall application suggests a good design delivering valuable greenspace and a pleasant area of new housing. There are, however, several areas where either the design is lacking essential elements or the information supplied with the outline part of the application is insufficient to assess whether good design can be achievable. In terms of access design, the proposal does not yet deliver or explain future delivery of parts ii, b and d in the access proposals for either the outline or the detailed areas of the submission. Of particular importance is that this renders the ANRG non-compliant with guidance. The allotments are detrimental to the character of the area and of the road corridor as shown. This is easy to amend but again must evoke a landscape objection. Several of the parameter plans do not show either commitment to elements of the design that are required or in some cases, enough information to ensure that a well-designed scheme can be negotiated at reserved matters stages. I NFDC Environmental Design have noted these in more detail below. None appear to be insurmountable in our view and we look forward to some minor amendments so that we can commend this scheme for its design, layout and commitment to good placemaking.

## *Access*

Both the detailed part of the application is for the ANRG and the outline part of the application needs details on access. Access on outline area The policy requires a route from the existing PROW along the northern edge of the site, to connect with Stopples Lane to the south. If such a stepped route is feasible, it should be demonstrated (it may be that it is part of the access details required in order to allow the outline permission). I have made comment about the impracticality of the route proposed via Sydney Street as opposed to Wisbech Way. Whilst the alternative at Wisbech Way is also difficult, I have no further information to convince me that the proposed route can be achieved without significant impact on the landscape through tree loss, and substantial alteration to the bank, unless a stand-alone flight of steps is introduced, constructed on piles. Is this the case? Please seek the details of this, even if only as addendum to the D&AS so that we are clear as to what is being permitted and whether it is likely to meet the policy on layout.

## *Access for ANRG*

These drawings do not create the required access for the ANRG in that the ANRG is severed by the road. Although there are crossing points identified, there is no intervention to ensure that drivers are aware of the need to slow down at these points. The guidance is clear on this point and we had sought to agree a compromise that would work, through my briefing note. The note seeks: Access Point 1 needs some form of improved crossing and will be for pedestrians (in common with access point 2), making sure that these crossings connect the ANRG extremely well with the new development is vital to ensure that the ANRG is not severed (see the SPD guidance). A self-closing gate will be needed to enter the park. A change of surface on the road and some form of visual intervention to alert car drivers to the need to slow down and allow people to cross easily must be the minimum requirements. Space is needed outside the gate to allow standing before crossing the road. Furthermore, the ANRG design fails to deliver access to Vicarage lane thus rendering it inaccessible to the wider community (see part iid. of the site-specific policy). For the ANRG, Access gates from Hordle Lane should be set back from the highway to give space for people to gather while they wait to cross. This is not clear on the plan yet.

## *ANRG Strategy Plan DD529L03 Rev L*

The revised ANRG Strategy plan has generally responded well to the previous comments of Dec 23 however some further alterations/clarifications are requested on the following points before it can be deemed satisfactory:

- How the large areas of grass to be managed to allow recreational activity? These should be regularly mown to make them usable and the plan marked as such – it may be a simple oversight in that this is missed off the key.
- Access gates from Hordle Lane should be set back from the highway to give space for people to gather while they wait to cross.
- Some of the planting structure is not quite strong enough. A few additional tree and native shrub planting areas are needed to further define some spaces and frame views. Most notably to the south of the central entrance, to form that seating space/glade and creating a strong enough group to terminate the vista as one enters at that gate (north of the 60m label). Wildflower meadow by itself is not sufficiently strong to define these spaces adequately.
- The low landforms/shallow dished area are a welcome feature perhaps could be combined with some gently raised areas and could be combined with planting to provide enclosure and a variety of visitor experiences.



- Please consider Hornbeam to be included in the tree planting palette to ensure another forest-scale species – more variety for interest and future proofing. Details of the proposed surfacing to the allotment car park is required.
- An area should be set-aside for off-lead dog exercise and this should be enclosed by a fence and shown on the plan. The layout of the ANRG now lends itself to a well-defined space in the west of the northern half in accordance with our briefing suggestion.
- Please include some heritage varieties of local provenance in the orchard planting

The allotments in this location will damage the character of the lane unreasonably as proposed. We have provided a briefing note in the expectation of rendering this potentially unsightly use more acceptable and in this location would be content with a better boundary that is more sympathetic to the character of the area. The proposed weldmesh fencing is too tall alongside the road. A lower fence, augmented by a thorny native hedge, it should be sufficiently secure and in any case such there should be no need for such security for the car park. Our briefing note was very clear, stating that: This area should be bounded by stockproof fence no more than 1.5 metres high with hedgerow planting to the outside to make sure that their appearance is not alien in this landscape. Even at 1.5m, if weldmesh is proposed, it should be of black or dark green weldmesh to minimise its visual impact while the hedge establishes.

#### *Drainage Strategy*

This appears to suggest an open system for attenuation from a piped network (pipe to pond as opposed to true SuDS. Care will be needed at detailed stage to ensure that basins have profiles that are sympathetic to natural landscape and that headwalls, inlets and outlets are similarly designed without recourse to galvanised tube rails and intrusive concrete structures that might serve to deplete the quality of the landscape or prevent the use as public amenity. Highways general arrangement plans appear to show tanks and pipework under public open space. This is not normally acceptable as it often prevents the space from being designed for public

amenity. It is important to recognise the implications of this in terms of encumbering the uses and appearance of such space.

#### *Landscape Strategy for outline area*

This plan suggests a very limited consideration of the tree covered areas whereas the landscape details when received will need to include these areas in order to establish restoration of hedgerows and woodland, stream banks, removal of extensive areas of debris and part buried rubbish as well as creating paths and access within the wooded parts of the valley (strategic site policy parts 2A and 3B).

#### *Indicative block plan*

This illustration shows a well-designed layout of perimeter block with some courtyard style parking areas. Care will be needed to ensure that these are well designed as good places in their own right (not just car parks) and that street designs are similarly attractive for pedestrian and cycle use as well as being key part of each householders' 'home environment'.

### *Land use and access plan*

This needs to show access for pedestrians from Vicarage Lane.

### *Green infrastructure parameter plan*

This also needs to show access for pedestrians from Vicarage Lane.

### *Building heights parameter plan*

This does not show building heights and is therefore not acceptable because it cannot be assessed properly. 2½ storey is the same heights as 2 storey for normal houses (the half storey takes into account the use of room within the roof space). For deeper footprints such as flatted development this might be significantly different. Therefore, given the potential for flats, we really need proper height parameter in order to assess the potential impacts of the development. The LVIA work should have indicated the best place for taller buildings. NFDC Environmental Design remain concerned that the break of slope above Woodlands Residential Park is considered to be the best place for taller buildings. However, if the Council is minded to approve this, there is no reason why such buildings, if designed to a really high quality in combination with a really diligent consideration of landscape (including new tree planting and restoration of the valley bottom woodland), the applicant cannot create a really good skyline that is both sympathetic with the rural outlook these residents have currently whilst also creating an inspiring skyline. Such things will no doubt be considered at reserved mater stage.

This revised application follows from extensive discussions. The design is largely good but there remain some issues that need to be resolved. These are not insurmountable but as they stand require me to raise a holding objection. Earlier detailed comments from NFDC Environmental Design are set out in full on the NFDC website.

## **NFDC Environmental Protection – No objection subject to conditions**

7 July 2023

NFDC Environmental Protection have no objection in principle to the proposed development as submitted. However, we consider that the planning permission should only be granted subject to suitable conditions. Without these conditions, the proposed development on this site could pose risks to human health and/or the environment and we would wish to object to the application. No remedial action on land contamination is currently required.

12 July 2024

NFDC Environmental Health note that the proposed layout is similar to the previous application (reference 22/10557) in that proposed dwellings are not placed significantly closer to the identified dominant noise source (Hordle Lane). NFDC Environmental Health are also satisfied that the noise climate in the area is unlikely to have altered significantly since the noise survey was carried out in September 2021. NFDC Environmental Health therefore recommend that any future permission granted is conditioned (as set out) in accordance with the submitted Acoustics report.

## **NFDC Housing Initiatives Manager - Comment**

3 August 2023

As a strategic housing allocation designated to meet district wide housing needs, NFDC Housing would refer the applicant to the affordable housing guidance within the Local Plan as a starting point for identifying the size and tenure of any affordable housing.

Guidance within the Local Plan (figure 6.1) sets out the indicative accommodation need for different sizes of affordable homes. The findings of the 'Housing Affordability' Report for NFDC by JG Consulting 2017 provides further information on the need for affordable housing within district sub-areas. This report identified the estimated mix of unit sizes for affordable housing for rent and low-cost home ownership housing in 'South Coastal Towns', including the area of Hordle.

NFDC Housing would expect to see the Heads of Terms for the s106 for this site established and agreed at an early stage in the planning process to ensure certainty in the delivery and future management of the affordable housing. This will need to include a schedule of the affordable dwellings, their size and tenure. We note that the Planning Statement confirms that the affordable housing within the scheme will be owned and managed by Vivid. Vivid are a Registered Provider and existing member of the Council's Homesearch partnership. Provision within the legal planning agreement will be sought to ensure the affordable housing complies with Local Plan local connection requirements and that any homes proposed for Affordable Rent are genuinely affordable relative to Local Housing Allowance.

## **NFDC Open Spaces Officer - Comment**

The proposal for 155 unspecified dwellings creates a requirement under NFDC Planning Policy CS7 for the application to provide at least 3.26 ha ANRG, 0.82 ha informal POS, 0.1019 ha play and 0.51ha formal POS. The applicant should submit a plan showing how these areas are proposed to be provided to support their application and demonstrate compliance to Policy.

It is suggested that the provision arising from this development (0.1019 ha) is provisioned via the following:

- Infant Play – an infant play area is provided on-site, preferably located roughly within the middle of the developed area so this is accessible to all residents via a safe path/pavement network. This could perhaps be within a “bulge” from the informal POS edge, such as that shown to the middle-north.
- Junior Play – there is an adjacent junior play area within Nursery Close, a site owned by NFDC, which has potential to be enhanced and expanded. This forms an attractive “route to school”, encouraging junior school users to walk to school from this development and its onward connections. It also has the potential to form an engaging collection point where families can join together for the final stretch to school.
- Senior play (ages 11-18) – there is an established and popular play and recreation area at Dudley Avenue, a short walk from this site or alternatively another site within the local area. Any provision for this age group within this development will be over-shadowed by the existing provision and therefore unlikely to be used. It is strongly recommended that an off-site contribution is agreed to enable the Parish Council to enhance and improve the senior play and facilities area. This could include provision for young females and promote further

diversity and inclusivity and provision

The development should include a strong pedestrian and cycle connection from the footpath down to the end of Nursery Close, to form a useful route to school and church/community facilities. This could include the current “bulge” with the mature tree shown, perhaps expanded to form a green wedge/finger (possibly with an infant play area).

A connection (for walkers and cyclists) from the development into Stopples Lane is essential due to the established young persons facility off Dudley Avenue. This is likely to draw young adults from these new dwelling and form a desire line. The most practical means of connection is into Wisbeach Way or Sidney Street and a properly considered connection should be proposed (noting the Policy guidance for the site).

Noting concerns and restrictions it is recommended that a small shed/storage facility is provided for each plot with a restriction (enforced by terms on the allotment lease, punishable by termination of lease) that no further construction is permitted excepting cold frames below waist height. This includes exclusion of decking, summer houses, greenhouses etc. This promotes allotment holders to maximise the area available for cropping or other plant propagation.

**NFDC Trees – No objection subject to conditions.**

25 November 2024

Further to my previous comments below, additional information has been submitted in the form of a revised Illustrative Masterplan (DRWG:P22-1777\_DE\_003\_01\_J\_IMP dated 17.09.29) and additional Arboricultural information in the form of a Tree Constraints Plan (TCP) (Barrell Plan Ref: 21172-7) and Arboricultural Impact appraisal and method statement Ref: 21172-AIA4-CA dated 4th October 2024).

As detailed in the masterplan an additional access route detailed as boardwalk through woodland has been included in the masterplan and is shown on the Tree Constraints Plan. This was previously omitted from the previous master plan (DRWG: P22-1777\_DE\_003\_01\_F\_IMP) and Tree Protection Plan (Barrell Plan Ref:21172-6) and therefore not considered in my earlier comments. The Arboricultural impact appraisal does not make any reference to the boardwalk with regard to its route through the Root Protection Areas of important and recently protected trees (0013/24 W1) and any potential adverse impacts this may present. There are changes in level over this part of the site so the construction of this would need to be carefully considered to avoid adverse impacts to trees. Further specific detailed information would be required to evaluate the impact and feasibility of the proposed boardwalk.

## **9 REPRESENTATIONS RECEIVED**

140 letters of objection and two letters of support raising the following grounds. Where multiple objections have been made by the same individual or organisation these have been counted as one objection. The objections are grouped into subject areas for convenience.

### ***Principle of Development***

- Loss of Green Belt land
- Loss of agricultural land
- Too much development for Hordle; comprises urban sprawl.

- The village currently has some 1700 dwellings. Combining the two applications results in 252 new dwellings, an increase of 15% in the total number of dwellings in this semi-rural village.
- Why not plan developments either side of Hordle Lane.
- Should never have been "zoned" for housing.
- It is in the New Forest National Park.
- Housing is needed - but not here- this is the wrong place.
- Use brownfield (previously developed land) instead.

### ***Housing***

- The young people from the area are unlikely to be able to afford to buy these houses. The houses will be for people wishing to move out of places like London and other cities or maybe wanting to retire near to the coast.
- The housing in the residential area will be of a higher density than the existing developments within the village.
- Understand the need for nationwide developments and the increase in households but the vast scale of this particular development will have a detrimental impact on Hordle residents.
- How many low cost houses are actually affordable to local families.
- The increased number of homes will be beneficial in the longer term. The lack of any sort of house building leads to local population stagnation, limited housing stock and enclaves of high prices and low housing availability. This hinders the aspiration of younger people and families to live in the area where they grew up whom are then forced to move away.

### ***Infrastructure***

- Insufficient capacity in local schools.
- Consider new school site elsewhere in Hordle.
- Impact at school start and finish times because of the increased volume of traffic
- Insufficient capacity in local services such as doctors, dentist, children's nurseries and veterinary surgeons.
- Infrastructure supporting the village must be increased and/or upgraded to meet demand: electricity, gas, water, mobile phone & broadband, plus sewage and surface water disposal, and the road infrastructure.
- The developer has not stated how it will deal with construction workers' vehicles.
- Impact on hospitals.

### ***Highways and Access***

- Poor quality of roads in Hordle
- Will create traffic chaos, congestion and eventual gridlock.
- Impact of additional traffic generation and highway safety on Hordle Lane, Sky End Lane, Everton Road, Lymington Road, Stopples Lane and other local roads.
- Impact on the local community of reduced parking spaces on Hordle Lane adjacent to the church.
- Poor driving in Hordle Lane for example cars mounting the pavement on Hordle Lane.
- Hordle Lane is already dangerous for schoolchildren, cyclists and pedestrians. These are lanes, mainly with no pavements.
- Public transport (bus service) is infrequent and at the wrong times for 'normal hours' workers

- Impact on parking on Everton Road
- The loss of parking on Hordle Lane contravenes human rights in terms of freedom of expression and discriminates on the basis of their disability.
- Electric charging points needed for houses.

### ***Ecology and Trees***

- Impact on deer, badgers, owls, foxes, hedgehogs, snakes, stag beetles, bats, hazel dormice.
- Impact on Hordle Wood SINC.
- No green corridors for wildlife.
- Development will be right next to the edge of the protected ancient wood which is of great concern.
- Loss of trees.

### ***Flooding and Drainage***

- Potential additional flood risk.
- Flooding is causing erosion.

### ***Amenity***

- Noise levels, dust & fumes.
- Loss of privacy.
- More rubbish will be dumped, more noise, more disturbance.

### ***Open Spaces***

- Lack of green space on the 'residential' side.
- The amenity area will only be accessed by a few local people; it is remote from most of the village.
- There needs to be a provision for an access through the ANRG to allow the future development on SS8 to be able access and egress from Hordle Lane.

### ***Design***

- Out of character with its surroundings, including street scene and landscape.
- There is no provision for any amenity in the form of shops or employment as part of the development
- Build the houses in the same manner as Sidney Street or Nursery Gardens small but simple.

### **Additional letter from Governing Body of Hordle CE Primary School - 30th October 2024**

The Governing Body of Hordle CE Primary School is writing to formally express concerns in regards to the current plans to reduce the parking spaces outside All Saints Church, Hordle Lane, Hordle as part of the proposed housing development. The Governing Body of Hordle CE Primary School believe these changes will negatively impact the surrounding community, particularly the parking situation for local residents, those attempting to visit All Saints Church and parents dropping off/collecting pupils from Hordle CE Primary School and nursery.

Previously, the developers claim to have reviewed the on street parking during the school day. However, we wish to express our ongoing concerns that developers

have completely overlooked the very real, daily congestion which reaches its peak between 8:00 - 9:15 and again from 2:45 - 3:45 each day. With over 340 pupils in the main school and an additional 80 children in the onsite school nursery, we are deeply concerned that the very real traffic congestion and parking concerns have been completely disregarded by developers. These concerns are now intensified by the recent update which reveals plans to further reduce the on-street parking outside the church.

It should be noted that even outside of the times mentioned above, the roads continue to have high volumes of cars parked on the street each day and the suggested allocation of bays at the local allotment really wouldn't serve any purpose for the local community who are trying to negotiate very small children from their vehicles into school.

It is true to say that the parking spaces outside the church are in constant use. To reduce these parking bays from eight to four would have a further, detrimental impact on the already congested conditions in and around Hordle Lane. The school have been in contact with the police on numerous occasions in the last year in regards to increasing concerns about the welfare of children and families at school drop off and pick up times. A local traffic officer has been out to visit Hordle Lane on a frequent basis and has witnessed first hand the challenges of congested roads and dangerous traffic. This has resulted in a number of parents being issued with fines. Whilst this acts as a deterrent, it doesn't address the very real and ongoing issue of the severe lack of parking.

There is no question that reducing parking outside the church will lead to an overflow of vehicles onto the already heavily congested road. This, in turn, further increases the chance of there being a serious road traffic collision involving one of our community members. We feel strongly as a school community that to overlook these concerns of further reducing parking would be negligent. We respectfully urge the council and the local developers to reconsider this decision until a thorough review and consultation has taken place with residents, school staff and church representatives, including an onsite visit to the school during term time to witness first-hand the congestion and daily traffic during peak times. We want solutions for our community that support accessibility, safety and convenience and we strongly believe there must be other alternatives to explore.

## **10 PLANNING ASSESSMENT**

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

Local Plan Policy STR3 (The Strategy for locating new development) sets out that the strategy is to locate and direct new development to accessible locations that help to sustain the vitality and viability of the towns and villages of the Plan Area as the focal points of commercial activity and community life, and as safe, attractive and accessible locations to use and visit.

Local Plan Policy STR5 (Meeting our housing needs) sets out the strategy for delivering new homes in the District and that provision will comprise at least 6,000 new homes on Strategic Site Allocations in accordance with Strategic Site Allocation Policies SS1 to SS18.

The application site is part of a Local Plan Allocation Site (Local Plan 2016-2036 Strategic Site SS8). Local Plan Policy SS8 is reproduced in full below. The supporting text and concept masterplan for Policy SS8 is set out on pages 135 to 137 of the Local Plan. Policy SS8 forms part of the Development Plan and is the starting point for consideration under Section 38(6) of the Planning and Compulsory

Purchase Act as set out above. Policy SS8 should be read in conjunction with all policies in the Development Plan rather than in isolation.

NFDC Local Plan Strategic Site 8: Land at Hordle Lane, Hordle

- i. Land at Hordle Lane, central Hordle as shown on the Policies Map is allocated for residential development of at least 160 homes and public open space, dependent on the form, size and mix of housing provided.*
- ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a sympathetic village development whilst maintaining a clear visual separation between the two halves of Hordle by:*
  - a. Enhancing land along the stream and tree belt that forms the western boundary of the site (designated Green Belt and outside the settlement boundary) as a natural recreational greenspace area and wildlife corridor, incorporating sustainable drainage measures to manage water course flood risks and surface water run-off.*
  - b. Provision of north-south pedestrian access through the site, including from Stopples Lane connecting to Everton Road and Strategic Site 9: Land east of Everton Road via the public right of way at the northern site boundary.*
  - c. Orientating development in the northern half of the site towards the main recreational greenspace with access from Hordle Lane, providing opportunities for pockets of higher density development within a village setting.*
  - d. Protecting and enhancing the rural character of Hordle and Vicarage Lanes through the location of open greenspace, appropriate access and crossing points as well as additional hedgerow and tree planting.*
  - e. Providing homes with gardens at a density appropriate to the rural settlement edge in the southern area of the site, with primary access off Hordle Lane and secondary access from Vicarage Lane.*
  - f. Define a high quality rural and Green Belt edge to the village along Sky End Lane to soften the transition to open countryside designated as Green Belt.*
- iii. Site-specific Considerations to be addressed include:*
  - a) Badger setts on the western site perimeter require appropriate development setbacks and habitat enhancement measures.*
  - b) The stream and woodland belt in the north-west of the site will require remedial and restorative works.*

As set out, the application site does not include all of Local Plan Allocation site SS8. The residual areas of Local Plan Strategic Site SS8, as set out in the Local Plan Concept Masterplan, not within the application site includes part of the public open space suitable for Alternative Natural Recreational Greenspace (ANRG), areas for residential development on the land bounded by Sky End Lane and Vicarage Lane and existing houses also bounded by Sky End Lane and Vicarage Lane.



The application site itself include highways land outside of the Local Plan Allocation and a land hitherto proposed for allotment use south of Nursery Close. For reference, the land east of Hordle Lane proposed for ANRG and allotments is subject to restrictive covenant as set out in Local Plan paragraph 9.100 and as such is not host any proposed residential development.

As such, the principle of development is established by the SS8 site allocation in the New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy.

### South West Hampshire Green Belt

Local Plan Policy ENV2 (The South-West Hampshire Green Belt) sets out that the openness and permanence of the South-West Hampshire Green Belt will be preserved with particular regard to its stated purposes and those of national policy for the Green Belt. Development proposals in the Green Belt will be determined in accordance with national planning policy.

NPPF (December 2024) Section 13 (Protecting Green Belt land) sets out national planning guidance on development and the green belt. NPPF Paragraph 155 sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include, amongst other things, engineering operations which can demonstrate a requirement for a Green Belt location.

The westernmost portion of the application site is within the South West Hampshire Green Belt (SWHGB). The Local Plan illustrative Concept Masterplan for SS8 (page 137) identifies this part of the allocation site for potential public open space.

The supporting Land Use and Access Parameter Plan (Pegasus, 17/9/2024, Rev. E) sets out that this part of the application site includes part of the Hordle Wood Site of Nature Conservation (SINC), proposed public open space, pedestrian access routes and drainage features. It does not include any built development including proposed residential dwellings.

NPPF paragraph 154 sets out development in the Green Belt is inappropriate unless one of the listed exceptions applies. This includes criterion (h) which sets out that other forms of development provided they preserve its openness and do not conflict with the purposes (as set out in NPPF paragraph 143) of including land within it. Criterion (h)(ii) sets out that this encompasses engineering operations which in this application includes the proposed surface water drainage and non-vehicular access routes.

The national Planning Practice Guidance (PPG) (Paragraph: 001 Reference ID: 64-001-20190722) sets out the factors which could be taken into account when assessing the potential impact of development on the openness of the Green Belt and confirms that assessing the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances of the case. In line with caselaw this includes, but is not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its 'remediability' - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

In this case, the proposal would not have any built volumetric impacts nor would it generate any additional vehicular traffic. The proposal would only include engineered landscape features such as swales, basins and footpaths.

Essentially, in conjunction with existing and proposed new landscape planting the proposal would preserve the openness of the green belt and would not conflict with the purposes of including land within it.

Therefore, the proposal accords with NPPF paragraph 155 and Local Plan Policy ENV2 (South West Hampshire Green Belt).

### Environmental Impact Assessment (EIA) Development

The applicants have provided an Environmental Impact Assessment (EIA) Cover Note (Tetra Tech, June 2023). The cover note sets out that the applicants submitted an EIA screening opinion request in 2021. NFDC subsequently provided a EIA Screening Opinion that confirmed that no EIA was required and therefore the previous application (Ref: 22/10577) at the Local Plan Strategic Site was not supported by an Environmental Statement (ES).

The cover note seeks to identify the proposed amendments to the scheme parameters and confirm that these changes do not result in material changes to the findings of the 2021 EIA screening opinion request and that the conclusions in relation to EIA requirements remain valid.

The key changes to the redline boundary from that assessed as part of the 2021 EIA screening opinion request include the following:

- The parcel proposed as ANRG has reduced in size;
- The land around the retained SINC woodland has slightly increased;
- The land around the access points on Hordle Lane has slightly increased;
- The Site footprint has been slightly reduced; and
- The residential units have been reduced.

The modifications to the development description also include a reduction in development quantum from 170 dwellings previously considered in the 2021 EIA screening opinion request to 155 dwellings. For reference, application Ref: 22/10577 was withdrawn in line with NFDC Officer advice was for 156 dwellings.

The cover note sets out that the proposed changes (as set out) do not result in changes to the development description under Schedule 2 of the EIA Regulations. The development as described is considered to fall under the Schedule 2, 10(b) 'Urban development projects', of EIA Regulations, exceeding the thresholds for Category 10b.

The cover note sets out that Schedule 3 of the EIA Regulations sets out a series of selection criteria to be used in screening Schedule 2 developments. These relate to the developments' characteristics, the environmental sensitivity of the geographical areas to be affected, and the types and characteristics of potential effects. An assessment of the proposed development against these criteria was undertaken as part of the 2021 EIA screening opinion request (which is appended in the cover note). The findings of the assessment were reviewed against the baseline information and findings of the technical reports supporting the revised planning application (bulleted in the cover note), to determine if any material changes to conclusions are identified. The cover note sets out that the technical updates provided within the above reports in response to the proposed amendments are considered to be minor and do not materially change the conclusions of the assessments compiled within the 2021 EIA screening opinion request.

The cover note concludes:

- The Proposed Development is considered to be a 'Schedule 2 development' under description 10b, considered with particular regard to whether the site is located within a 'sensitive area' or would affect the features of such sensitive area.
- Based on the consideration of the proposals against the requirements set out in Schedule 3, it is considered that the changes outlined in this note and presented within the revised drawings do not result in a material change to the conclusions of the 2021 EIA screening opinion request which remains valid.
- As such, the proposed development is not considered to result in potentially significant effects on the environment either during the construction phase or during operation of the development (occupation). Any minor effects which are considered to be not significant in EIA terms and are proposed to be appropriately addressed and mitigated within the technical inputs submitted as part of the planning application.

Essentially, Officers concur with the analysis set out in the EIA Cover Note and the conclusion drawn that any changes between the previous application and this application within the Local Plan SS8 allocation site are not of such scope for the latter to be supported by an Environmental Statement and that any effects arising can be duly determined through the supporting material provided.

Therefore, the conclusions of the 2021 EIA screening opinion remains valid and as such the application is deemed not to be EIA development.

#### Housing Land Supply and NPPF Tilted Balance

In determining planning applications there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the National Planning Policy Framework (NPPF).

NPPF (December 2024) Paragraph 11 clarifies what is meant by the presumption in favour of sustainable development. It states that for decision making it 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 strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

For reference, NPPF (p. 6) Footnote [8] above sets out:

This includes, for applications involving the provision of housing, situations where:

- the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or
- where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also NPPF paragraph 227.

The Council cannot demonstrate a five-year supply of deliverable housing land. The latest published housing land supply figure is 3.07 years.

Footnote 8 NPPF (December 2024) paragraph 11 is clear that in such circumstances where a five-year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11d is engaged.

As such, it is considered that in this case the development must be considered in accordance with the NPPF paragraph 11(d).

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

The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing the development having applied the test at Limb 1.

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

#### Summary with regard to the Principle for development:

The application site is part of Local Plan Allocation Site SS8 (Land at Hordle Lane, Hordle) and therefore the principle of development is established. The proposed residential development is located at Hordle Lane on land that was mostly removed from the South West Hampshire Green Belt as part of the Local Plan process. None of the proposed residential development is located within the Green Belt that is retained within the application site. The proposal would preserve the openness of the green belt and would not conflict with the purposes of including land within it. The proposal has been determined not to be EIA development. Assessment of the application takes into account the requirements of the NPPF (December 2024) paragraph 11 criterion (d).

## **B. Housing Mix and Affordable Housing**

Local Plan Policy STR5 (Meeting our housing needs) sets out the strategy for delivering new homes in the District and that provision will comprise at least 6,000 new homes on Strategic Site Allocations in accordance with Strategic Site Allocation Policies SS1 to SS18.

Local Plan Policies HOU1 (Housing type, size, tenure and choice) and HOU2 (Affordable Housing) 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 housing stock to be smaller-to-medium sized homes, particularly for affordable housing.

The supporting text to HOU1 (Paragraph 6.8) sets out that:

*Strategic housing site allocations are large enough to accommodate areas of different character and density within them and are expected to include a broad mix of new homes closely corresponding to Figure 6.1 (p. 58). Large new developments of predominantly 3-4 bedroom homes would not meet the requirements of this policy.*

Local Plan Policy HOU2 (Affordable Housing) sets out that there is a requirement of 11 or more dwellings to provide affordable housing in the rest of the Plan Area (which includes Hordle) where the target is for 50% of new homes to be affordable housing. The tenure mix target is to provide 70% of affordable homes for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership. Where developers cannot deliver the level of affordable housing set by Policy HOU2 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 NPPF (December 2024) paragraph 66 sets out that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local

needs, across social rent, other affordable housing for rent and affordable home ownership tenures.

### *iii. Market Housing Mix*

The applicants have agreed to a housing mix for the market housing (below) based on Figure 6.1 (Indicative need for different sizes and tenures of homes) of the Local Plan. This will be secured through a suitable condition.

- 1-2 bed: 30-40%
- 3-bed: 40-45%
- 4+ bed: 20-25%

The final residential typologies for the up to 93 market dwellings will be determined through a subsequent Reserved Matters application.

### *iv. Affordable Housing*

The proposal is for 40% affordable housing which equates to 62 affordable dwellings. 40% is ten percent below the policy target for affordable housing. The proposal has been subject to a viability assessment which has taken site-specific

viability considerations into account. The viability assessment concludes (Paragraph 4.1.10) that if a 40% Affordable Housing provision is agreed with the above-noted tenure mix, there should be scope to allow for any costs which are currently unknown, or adverse movements in the market.

As such, a 40% affordable housing rate has been agreed with the independent viability assessor, NFDC officers and the applicants as it strikes a reasonable balance between affordable housing and allowing for scope in costs.

The following mix of affordable housing - including unity type by size (bedrooms) and residential typology (flat, house) has been agreed with the applicants:

Unit Type	Unit Split	Residential Typologies
1-bed	20%	Flats
2-bed	48%	To be a mix of flats and houses (of which at least 25% will be of each typology).
3-bed	27%	Houses
4-bed	5%	Houses

As such, the table could provide the following approximate mix of affordable housing across all tenures in line with Local Plan Policy HOU2:

- 1-bed flats: 12
- 2-bed flats/houses: 32
- 3-bed houses: 17
- 4-bed houses: 3

Compliance with this table could ensure that the proposed development could provide a suitable affordable housing mix (irrespective of the final number of dwellings up to and including the 155 proposed) in terms of the number of each unit size. The final mix of affordable housing typologies within the proposed development will however be determined through a subsequent Reserved Matters application in line with the s106 planning obligation.

The applicant has also agreed to provide the affordable housing in line with the tenure split in line with Local Plan Policy HOU2 i.e. 35% for both social rent and affordable rent and 30% shared ownership. This will be secured in the s106 planning obligation. No “First Homes” as defined in national planning guidance are proposed to be included in the Affordable Housing offer which is in line with the NFDC First Homes Advice Note (July 2022) and the recent changes in the December 2024 NPPF which removed the prior requirement for at least 25% First Homes.

The proposed affordable housing mix will be secured through suitable clauses in a s106 planning obligation. The final mix of affordable housing typologies within the proposed development will be determined through a subsequent Reserved Matters application in line with a s106 planning obligation attached to a planning consent.

As such, subject to both a s106 planning obligation and suitable conditions, the proposed market and affordable housing mix accords with Local Plan Policies HOU1 and HOU2.

### **C. Highways and Access**

Local Plan Policy CCC2 (Safe and Sustainable Travel) sets out that new development will be required to:

- i. Prioritise the provision of safe and convenient pedestrian access within developments, by linking to and enabling the provision of more extensive walking networks wherever possible, and where needed by providing new pedestrian connections to local facilities;
- ii. Provide or contribute to the provision of dedicated cycle routes and cycle lanes, linking to and enabling the provision of more extensive cycle networks and providing safe cycle routes to local schools wherever possible;
- iii. Consider and wherever possible minimise the impact of development on bridleways and horse riders;
- iv. Provide sufficient car and cycle parking, including secure cycle parking in schools and colleges, work places, bus and rail stations, and in shopping areas in accordance with the adopted Parking Standards Supplementary Planning Document;
- v. Incorporate infrastructure to support the use of electric vehicles; and
- vi. Provide, or contribute proportionately to the provision of, any highways or public transport measures necessary to enable the development to be accommodated in a safe and sustainable manner, including the requirements identified in any applicable Strategic Site Allocation Policies.

The Hampshire Local Transport Plan Four (LTP4) sets out the Local Highway Authority (Hampshire County Council) vision for future transport and travel infrastructure. LTP4 proposed transformational changes which:

- shift away from planning for vehicles, towards planning for people and places;
- meet national priorities to decarbonise the transport system;
- reduce reliance on private car travel;
- gives people a choice of high quality travel options;
- support sustainable economic development and regeneration and promote active lifestyles.

The NPPF (December 2023) sets out in paragraph 115 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application is supported by a Transport Assessment (I-transport, May 2023) and Transport Technical Note (I-Transport, 20 November 2023).

The Local Highway Authority (LHA) (Hampshire County Council) has been consulted extensively on the application and they have confirmed in their responses of 20 January 2024 and 28 October 2024 that they have no objection subject to a s106 planning obligation and suitable conditions.

#### *Housing Site Vehicular Access*

The proposed residential area's single vehicular access from Hordle Lane is set out in the submitted Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13). The proposed residential vehicular access to the site is in the form of a simple priority junction with a 6.0m carriageway with and 8m corner radii. Visibility splays are provided in line with observed speeds recorded along Hordle

Lane. Swept path analysis of the proposed access has been undertaken to demonstrate that vehicles will be able to manoeuvre safely into and out of the residential area.

The Local Highway Authority (LHA) confirmed in their response of January 2024 that following design revision the proposed residential site access is acceptable in principle. Completion of the residential vehicular access should be prior to the first occupation.

The LHA also confirmed that the stagger distance between the new site access junction and Vicarage Lane has been confirmed to be greater than 50m and therefore a Departure from Standards (DfS) is not required in this instance. The proposed residential site access should be secured with the s106 planning obligation and the applicant should also enter into a s278 agreement in order to undertake these works. The applicant also confirmed in the Transport Technical Note it is not proposed to offer the internal streets for highway adoption.

The LHA also confirmed in their response of January 2024 that, following additional tracking, the allotment access is acceptable to the LHA. As such, the allotment access should be secured with in the s106 planning obligation and that the applicant enters a s278 agreement for the implementation of this vehicular access.

Hordle Parish Council in their representation of 19 November 2024 set out that a single point of access onto Hordle Lane could lead to a build-up of traffic exiting the development which is at odds with the Concept Masterplan which indicated an additional access at Nursery Close.

However, the Local Plan (paragraph 9.30) confirms that the supporting concept masterplans are illustrative rather than prescriptive and as such the indicative primary access at Nursery Close in the SS8 Concept Masterplan is only a suggested access and there is no Policy requirement for this to be facilitated.

Therefore, subject to a s106 planning obligation and suitable conditions, the proposed vehicular accesses accords with Local Plan Policy CCC2 criterion (vi).

#### *Cycle and Pedestrian Access*

The Land Use and Access Parameter Plan (Pegasus, 17/9/2024, Rev. E) sets out the location of the cycle and pedestrian access places to be determined in this application. This includes:

- Two pedestrian and cycle accesses from the Public Right of Way (PRoW) to the north of the application site;
- An additional pedestrian and cycle access from Nursery Close which would provide an additional route to the school, church and bus stop on Hordle Lane;
- Two pedestrian crossings across Hordle Lane to access the public open space on the eastern side; and
- A pedestrian only access from Sidney Street which would connect into the residential development.

Essentially, the proposed pedestrian and cycle access places are considered acceptable in principle by both the LHA and NFDC Officers.

For reference, the final location of the internal pedestrian and cycle routes within the Outline element of the Hybrid application (the western parcel) will be determined in a



future Reserved Matters application as part of the Layout considerations. This will include the final layout of the proposed north-south pedestrian route required in Policy SS8 criterion (ii)(b).

The Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13) confirms the extent of improved pedestrian access along Hordle Lane. This includes:

- The existing gravel footway between Nursery Close and the primary school will be resurfaced (a tarmac footway) within either the public highway or on land controlled by the applicant between the site access and the existing tarmac footway on Hordle Lane;
- An uncontrolled pedestrian crossing at the exit of Nursery Close onto Hordle Lane;
- A connecting hard-surface pedestrian route from Nursery Close to the proposed site access which will also include an uncontrolled pedestrian crossing;
- Two uncontrolled pedestrian crossings across Hordle Lane to access the proposed public open space; and
- Areas of existing vegetation to be removed to facilitate visibility splays for pedestrian and vehicular access on to Hordle Lane.

These proposals are acceptable to the LHA and should be secured through the s106 planning obligation and subsequent s278 agreement.

The layout of proposed pedestrian routes within the proposed public open space to the east of Hordle Lane which is subject to the full element of the Hybrid application is addressed in the Landscape, Trees and Public Open Space sub-section of the Planning Committee report.

To the west of the application site, an additional crossing point at the junction of Stopples Lane and Elvin Close that could provide a safer route to the parade of shops on Stopples Lane has been agreed between the applicant and the LHA. The works will be facilitated through a contribution of £30,268.94 secured for sustainable mode improvements within a s106 planning obligation.

The applicant is also proposing to make a financial contribution to the improvement to the cycling infrastructure between the application site and New Milton in line with the contribution also secured from the application at Land East of Everton Road (21/11731). A contribution of £66,910 has been agreed and likewise should also be secured within a s106 planning obligation.

HCC Countryside Services has no objection subject to suitable conditions and a s106 contribution. The applicant has agreed a contribution towards re-surfacing that part of the existing Public Right of Way to the north of the application site. A sum of £11,883.00 has been agreed and will be secured through a s106 planning obligation. Therefore, subject to a s106 planning obligation and suitable conditions, the proposed pedestrian and cycle accesses and improvements accord with Local Plan Policies CCC2 criteria (i), (ii) and (vi), and SS8 criterion (ii)(b) in principle.

#### *Junction Assessments*

The LHA has confirmed that revised information submitted for the development traffic arising from the proposal is acceptable. As such, detailed junction modelling at both the Ashley Lane / Stopples Lane junction and the Hordle Lane / Christchurch Road junctions are not required as the traffic flows through these junctions are low enough not to justify further detailed assessment.

## *Highways Works and Parking Arrangements on Hordle Lane*

The Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13) sets out the proposed narrowing of the carriageway on Hordle Lane to the north of the site access. The proposed narrowing was altered following feedback from the LHA to measure 3.2m (kerb to flush kerb) with a solid white line included to further reduce the visual width to discourage overtaking of cyclists. As such, a wider footway can be provided at 2 metre width which prioritises people over traffic in terms of the allocation of highway space.

The proposed narrowing of the Hordle Lane carriageway is acceptable to the LHA, and as such these works should be secured within the s106 planning obligation and to be delivered via a s278 agreement. The LHA also set out that the design of kerbing can be resolved through the s278 detailed design.

The LHA set out in their response of 26/1/24 that current vehicular parking south of Vicarage Lane, including during the school pick up and drop off times, would be discouraged by the implementation of the proposed carriageway build-out. The LHA also noted that the parking spaces outside the parish church are not formalised. The current parking arrangement here is ad hoc with no marked parking bays and could impact on the traffic flow on Hordle Lane and the visibility at the junction with Vicarage Lane if it is not appropriately managed and formalised; a matter raised in the representations from the Parish Council

The applicant has therefore agreed to formalise the parking spaces, as set out on the Highway Works General Arrangement plan, outside of the church with the aim of suitably managing traffic flow on Hordle Lane. The parking would be formalised into four parallel parking bays with a 1.2m wide area of hard standing behind the parking bays in the absence of a pavement at this point. The LHA has confirmed that the proposed formalisation of the vehicular parking on the highway outside the parish church on Hordle Lane is acceptable in principle subject to detail design review at the s278 stage.

The detailed comments received on this matter from Hordle Parish Council, the parish church, the Governing Body of Hordle Church of England Primary School and the local community are all noted. The comments and photographs submitted to the LPA suggests that at times there are existing conflicts between different highway users that are typical of traditional approaches to accessing schools.

However, there is no obligation on the part of the Local Highway Authority to provide on street parking outside the school for parents dropping children off at school or for those attending church and/or facilities in the church hall. Moreover, there are existing controlled parking arrangements outside the school and south on Hordle Lane and hence infringement of these arrangements is a civil matter outside consideration of this application.

Instead, as set out, Hampshire Local Transport Plan Four (LTP4) (February 2024) proposes a major shift in approach and emphasis, with an increased focus on policies which support modal shift and manage demand for road space, rather than just supplying the extra capacity to meet potential demand.

It is this approach – moving away ('modal shift') from using cars – and those associated infrastructure such as parking - to accessing facilities such as schools by alternative means such as walking or cycling that is at the heart of the approach agreed for this application by the LHA and the LPA. For example, with specific

regard to journeys to and from schools, LTP4 Policy HP3 (Widen participation and broaden the appeal of walking and cycling as a natural travel choice) sets out that the objective is:

*'to enable more children to walk and cycle to school through improving the routes to schools and the area outside the school gates, cycle and road safety training, and behaviour change campaigns – so walking and cycling to school becomes the 'norm'.*

LTP4 (page 89) then sets out that the implementation of Policy HP3, will be supported by, amongst other things, prioritising walking and cycling outside schools, through infrastructure changes. As set out, in this instance the applicant has agreed a package of s106 contributions which will be invested in improving local pedestrian and cycle access in Hordle.

Representations received have set out that a new school parking area should be provided within the development site. However, there is no NFDC Local Plan Policy SS8 requirement for developers to provide on-site vehicular parking for those journeying to and from Hordle Primary school and to do so would encourage extra vehicular journeys and clearly run contrary to the modal shift aims of Hampshire LTP4.

The proposed formalisation of the current ad-hoc vehicular parking outside the parish church to facilitate highway safety would result in a reduction of parking spaces from approximately eight to four. The parish church has set out in their representations that those attending services and other facilities at the church hall will be impacted by the loss of approximately four parking spaces on Hordle Lane.

However, as with the primary school, there is no obligation on the part of the Local Highway Authority to provide on street parking outside the church for those attending services or using the facilities. Nonetheless, the revised supporting Planning Statement (Turley, October 2024) sets out in paragraph 6.45 that an additional area of vehicular parking is provided adjacent to the residential site vehicular access for use by the parish church and is set out in the revised Land Use and Access Parameter Plan (Pegasus, September 2024 Rev.F). The proposed parking would provide approximately 7 or 8 vehicular parking spaces solely for those using the church for services or those using the church hall. The proposed parking would not be additional parking for visitors to the proposed residential development nor would it comprise additional parking for those journeying to and from the school.

There is a no Local Plan policy requirement for the developers to provide this additional parking within the proposed residential area but have done so as a matter of goodwill on their part. The management arrangements for the proposed additional parking will be finalised in a s106 planning obligation.

Essentially, it is considered that through a combination of the formalisation of the existing highway parking outside the parish church, the provision of additional parking within the proposed residential area and the existing off-road parking area the church has 140 metres to the north on Woodcock Lane, that the parish church and its patrons would not be negatively impacted by the proposal.

The proposal includes a secondary vehicular access to serve the proposed allotments in the public open space on the eastern side of Hordle Lane. The applicant has provided vehicular tracking to the satisfaction of the LHA. The LHA has confirmed that the proposed vehicular access to serve the allotments is acceptable and should be secured through a s106 planning obligation and s278 agreement.

The proposed allotment parking comprises 15 spaces which is considered acceptable. For reference, the NFDC Parking for Residential and Non-Residential Development Supplementary Planning Document (April 2022) does not set out a parking standard for new allotments. The ANRG Strategy Plan (Deacon Design, 30/11/22), which sets out the design of the allotments area too, sets out that the allotment car parking area will include a height barrier. As an example, this could be similar to that used at the new public open space on the Lymington Road in Milford-on-Sea. The final specification will be secured through a suitable condition.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposed highways works and parking arrangements accords with Local Plan Policy CCC2 criterion (vi) and Local Transport Plan Four (2024) Policy HP3.

#### *Construction Traffic and Access*

The LHA set out in their August 2023 response that a high-level construction management plan should be provided indicating the proposed construction access and routing to be used. Tracking drawings should show HGV (for construction phase) manoeuvring in and out the proposed construction access.

The applicants provided a Framework Construction Management Plan in Table 4.1 of their Transport Technical Note (I-Transport, 20 November 2023) which was supplemented by a swept path plan for construction vehicle traffic using the main site access. The LHA in their response of January 2024 set out that the management of construction traffic and access routes can be addressed through a suitable condition.

The Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13) sets out a new proposed construction traffic only access on the western side of Hordle Lane adjacent to the proposed southern pedestrian crossing between the housing and the proposed public open space on the east of Hordle Lane. This will take the form of a 6m carriageway with a 10.5m radii and visibility splays of 2.4m x 80m south and 2.4m x 53m north. Tracking has also been provided which demonstrates a range of vehicular movement in and out of this access.

The LHA has confirmed that the proposed construction access is acceptable subject to a separate minor works agreement if this is being provided ahead of any full s278 works.

As such, the proposal, subject to the above and a suitable Construction Traffic Management Plan condition, will address safe construction traffic and access.

#### *Residential Vehicular Parking, Cycle Storage and Electrical Vehicle Charging*

The provision of vehicular parking, cycle storage and electrical vehicle charging are a matter to be assessed by a future Reserved Matters application which will need to include layout. The supporting Planning Statement (October 2024) sets out a commitment to providing vehicular parking in line with the NFDC Parking for Residential and Non-Residential Development Supplementary Planning Document (April 2022) in terms of quantum and design. The Planning Statement proposes that cycle parking for the proposed development will either be provided in garages or in garden sheds (with rear garden access). This is acceptable in principle for houses, but an integral design solution will be expected for flatted dwellings. The Planning Statement also makes a commitment is also made to provide electric vehicle charging points for all dwellings with private driveways and/or off-road car parking and this will be secured through a suitable condition.

### *Travel Plan*

A revised framework Travel Plan (20/12/2023) has been agreed with the LHA. The first occupier of each household will be provided with a Residents' Travel Information Pack. The pack will pull together information on the above listed measures and contain information about the objectives of the FTP, non-car mode travel options and provide a range of incentives to encourage use of non-car modes of transport. This should be secured, along with associated fees, within the s106 planning obligation.

### *Accident Data*

The applicant has provided additional accident data for a suitable time period which set out that there have been six accidents within the vicinity of the site. The LHA has set out in response of 26/1/2024 that there is no accident pattern indicating a deficiency in the highway network and, as such, they are satisfied that this development will not impact the safety or operation of the highway within the vicinity of the site.

### *Public Transport*

Hordle is served by the More Bus 119 service which connects Hordle to New Milton, Pennington and Lymington and hence provides a connection their services and facilities and the national rail network. There are two bus stops in Hordle. One stop is located on Everton Road to the north-east of the application site. The second stop is located on Hordle Lane opposite the church and hence the application site is within close proximity to the bus service. The potential additional trips arising from the proposed development could help support the retention of this existing bus service.

### *Summary*

The proposal, subject to suitable conditions and a s106 planning obligation, would provide suitable vehicular accesses for the proposed housing and allotments, investment in pedestrian and cycle routes to support modal shift, safely designed changes to the highway on Hordle Lane and suitable construction access and traffic management. The proposal does not generate a need for off-site investment in local highway junctions and the impact of the proposals is not severe in line with NPPF paragraph 115. The proposal will provide some additional parking spaces for patrons of the church and church hall and could help support the existing bus service through potential additional customers.

As such, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies CCC2 and SS8 criterion (ii)(b), and Hampshire Local Transport Plan Policy HP3.

## **D. Green Infrastructure: Public Open Space, Landscape and Trees**

The Levelling Up and Regeneration Act ('LURA') (2023) section 245 ( Local Plan Policy STR2 (Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park) sets out that development should not have an unacceptable impact on the special qualities and purposes of the adjoining New Forest National Park and its settings. In the determination and implementation of development proposals including planned growth, great weight will be given to ensuring that the character, quality and scenic beauty of adjoining New Forest National Park are protected and enhanced.

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) sets out that for residential development, inter alia, adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, including as set out in the Mitigation for Recreational Impacts SPD. Policy criterion 4(ii) sets out that for developments of 50 or more net additional residential dwellings direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it is required in addition to management and monitoring contributions.

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

- i. Features that contribute to a green infrastructure and distinctive character within settlements including the locally distinctive pattern and species composition of natural and historic features such as trees, hedgerows, woodlands, meadows, field boundaries, coastal margins, water courses and water bodies;
- ii. Features that screen existing development that would otherwise have an unacceptable visual impact;
- iii. Existing or potential wildlife corridors, footpath connections and other green links that do, or could, connect the site to form part of an integrated green infrastructure network;
- iv. The landscape setting of the settlement and the transition between the settlement fringe and open countryside or coast;
- v. Important or locally distinctive views, topographical features and skylines; and
- vi. Areas of tranquillity and areas of intrinsically dark skies

Local Plan Policy CS7 (Open spaces, sport and recreation) sets out that the aim is to provide as a minimum standard the equivalent of 3.5 hectares of public open space per 1000 population to serve the district's towns and larger villages. The improvement of play, sports and other public open spaces provision will be implemented in various ways.

The Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) (May 2021) gives detailed guidance on the implementation of Policy ENV1 with regard to ANRG.

The Land Use and Access Parameter Plan (Pegasus, 28/1/2025, Rev. F) and Green Infrastructure Parameter Plan (Pegasus, set out the proposed green infrastructure within the application site. The land to the east of Hordle Lane (which is subject to the Full element of the Hybrid application) is to provide Alternative Natural Recreational Greenspace (ANRG) and allotments. The land to the west of Hordle Lane (which is subject to the Outline element of the Hybrid application) is to provide (in addition to residential development and a small vehicular parking area) informal public open space comprised of play areas, drainage features, pedestrian and cycle links, landscaping and retained vegetation which itself includes part of a woodland (Hordle Wood) with a Site of Importance to Nature Conservation (SINC) designation.

The application is also supported by the following documents:

- Planning Statement, Turley, October 2024
- Design and Access Statement, Pegasus, June 2023
- Landscape Framework Management and Recreational Mitigation Strategy v.7, Deacon Design, 1 October 2024
- Arboricultural Impact Appraisal and Method Statement, Barrell, 4 October 2024
- Landscape Visual Impact Assessment (LVIA), Deacon Design, 9 June 2023
- LVIA Addendum. Deacon Design, 24 November 2023
- Woodland Management Plan, Tetra Tech, September 2024

### *Public Open Space Size Requirements*

The Planning Statement confirms that the size of the proposed ANRG is 3.26 hectares. The minimum requirement for 155 dwellings with an unspecified housing mix is 3.26 hectares and as such the proposal just meets the minimum ANRG size requirement.

The Planning Statement also confirms that the overall size of the proposed informal public open space is 4.22 hectares. This includes habitat areas, natural landscapes, play areas and the allotments and their parking area. The minimum requirement for 155 dwellings with an unspecified housing mix is 0.92 hectares and as such the proposed open space is significantly above the minimum size requirement.

Play area provision will be split between an on-site play area of approximately 400 square metres for younger children (up to 10 years old) and an off-site financial contribution towards additional inclusive play equipment that meets diverse needs of older children and teenagers at the Hordle Parish Council owned Dudley Avenue recreation ground located approximately 500 metres to the west. The specifications for the on-site play area will be secured through a suitable condition attached to an Outline permission. The contribution towards off-site play provision will be secured through a s106 planning obligation.

As such, the proposal, subject to suitable conditions and a s106 planning obligation, meets the public open space size requirements of Local Plan Policies CS7 and ENV1 criterion 4 (ii)(a).

### *Landscape Character and Quality*

The Hordle settlement boundary has, through the allocation of site SS8, been extended southwards and eastwards to incorporate land north of Sky End Lane and west of Vicarage Lane hitherto within the South West Hampshire Green Belt. As such, through the implementation of the proposed development, the character of Hordle Lane will change from that of a rural lane bounded on by sides by open fields to a lane with a suburban character with housing on the western side and urban public open space on the eastern side. Open views across the centre of the allocation site from Vicarage Lane will also change given they will now be truncated by the proposed housing to the west.

The supporting LVIA (Deacon Design) concludes that the visibility of the application site in the surrounding landscape is very limited primarily due to the topography of the local area and the screening provided by existing vegetation. The LVIA also concludes that the proposed scheme will include valuable landscape features within the application site including within the proposed ANRG and will improve the transition between the settlement and the countryside along the newly proposed edge of the settlement. Whilst the change within the application site will be apparent,

the perception of change to landscape character outside the application site will be minimal and limited.

The LVIA also concludes that whilst the New Forest National Park (NFNP) is located approximately 650m to the north, given this separation distance is partly urbanised and hence screened by both built form and vegetation, the application site is not visible from the NFNP. As such, the proposal would not have an unacceptable impact on the NFNP and its setting and therefore accords with Local Plan Policy STR2 and NPPF paragraph 189 and the LURA section 245.

NFDC Environmental Design has raised concerns over the impact of the proposal on the visual amenity of the occupiers of Woodside Park which comprises 121 park homes for older members of the local community to the west of the application site. NFDC Environmental Design note that Woodside Park residents enjoy pleasant views eastwards filtered by Hordle Wood SINC and curtailed by conifer belts (which as set out later in the Committee Report are proposed to be removed).

However, the separation distance between the easternmost line of park homes in Woodside Park and the western extent of the proposed dwellings in the application site is at least 40 metres, and is often much more, and for much of the year will be filtered through the vegetation in the retained Hordle Wood SINC. Whilst the land within the proposed residential parcel is higher than that where the park homes are sited, given the separation distances, proposed maximum building height of 11 metres and the retained woodland in the smaller valley between these areas, on balance of considerations there would in principle be no clear significant impacts arising on the visual amenity of Woodside Park occupiers.

In summary, subject to suitable conditions, in principle the proposed landscape strategy would successfully integrate the new development into the local landscape context through contributing to the local green infrastructure network and providing a suitable transition between the development edge and the open countryside to the west, south and south-east. The proposed broad landscape strategy, would not have an unacceptable impact on the New Forest National Park and, as summarised in the supporting Parameter Plans, broadly accords with the illustrative Local Plan Concept Masterplan.

As such, the proposal accords in principle with Local Plan Policies STR2 and ENV4 criteria (i) and (iv).

#### *Alternative Natural Recreational Greenspace*

The proposed ANRG is subject to the Full element of the Hybrid application and as such all matters will be determined in this application.

The proposed ANRG is located entirely on land to the east of Hordle Lane broadly in line with the illustrative Local Plan Site SS8 Concept Masterplan. The Concept Masterplan sets out two broad categories of open land east of Hordle Lane: 'public open space suitable for mitigation (ANRG)' in the northern portion of the open space and 'potential public open space' in the southern portion of the open space.

The proposed ANRG extends further south than that set out in the Concept Masterplan and incorporates land indicated for 'potential public open space'. Essentially, this open land is considered entirely acceptable for use as either ANRG or informal public open space given that there is no difference in terms of accessibility, landscape character, topography and levels.



The size of the proposed ANRG is the minimum that should be provided (3.26 ha) in order to accord with Local Plan Policy ENV1. An informative will be added which highlights that the final housing mix for all tenures should not result in a requirement for ANRG which exceeds this.

The layout of the proposed ANRG has been subject to extensive revision following discussions with NFDC Officers. The layout includes main areas with a diameter of at least 120 metres and secondary areas with a diameter of at least 60 metres. The ANRG is both well connected to and in proximity to the proposed housing area in line with the Local Plan Concept Masterplan. The proposed ANRG is generally open and level and should be accessible to all. The ANRG could have some limited surveillance from the proposed housing and some of the existing houses on Vicarage Lane. The ANRG does exclude a buffer area (which is identified for ANRG in the Local Plan Concept Masterplan) which is located immediately south of the existing houses on Vicarage Lane. This land will remain private land.

Essentially, the revised ANRG Strategy Plan sets out a layout which strikes a suitable balance between footpaths, planting areas and open areas for recreation in line with the detailed guidance in the NFDC Mitigation SPD.

NFDC Environmental Design set out criticism of the access arrangements and gates in their November 2024 comments. The proposed ANRG is clearly not severed by Hordle Lane as it is entirely located on its eastern side. That the ANRG is proposed on the eastern side of Hordle Lane and housing on the western side of Hordle Lane is clear in the illustrative Local Plan Concept Masterplan which also indicates a crossing point adjacent to the location of the indicative primary access to the housing area.

The proposed highways interventions on Hordle Lane (as set out in sub-section C of this Committee Report) are set out in the Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13). This includes the proposed road build-out ('pinch point') and new road signage. The siting and design of access gates to the ANRG can be secured through a suitable condition. Again, the Highway Works General Arrangement plan (MJA Consulting, May 2023, Rev. P13) demonstrates that there is ample scope to site access gates which would not prejudice highway safety.

A proposed pedestrian access onto Vicarage Lane was discussed at length with the applicants as this issue is raised by both consultees and the Parish Council. However, there is no specific Local Plan Policy requirement for a pedestrian access from Vicarage Lane into the ANRG. Officers do not wholly agree with the views of NFDC Environmental Design that the absence of a pedestrian access on Vicarage Lane 'renders it (the ANRG) inaccessible to the wider community'. Residents on Vicarage Lane can clearly access the ANRG through simply walking up to Hordle Lane and crossing the road twice.

NFDC Environmental Design provided further comments in November 2024 on the management of the open spaces in the ANRG, landscape planting structure, landform levels, tree types and off-lead dog exercise areas.

The Landscape Framework Management and Recreational Mitigation Strategy sets out the ANRG and public open space management and mitigation operations for the establishment and subsequent aftercare of the proposed landscape elements, biodiversity planting and amenity elements. This includes a management schedule for rough grassland on page 19.

NFDC Environmental Design set out that the proposed ANRG planting structure is not quite strong enough, that Hornbeam is included in the palette of trees and some heritage varieties in those trees planted in an on-site orchard. These issues can all be addressed through a detailed landscape condition for the ANRG.

NFDC Environmental Design advice also set out that an area should be set-aside for exercising off-lead dogs and this should be enclosed by a fence and shown on the plan. The layout of the ANRG now lends itself to a well-defined space in the west of the northern half where such an area could be provided.

The NFDC Mitigation SPD sets out in paragraph A4.4.3:

*All recreational mitigation land (ANRG) should exhibit a quality of attractiveness (usually naturalness) for informal recreation, usually walking, with or without a dog. It is expected that the majority of recreational mitigation land spaces should be available for well-behaved dogs to be exercised off-lead and that some areas should be provided specifically for the off-lead training of dogs.*

The Planning Statement (October 2024) sets out in paragraph 6.69 that:

*Whilst it is noted within the Mitigation for Recreational Impacts SPD that a requirement for an enclosed space for dog users is required, this scheme has not been able to deliver this due to existing covenants on the land. The applicant has designed the ANRG to be inclusive for all users, specifically dogs and their owners by proposing a number of dog bins around the space. Information boards will welcome all users to the space and a mix of mown paths and hoggin paths will ensure the space fulfils its requirement to mitigate recreational impact on the New Forest National Park. In addition, a recent planning permission at Strategic Site 9 (Everton Road, Hordle) delivers an enclosed dog space, with dog agility equipment. This space is within walking distance and fulfils the requirements of the Local Plan which suggests the allocated schemes within the village should be connected.*

The Local Plan (paragraph 9.100) acknowledges the restrictive covenant on the ANRG land. There is no Policy requirement for each ANRG to have a dedicated dog exercising area with equipment but is only recommended in the SPD. A suitable condition can provide an area for dog exercise with equipment on the public open space on the western side of Hordle Lane.

The long-term management and monitoring of the proposed ANRG will be secured through suitable conditions and a s106 planning obligation. Hordle Parish Council set out in their consultation response of 19/11/2024 that they could consider managing the ANRG provision in perpetuity. This potential option will be explored by NFDC Officers, the Parish and the applicants post any NFDC Planning Committee resolution to grant. If it is determined that the Parish are not in a position to manage the ANRG in perpetuity, then its long-term management would remain with the applicants. A planning obligation can be drafted for the either /or scenario.

The ANRG would also be subject to detailed hard and soft landscaping conditions which would secure suitable boundary treatments, tree and planting schedules and detailed specifications for the proposed site furniture such as information boards, seating, gates and bins.

As such, subject to suitable conditions and a s106 planning obligation, the proposed ANRG is an attractive open space and appropriately scaled and thus should be effective in diverting potential visits away from the New Forest designated European sites in accordance with Local Plan Policy ENV1 criterion 4 (ii)(a).

## *Allotments*

The proposed allotments are located at the southern end of the proposed public open space on the eastern side of Hordle Lane and as such subject to the Full element of the Hybrid application.

The Planning Statement (October 2024) sets out that the proposal is for the relocation of the ten (10) existing (unlaid) allotments within the application site and the provision of five (5) new allotments and a new vehicular access (as set out in sub-section B) and a pedestrian link from the development through the area of ANRG to the allotments. The allotment plots have also been arranged as a combination of full (10 rod) and half (5 rod) plots for greater flexibility of choice.

Hordle Parish Council does not consider the proposed 15 full size allotment plots to be sufficient for the needs of the community. However, there is no requirement in Local Plan Policy SS8 to provide new allotments. Ten of the allotments are proposed to replace the space for the unlaid allotments in the housing area to the west of Hordle Lane. The additional five allotments are part of the overall public space offer and are acceptable in principle in accordance with Local Plan Policy CS7.

Hordle Parish Council has also set out that there are also security considerations for the allotments to be at this location, which is remote with no oversight and would therefore be an easy target for theft or vandalism. The concerns of the Parish Council are noted but all allotments are potentially subject to vandalism and theft irrespective of their location. It should be noted that the allotments are within the Hordle settlement boundary and if the allocation site is fully delivered in line with the illustrative Concept Masterplan there could be some surveillance of the allotments from housing in the future.

Hordle Parish Council also set out that the present proposed allotment site is at a green gateway to the village and contradictory to some of the guidance in the Hordle Village Design Statement. NFDC Environmental Design have also set out that the proposed allotments are considered to be detrimental to the character of the area and of the road corridor as shown.

Whilst the concerns of the Parish Council and NFDC Environmental Design are noted, Officers are of the view that the proposed allotments are not unacceptable in this location in principle. At a time when the Council is unable to demonstrate a 5 year supply of deliverable housing sites the potential harm from the siting of the allotments needs to be weighed against the benefits that the scheme would deliver.

Notwithstanding this, in the view of Officers it is noted that the allotments are within the Hordle settlement boundary as defined in the NFDC Local Plan and as such are sited within a proposed area of urban public open space. Moreover, a

The comments from NFDC Environmental Design on boundary treatments for the allotments are noted and these can be addressed through suitable landscape conditions.

The design of the proposed allotments is set out in the ANRG Strategy Plan (Deacon Design, 30/11/22) which also includes the allotment area. The allotment design includes timber-edging, a shed for each plot and lockable gates. The allotment sheds shall be secured through a suitable condition.

The potential transfer of the allotments and the car park to Hordle Parish Council shall be set out in suitable clauses in the s106 planning obligation.

As such, subject to suitable conditions, the proposed allotments accord with Local Plan Policy CS7. For reference, the proposed surface water drainage in the allotment area is addressed in sub-section F (Flood Risk) of the Committee Report.

#### *Public Open Space West of Hordle Lane and Off-site Play Facilities*

The proposed public open space is subject to the Outline element of the Hybrid application and as such the matters of landscaping and layout will be determined in a future Reserved Matters application. This land is currently a mix of designated woodland and parts of larger agricultural fields. The proposed public open space on the land west of Hordle Lane will include the retained woodland and informal public open spaces which themselves include a play area and sustainable drainage infrastructure.

The retained woodland within the application site – part of the wider Hordle Wood – is partly a Site of Importance to Nature Conservation (SINC). This area is shaded dark green on the Green Infrastructure Parameter Plan (Pegasus, 18/9/2024 Rev. D). The applicants have submitted a Woodland Management Plan (WMP) (Tetra Tech, September 2024) which all covers the woodland bordering the western portion of the site (both that covered by the SINC designation and that without). The WMP aims to provide protection, creation, management and enhancement prescription for these features to support the populations of protected and priority species that are present within the woodlands and their buffers. This will be achieved by appropriate management of public access, and through adopting of a progressive coppicing plan and new plantings of species (such as hazel) to increase light levels and the condition of the woodlands for a wide number of species.

The WMP concludes that the development proposals are considered likely to have a negligible impact on the woodlands due to the mitigation, compensation and enhancement measures that are being put in place.

The NFDC Ecologist in their response of 22/11/2024 set out that the WMP provides a framework for a more detailed 'Stage 2' WMP which will need to be completed in line with the Ecological Mitigation Management Plan (EMMP), Construction Environmental Management Plan (CEMP) and any updated species surveys as required. This can be secured through suitable conditions. Further commentary on the WMP is set out in the Ecology sub-section of the Committee Report.

Between the retained woodland and the proposed housing development area is a proposed open buffer area. This area is shaded light green on the Green Infrastructure Parameter Plan (Pegasus, 18/9/2024 Rev. D). The predominant use within this area will be to facilitate a sustainable drainage system (SuDS) in line with the Outline Drainage Strategy Plan (MJA Consulting, 23/5/2023, Rev. P3). Within the informal public open space this will comprise a set of surface water attenuation basins which will discharge into the retained woodland to mimic natural greenfield run-off. Further detail on the proposed surface water drainage strategy is set out in section G (Flood Risk, Surface Water Drainage and Foul Drainage) of the Planning Assessment.

The proposed play area is sited in a centre position in the northern portion of the proposed housing area as set out in the Land Use and Access Parameter Plan (Rev.F). The proposed play area would provide a play facility for infants and juniors in line with the comments from the NFDC Open Space Officer. Ongoing maintenance of the play area would be secured through the management clauses in the supporting s106 planning obligation.

The on-site play area would have surveillance on three sides from the proposed housing and forms part of a larger landscaped focal point. Subject to detailed design this proposed area has the potential for a high-quality piece of urbanism that would provide a focus for the new community. The detailed design of the on-site children's play area will be secured through the subsequent Reserved Matters application.

NFDC Officers and the applicants have agreed an off-site play provision contribution of £230,000. In line with the comments received from both the NFDC Open Space Officer and Hordle Parish Council (19/11/2024) the contribution is intended to be specifically invested in new facilities for older children, girls and children with additional needs at the existing open space in Dudley Avenue to the west of the application site. The NFDC Open Space Officer will continue to liaise with HPC on a suitably inclusive scheme for the local community.

Additionally, a contribution of £100,000 towards formal open space provision and supporting infrastructure in Hordle has been agreed with the applicants.

The long-term management of all of the public open space west of Hordle Lane will be undertaken by either the applicants or an appointed management company. This will be secured through suitable conditions and a s106 planning obligation.

As such, subject to suitable conditions and a s106 planning obligation, the proposal in principle provides a suitable framework to enhance the retained woodland and incorporate sustainable drainage systems in the public open space west of Hordle Lane, provide suitable on-site play for children and provide financial contributions in accordance with Local Plan Policies SS8 criteria (ii)(a) and (iii)(b), CS7 and ENV1 criterion (vi).

#### *Trees*

The applicants have provided an Arboricultural Impact Appraisal and Method Statement, a Tree Protection Plan and a Tree Constraints Plan (Barrell, October 2024).

The application site includes trees of merit and protected under Preservation Orders (TPO) including a distinct linear group of mainly mature oak trees lining Hordle Lane on the western side and an area of trees in the south of the application site is also subject to a TPO.

The trees within the application site proposed to be removed are noted and the NFDC Tree Officer concurs with the applicant that these are of low amenity value and hence can be removed to facilitate the development. The NFDC Tree Officer also accepts the loss of three oak trees along Hordle Lane, including one in poor condition, to facilitate the proposed vehicular access.

The NFDC Tree Officer also notes that they are satisfied that the remaining trees can be retained and sufficiently protected throughout the construction of the development and that the proposed layout as detailed in the Illustrative Masterplan would be acceptable in terms of retained trees.

As such, subject to a set of suitable arboricultural conditions, the proposal accords with Local Plan Policy ENV4 criterion (i).

#### *Management and Maintenance of Public Open Spaces*

The proposed public open space including the ANRG, informal open space, sustainable drainage features and play area are to be managed by the applicant or

an appointed management company in perpetuity. As such, it will be necessary to secure through a s106 planning obligation and suitable conditions the ongoing management, monitoring and maintenance regime for these areas in line with the advice from Natural England, the NFDC Ecologist and other relevant consultees.

It is currently intended to transfer the allotments and supporting car parking to Hordle Parish Council. This will be secured through the s106 planning obligation. If this cannot subsequently be agreed, then the allotments and car park will be included within the other public open spaces and the supporting management framework.

The Council will also seek to ensure that provision is made for the scenario whereby management is not undertaken properly, or the management company ceases to operate if ongoing future management of the public open spaces is not of a satisfactory standard.

The proposed public open space in the Outline area will continue to allow for the existing overhead line in that area in line with the query from the electricity provider.

### *Summary*

The proposal includes a suitable framework, to be secured through suitable conditions and a s106 planning obligation, for the delivery and future management of the proposed public open space including the Alternative Natural Recreational Greenspace, play areas, allotments and designated woodland. The detailed design for the proposed hard and soft landscaping in the Full element (the ANRG and allotments) can be secured through suitable conditions. The detailed design of the hard and soft landscaping for the Outline elements (housing and public open space west of Hordle Lane) will be determined in a future Reserved Matters application.

As such, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies STR2, ENV1, ENV4, CS7 and SS8 criteria (ii)(a) and (iii)(b).

## **E. Residential Design and Density**

Local Plan Policy SS8 criterion (ii)(c) sets out, inter alia, that development provide opportunities for pockets of higher density development within a village setting.

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out 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 and attractive. New development will be required to meet supporting design criteria (as set out).

The NPPF (December 2024) (Section 11, paragraphs 124 to 130) sets out national planning policy guidance on making effective use of land. The NPPF (December 2024) (Section 12, paragraphs 131 to 141) sets out national planning policy guidance on design. Further national design guidance is set out in the Planning Practice Guidance website.

The Outline application is supported by the following submitted plans and documents:

- Land Use and Access Parameter Plan
- Building Heights Parameter Plan
- Design and Access Statement
- Illustrative Block Plan

### *Residential Development Area*

The Land Use and Access Parameter Plan sets out the topographical extent of the proposed built development with the land west of Hordle Lane. This is in general accordance with the illustrative Local Plan Concept Masterplan for site SS8.

The Land Use and Access Parameter Plan does differ slightly from the Concept Masterplan as it pulls the extent of built development further away from the boundary with the two large properties to the immediate south of the Allocation Site. Instead, it provides an additional landscape corridor at the south of the site which provides a softer edge to the scheme. The green corridor in the Concept Masterplan which divides the residential development into two distinct parcels is correspondingly removed.

The Building Height Parameter Plan (Pegasus, 12/12/24, Rev. D) sets out the distribution of building storey heights within the residential development area. Residential dwellings up to two-storeys would be sited in the eastern portion of the residential area, which is in proximity to existing properties on Everton Road, three properties (*Delmer, Kintbury and Denton*) on Hordle Lane opposite the church and school, Nursery Close and Hordle Lane opposite the proposed public open space on the eastern side. Residential dwellings up to two-and-a-half storeys with a maximum roof ridgeline height of 11 metres would be provided within the centre and western portion of the residential area. The latest iteration (Rev. D) of the Building Height Parameter Plan includes the height (11 metres) of the 2.5 storey buildings and as such addresses the comments by made NFDC Environmental Design.

Essentially, this approach accords with Local Plan Policy SS8 criterion (ii)(c) which seeks to orientate development in the northern half of the site providing opportunities for pockets of higher density development within a village setting.

### *Built Density*

The Local Plan (Paragraph 6.8) sets out that strategic housing site allocations are large enough to accommodate areas of different character and density within them and are expected to include a broad mix of new homes more closely corresponding to Figure 6.1 of the local plan. Large new developments of predominantly 3-4 bedroom homes would not meet the requirements of Policy HOU1.

The NPPF (December 2024) paragraph 129 sets out that planning decisions should support development that makes efficient use of land taking into account the identified need for different types of housing and the availability of land suitable accommodating it. Paragraph 130 sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs it is especially important that planning decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 135 sets out planning decisions should ensure development optimises the potential of sites to accommodate development amongst other things.

Local Plan Policy SS8 sets out that the Allocation Site (noting that the application site does not encompass all of the allocation site) should provide residential development of at least 160 homes and as such the proposal does not conflict with Policy SS8.

The Design and Access Statement confirms that the size of the residential area is 4.18 hectares and as such the built density is 37.1 dwellings per hectare. Hordle Parish Council (HPC) in their November 2024 representation set out concerns about

the high density of housing for this site and that 155 homes is too great a number for this plot particularly given that this does not cover the whole of the SS8 site and that this is contrary to RBE02 of the Village Design Statement (Housing Density). HPC believes there should be a maximum of 160 houses on the whole of SS8.

The proposal, through the proposed market and affordable housing mix, would suitably provide for different types of housing, including housing of different sizes and typologies, in line with Local Plan Policy HOU1 and NPPF (December 2024) paragraphs 129 and 130. This will be correctly manifested in residential development with varying built densities within the residential area and will avoid providing uniform lower density development which predominantly comprises larger houses. The District also evidently has a limited availability of land suitable for accommodating its housing needs and this reinforces the need to appropriately optimise the potential of site SS8 in line with NPPF (December 2024) paragraph 130 criterion (a) and paragraph 135 (e) and the direction of travel set out in the NFDC Housing Delivery Plan.

As such, the proposal, when taking housing need and the proposed housing mix into account too, has sought to make efficient and optimal use of the potential of the proposed residential land in the application site with an appropriate overall built density in accordance with NPPF paragraph 130. To reduce the proposed built density of the proposal in line with the 'built environment recommendations' in the Hordle Village Design Statement could have a deleterious impact on meeting these wider Local Plan and NPPF policy objectives.

#### *Illustrative Masterplan and Design and Access Statement*

As the proposed housing is within the Outline element of the Hybrid application the detailed design matters of appearance, landscape, layout and scale will be determined in a future Reserved Matters application.

However, the applicants have submitted an Illustrative Block Plan (Pegasus, 17/9/2024) which sets out how the proposed housing could potentially be accommodated within the residential land. NFDC Environmental Design has commented that the Illustrative Block Plan shows a well-designed layout of perimeter block with some courtyard style parking areas. Care will be needed to ensure that these are well designed as good places in their own right (not just car parks) and that street designs are similarly attractive for pedestrian and cycle users as well as being key part of each householder's 'home environment'.

The supporting Design and Access Statement (D&AS) sets out identified key residential typologies in Hordle including two-storey cottages their vernacular features of interest. Hordle Cottages tend to use red brick as the core material with older examples employing white painted brickwork. Most cottages feature a sash window style arranged symmetrically and the brick bonds used are English, Flemish and Stretcher bonds. The traditional roof material is a plain slate tile, with clay tiles predominantly found on later residential buildings which have copied cottage-style elements. Cottages tend to employ a gable roof line on account of the wide frontage commonly found in characteristic cottage architecture. The pitch of the roof is shallow with shallow eaves to give an appearance of grandeur common in Georgian cottages. Chimneys are a common feature of buildings, with most cottages having one or two on the ridge line.

As such, the supporting Design and Access Statement has As such, it is recommended that compliance with the Design and Access Statement is secured through a suitable condition or the s106 planning obligation.



## *Summary*

The Land Use and Access Parameter Plan sets out suitable siting for residential development within the application site in general accordance with the Local Plan Concept Masterplan for site SS8. The Building Height Parameter Plan sets out suitable siting for taller residential buildings and a suitable maximum roof ridgeline height of 11 metres for 2.5 storey buildings. The proposed built density of 37 dwellings per hectare appropriately takes account of the need to address the need for different types of housing, the restrictions of housing land supply in the District, the need to make optimal use of each development site and the need to address the opportunities for some higher density development in Policy SS8 criterion (ii)(c).

The supporting Design and Access Statement provides a suitable basis for the consideration of detailed design in a future Reserved Matters application. The supporting Illustrative Block Plan sets out a general well-designed layout in the view of both NFDC Environmental Design and Officers and as such the applicants are advised by Officers to continue with the broad residential area layout shown through to a future Reserved Matters application.

As such, subject to suitable conditions and a s106 planning obligation, the proposed residential design and density is acceptable in principle and provides a suitable framework for detailed design in a Reserved Matters application in accordance with Local Plan Policies HOU1, ENV3 and SS8 criterion (ii)(c) and NPPF paragraphs 129, 130 and 135 criterion (e).

## **F. Flood Risk, Surface Water Drainage and Foul Drainage**

Local Plan Policy CCC1 (Safe and Healthy Communities) criterion (iv)(b) sets out that in the interests of public safety, vulnerable developments will not be permitted, inter alia, in areas at risk of flooding unless in accordance with the sequential and exception tests.

Local Plan Policy SS8 (Land at Hordle Lane, Hordle) sets out site-specific criteria ii (a) on the need to incorporate sustainable drainage measures to manage water course flood risks and surface water run-off.

The NPPF (December 2024) paragraphs 170 to 182 and Annex 3 (Flood risk vulnerability classification) sets out national guidance on planning and flood risk.

The Outline application is supported by a site-specific Flood Risk Assessment and Drainage Strategy (FRADS) (MJA Consulting, May 2023) and an Outline Planning Indicative Drainage Strategy Plan (MJA Consulting, May 2023). The Full application is supported by a Drainage Strategy Technical Note and a SuDS Management and Maintenance Plan (both MJA Consulting, November 2024).

The Environment Agency has raised no objection to the proposal subject to a finished floor level condition. The proposed housing development is located entirely within fluvial flood zone 1 (the area of lowest flood risk) as set out in the Partnership for South Hampshire (PfSH) Strategic Flood Risk Assessment (SFRA) (2024) and as such the proposal accords with Local Plan Policy CCC1 criterion (iv)(b) and NPPF paragraph 174.

The FRADS sets out that given the impermeable local geology, perched groundwater levels and low soil permeability, infiltration as a method of disposing of the surface water runoff generated from the proposed development has been determined to be unfeasible. As such, it is proposed that all surface water run-off from impermeable areas within the Outline application development area is

attenuated on-site via SuDS and discharged into the existing watercourse that runs along the western boundary of the site.

The Lead Local Flood Authority (LLFA) (Hampshire County Council) confirmed in their consultation response dated 28/6/2023 that they are satisfied with the principle of the proposed surface water drainage strategy for the Outline application area and have no objection subject to suitable conditions.

The proposed surface water drainage for the allotments and associated parking comprises utilising shallow infiltrating type SuDS to dispose the surface water run-off from the car park. The car park will be surfaced with a construction finish to mimic greenfield conditions and allow for infiltration. Additional swales within the ANRG will also be utilised to accommodate some of the surface water run-off from the allotment car park. This will be secured through suitable conditions.

The Lead Local Flood Authority (LLFA) (Hampshire County Council) confirmed in their consultation response dated 19/12/2024 that they are satisfied with the principle of the proposed surface water drainage strategy for the Full application area and have no objection subject to suitable conditions.

The local service provider Southern Water has confirmed that they can facilitate foul sewerage disposal to service the proposed development.

Therefore, the proposal, subject to suitable conditions, satisfactorily addresses fluvial flooding, surface water flooding and foul drainage needs and as such accords with Local Plan Policies CCC1 criterion (iv)(b) and SS8 criteria (ii)(a), and NPPF (December 2024) paragraphs 173, 174 and 181.

## **G. Ecology**

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation Sites) sets out that development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal and will be implemented in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of International Nature Conservation Sites ('Habitat Sites') in line with Local Plan Policy ENV1. For residential development adverse effects should be adequately mitigated by implementing measures relevant to the site location including as set out in the Mitigation for Recreational Impacts SPD, Solent Recreation Mitigation Strategy and nutrient management guidance.

Local Plan Policy DM2 (Nature Conservation, Biodiversity and Geodiversity) sets out how development proposals should address international, national and local designed sites. Development proposals should encourage biodiversity and not adversely affect protected flora and fauna.

The applicants have provided the following ecological reports:

- Ecological Appraisal (EcAp) v5, Tetra Tech, October 2024
- Environmental Mitigation Management Plan (EMMP), Tetra Tech, October 2024
- Biodiversity Enhancement Management Plan (BEMP) v.3, Tetra Tech, October 2024
- Biodiversity Net Gain Assessment (BNGA), Tetra Tech, October 2024
- Landscape Framework Management and Recreation Mitigation Strategy (LFMRMS) v.7, Deacon Design, October 2024

- Solent Nutrient Report and Budget, Tetra Tech, October 2024
- Various protected species reports.
- Shadow Habitat Regulations Assessment xxx

*Habitat Mitigation, Nitrates mitigation, Air Quality mitigation and impact on European designated nature conservation sites*

The applicants have submitted a shadow Habitat Regulations Assessment (SHRA) (EDP, March 2024). In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') the SHRA includes an Appropriate Assessment ('AA').

The applicants have also submitted a Landscape Framework Management and Recreational Mitigation Strategy (LFMRMS) (Deacon Design, June 2023). The strategy sets out the ANRG and public open space management and mitigation operations for the establishment and subsequent aftercare of the proposed landscape elements, biodiversity planting and amenity elements.

The applicants have also submitted a revised Nutrient Balancing Assessment (NBA) and supporting Nutrient Neutrality Budget Calculator (both Tetra Tech, 8/10/2024).

The HRA has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent European Sites. The results from the Stage 1 Screening Assessment found that the following comprised likely significant effects (LSE):

- Disturbance and Recreational Pressure during occupation (alone)
- Nutrient Outputs during occupation (alone)
- Air pollution from traffic emissions (in combination with other schemes)

These potential pathways were therefore taken forward to Stage 2 Appropriate Assessment (AA). The results from the Stage 2 AA found that with the application of mitigation, there would be no adverse effect on the integrity of any Habitat Site (HS). The mitigation comprises:

- Recreational disturbance effects during occupation: ANRG provision and financial contributions.
- Water Quality Effects: purchasing nitrate mitigation credit.
- Air pollution from traffic emissions during construction and occupation: Financial contribution towards air quality.

ANRG provision

To deflect recreational trips to protected areas and in accordance with Local Plan policy ENV1 the applicants have proposed a 3.26 ha Alternative Natural Recreational Greenspace (ANRG) located within the application site on the eastern side of Hordle Lane. As set out, the proposal meets the minimum necessary ANRG size requirement taking into account the currently unspecified housing mix and hence future occupation levels.

Natural England (NE) (5 January 2024; 6 March 2024; 26 November 2024) has set out that the proposed on-site ANRG provided for mitigation purposes must be secured for its intended purpose for perpetuity (90 years).

The proposed on-site ANRG will be secured in perpetuity (90 years) through the supporting s106 planning obligation.

NE also set out (26 November 2024) that a management and monitoring plan is required to ensure that the ANRG is functional and secured in perpetuity for 90 years. The management and monitoring plan should include details of the proposed capital works, and ongoing maintenance and management of the greenspace to enable it to function effectively over the lifetime of the development.

The ANRG will be subject to management by the applicants or an appointed management company.

The revised LFMRMS (October 2024) provides a broad framework for the long-term management and monitoring of the ANRG. The LFMRMS (paragraph 1.3) sets out that:

*The LFMRMS sets out the ANRG (and POS) Landscape Framework management and maintenance operations for the establishment and subsequent aftercare of the proposed landscape components, biodiverse planting and amenity elements. This includes the sensitive integration and safeguarding of existing landscape features and habitats to support local biodiversity and green infrastructure connectivity.*

The LFMRMS (October 2024, v.7) will be secured through a suitable condition in conjunction with suitable management company and ANRG covenants within the s106 planning obligation.

Natural England also set out that the phasing of the ANRG in line with the phasing of the development is recommended to support and provide recreation mitigation from the beginning. The phasing of the ANRG will be secured through a suitable condition in conjunction with the phasing of other elements of the proposal.

The outstanding information required by Natural England, including the phasing details, can be secured through suitable conditions and a s106 planning obligation in line with their response of March 2024.

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) 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 will be secured through a planning obligation. Additionally, within the 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.

As such, the proposed Alternative Natural Recreational Greenspace (ANRG) will be secured in perpetuity through suitable conditions and a s106 planning obligation in accordance with Local Plan Policy ENV1.

#### Nitrates mitigation

The applicants have submitted a revised Nutrient Balancing Assessment (NBA) and supporting Nutrient Neutrality Budget Calculator (both Tetra Tech, 8/10/2024). The NBA confirms that for this calculation, an assumed occupancy rate of 2.63 is used based on unspecified dwelling sizes, assuming a housing mix compliant with Figure 6.1 supporting Local Plan Policy HOU1. The calculations show that the development would result in an increased Total Nitrogen budget of 63.48kg TN/yr and mitigation will be required (as set out above) against adverse effects on the integrity of the Solent European sites. The NBA sets out that the approach to mitigation is likely to require an offset solution for the increase of TN using nutrient credits provided by a suitable identified mitigation site to provide a net decrease in TN output. Provided

this is secured this will result in a net decrease in TN and avoid an adverse effect on the integrity of the Solent Maritime Habitat sites.

As such, in line with the consultation responses received from both Natural England and the NFDC Ecologist, the excess nutrient budget of 63.48 kg TN per year will be mitigated through the purchase of credits from a suitable identified mitigation site and secured by a suitable Grampian condition.

### Air Quality

The proposal is supported by an Air Quality Assessment (AQA) (Tetra Tech, June 2023).

The AQA concluded that the potential effects during the demolition and construction phases include fugitive dust emissions from site activities, such as earthworks, construction and track-out. During the construction phase, site specific mitigation measures detailed within this assessment will be implemented. With these mitigation measures in place, the effects from the construction phase are not predicted to be significant. The AQA also concluded that air quality in the area can safely support residential development without risk to human health, nor would the transport generated by the development and cumulatively with adjoining developments represent a risk in the future.

To ensure that impacts on international nature conservation sites are suitably 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.

The proposal will also support sustainable forms of travel and installation of electric vehicle charging equipment to minimise any further impact on air quality. A dust management plan as part of a Construction Environmental Management Plan (CEMP) would avoid excessive short-term impacts arising from dust during construction. A CEMP will be secured through a suitable condition.

Subject to conditions and obligations secured by a s106 planning obligation, the scheme would mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent and as such would accord with Local Plan Policies CCC1 and ENV1.

### Appropriate Assessment

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that:

- To deflect recreational trips to protected areas and in accordance with Local Plan policy ENV1 the applicants have proposed a 3.26 ha Alternative Natural Recreational Greenspace (ANRG) located within the application site. As set out, the proposal meets the minimum necessary ANRG size requirement taking into account the currently unspecified housing mix and hence future occupation levels and that the future management and monitoring arrangements for the ANRG based on the principles set out in the submitted Landscape Framework Management and Recreational Mitigation Strategy (Deacon Design, October 2024, v.7) can be secured through a s106 planning

obligation.

- The impact of additional nitrates will cause harm to the local environment but that a scheme of mitigation can be brought forward to neutralise such harm. This can be secured through a suitable Grampian condition. Further detail on this matter is set out below.
- An Air Quality mitigation contribution can be secured through a s106 planning obligation.

The Local Planning Authority (LPA) as competent authority has undertaken an Appropriate Assessment (AA) based on the information submitted by the applicant and has addressed the comments made by Natural England in their various representations. The LPA reconsulted Natural England on the AA in February 2025 and will have regard to their advice. The LPA AA set out that the proposed project would, in combination with other developments, have an adverse effect due to the site-specific impacts on the integrity of European protected species, having regard to their conservation objectives but the adverse impacts would be avoided through the suitable mitigation and management as set out given they will be secured through conditions and a s106 planning obligation.

Additionally, the applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a s106 planning obligation. As such, the proposed habitats mitigation will be secured in perpetuity through suitable conditions and a s106 planning obligation in accordance with Local Plan Policy ENV1.

#### *Biodiversity Net Gain and Ecological Reports*

The national Planning Practice Guidance (PPG) sets out which planning permissions are exempt from biodiversity net gain (BNG). In this instance, the application was made in June 2023 and as such is not subject to mandatory BNG.

Notwithstanding this, the applicants have taken a positive approach towards BNG and have provided suitable information with the objective of meeting a 10% BNG improvement. The application is supported by a Biodiversity Net Gain Assessment (BNGA) (Tetra Tech, January 2025, Ref: B031348 v.2) and a Biodiversity Enhancement Management Plan (BEMP) (Tetra Tech, October 2024, Ref: B031348 v.5).

The BNGA sets out that the application site, when factoring for additionality, does not meet the required 10% net gain for habitat units but does for hedgerow units. The overall gain is therefore 2.78 % (or 1.56 units) below the required threshold when accounting for additionality. Therefore, it is considered that this will not meet the local and national planning policy requirements for mandatory net gain.

The BNGA (page 38) sets out that due to the proposed development not meeting the current national and local planning policy relating to biodiversity net gain and trading rules, the option of 'compensation' for achieving a net gain will be considered by the applicants. This could include the development offsetting the identified shortfall in biodiversity units through the buying of off-site units from a habitat bank. The required financial payment will be calculated based on the quantum of units required to meet 10% for this proposed development.

The buying of biodiversity units from a third-party habitat bank will be secured, if undertaken, by planning condition and/or a S106 planning obligation. The NFDC Ecologist confirmed on 31 January 2025 that this is acceptable.

The application is also supported by a Biodiversity Enhancement Management Plan (BEMP), Tetra Tech, October 2024. The NFDC Ecologist has confirmed that the BEMP includes monitoring provision over a 30-year period and sets out that monitoring reports will be submitted to NFDC as a minimum in years 2, 5, 20, 20 and 30. This is an acceptable methodology. However, in line with comment from the NFDC Ecologist it will be necessary to re-run the BNG metrics at the Reserved Matters stage to ensure that the gains predicted at Outline stage remain deliverable. As such, suitable conditions and a s106 planning obligation will be used to secure biodiversity net gain and the supporting monitoring and review mechanisms.

### *Protected Species*

An updated Bat Activity Survey Report (Tetra Tech, September 2024, B03148 v.5) and Ground Level Roost Assessment (Tetra Tech, February 2024) have been submitted. The reports set out that the assemblage of bats recorded at the application site includes the rare barbastelle, and higher numbers of more common and widespread bat species. Seven bat species were recorded and is valued at up to the County scale. The bat activity surveys showed that the woodland edge and hedgerows are an important commuting pathway for local bats including the Annex II barbastelle.

The NFDC Ecologist confirmed that the proposed development will require a sensitive lighting strategy to mitigate the potential for impacts on both bats and the adjacent designated habitats to demonstrate suitable dark corridors. This will be secured through a suitable condition. The additional mitigation set out in the reports which includes bat boxes will also be secured through suitable conditions.

An updated confidential Badger Survey Report (Tetra Tech, September 2024, B031348 v.3) was submitted which identifies a main and an annex sett within the application site. The NFDC Ecologist has confirmed that they are content with the proposed mitigation in the Badger Survey Report which can be secured through suitable conditions.

An updated Dormouse Survey Report (Tetra Tech, September 2024, B031348, v.5) was submitted which identified hazel dormouse nests as present on both sides of Hordle Lane. A European Protected Species Licence (EPSL) from Natural England (NE) is required for any development works that would affect dormouse or dormouse habitat (e.g. hedgerows or scrub) where the species is known to be present. The Dormouse Survey Report has been updated with what mitigation will be provided and as such included within the EPSL. In line with comments from the NFDC Ecologist the mitigation, enhancement, management and monitoring requirements of the dormouse report should be secured through suitable conditions.

An updated Reptile Report (Tetra Tech, 10/10/2024, Ref: B031348, v.3) was submitted which concludes that reptiles are considered likely absent on the main application site. Nonetheless, the Reptile Report sets out precautionary mitigation including habitats enhancement and during site clearance. The proposed mitigation will be secured through a suitable condition.

The Ecological Appraisal (Tetra Tech, September 2024, Ref: B031348 v.5) sets out that the application site contains suitable terrestrial habitat for great crested newt in the form of scrub, woodland and rough grassland. Surveys have been undertaken

but not recorded any GCN. The Ecological Appraisal concludes that GCN are likely absent.

The provision and incorporation of hedgehog-friendly gravel boards or equivalent to maintain permeability for hedgehogs across the development and associated gardens is welcomed. The routes of the 'hedgehog highways' should be provided in detail at the Reserved Matters stage once the housing site layout has been finalised. No breeding bird surveys have been undertaken, given the nature of the habitats present on-site this is considered acceptable.

### *Invasive Species*

Himalayan balsam was recorded on-site in the ground layer of the woodland in the context of the previous application (22/10577). The NFDC Ecologist has confirmed that a pre-construction invasive species survey and any necessary mitigation or management measures to eradicate the species are secured and included in the EMMP. As such, the matter of invasive species can be addressed through a suitable condition.

### *Summary*

In line with the above, subject to necessary mitigation secured through suitable conditions and a planning obligation, the proposal has addressed the material ecological considerations of habitats mitigation and European designated nature conservation sites, nitrate neutrality, biodiversity net gain, protected species and invasive species mitigation.

Therefore, subject to a planning obligation and suitable conditions, the proposal accords with Local Plan Policies ENV1, DM2 and SS8 criterion (ii)(a).

## **H. Heritage Assets and Archaeology**

Local Plan policy DM1 sets the policy approach to assessing the impact of development on heritage assets, seeking to conserve or seek to enhance the historic environment and heritage assets. A proportionate approach to the scale of harm should be considered, based on the significance of the asset and public benefits of a scheme may be considered to outweigh less than substantial harm. The presence of archaeological remains need to be considered and where appropriate mitigation measures included to reduce or avoid any impact.

The application is supported by a Desk Based Archaeological Assessment (DBA) (TOR, May 2023). The DBA describes the known terrestrial archaeological resource of the site and study area that could be affected by the proposed housing development.

The NFDC archaeologist has concluded that whilst the absence of archaeological remains cannot be stated as a certainty, the archaeological potential, that is the potential to encounter remains which are as yet unrecorded, is low and any remains, if present, are likely to be of limited significance, such as not to merit the burden of the imposition of an archaeological condition.

The application is supported by a Heritage Statement (HS) TOR, May 2023). The closest designated heritage assets are the grade II listed All Saints Church and Lychgate, and the adjacent primary school on Hordle Lane.

The HS sets out that setting of the listed buildings at All Saints Church and Lychgate and the primary school is restricted to the adjoining enclosed and wooded plots, and to the short section of Hordle Lane immediately fronting the building group that



allows clear views of the buildings and appreciation of their historic character (in contrast to the adjacent housing area) and visual qualities. There will be no change to the contribution of these areas as the primary setting of these assets as a result of the proposed development.

The NFDC Conservation Officer has set out that agree overall conclusions of the HS that the development will not result in any significant changes to the setting or significance of any designated or non-designated heritage assets.

As such, there is limited interaction between the proposed scheme and heritage assets in the area, sufficient to conclude that there will not be any impact on the listed buildings close to the site preserving their significance, setting and special architectural interest. The matter of potential impact of the development on heritage assets will however be revisited in a future Reserved Matters application.

Therefore, the scheme accords with policy DM1.

## **H. Infrastructure and Developer Contributions**

Local Plan Policy IMPL1 (Developer Contributions) sets out that all developments must provide or contribute proportionately to the provision of local infrastructure.

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 s106 will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits with contributions based on current rates as of 1 April 2024 (or as of 1 April 2025 where index linked).

### ***New Forest District Council Provisions***

Affordable Housing – provision of 40% affordable housing units in line with the agreed housing unit size mix and housing tenure mix. If the maximum number of dwellings sought is approved in a subsequent Reserved Matters application this would equate to 62 dwellings in terms of absolute numbers.

Air Quality Monitoring Contribution - £109 per dwelling.

### Allotments

The allotments are to be delivered by the applicant and subsequently managed in perpetuity either by Hordle Parish Council or the applicant's appointed Management Company. The s106 planning obligation will set out suitable clauses to cover both eventualities.

### Alternative Natural Recreational Greenspace (ANRG)

The ANRG is to be delivered by the applicant and subsequently managed in perpetuity by either the Parish Council or the applicant through a management company with a long-term management and maintenance plan. The s106 will include provisions to safeguard against a scenario whereby management is not undertaken properly, or the management company ceases to operate and setting up monitoring arrangements.

Biodiversity Net Gain (BNG) – Long-term management and maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for

BNG on-site. BNG to cover whole of development site with all trees and soft and hard landscaping maintained for minimum period of 30 years. This will be secured through a combination of suitable conditions and a s106 planning obligation and be managed under the management company appointed for the public open space less potentially the allotments.

#### District Council Monitoring Charges

- Recreational Habitat Mitigation commencement - £847
- Recreational Habitat Mitigation on-site monitoring and/or inspections - £12,178
- Affordable Housing Monitoring - £847
- Biodiversity Net Gain on-site monitoring - £5,225
- Public Open Space (informal, play areas and landscaping) - £6,863.

Formal Public Open Space (playing pitches and infrastructure) - Off-site contribution of £100,000

Habitat Mitigation: Access Management and Monitoring - Non-Infrastructure contribution based on final housing mix to be agreed in subsequent Reserved Matters application with the following rates (as of February 2025): one-bed (£489 per dwelling), two-bed (£693 per dwelling), three-bed (£956 per dwelling) and four-bed plus (£1174 per dwelling). Please note figures may be subject RPI indexation in March 2025.

Habitat Mitigation: Bird Aware Solent – Contribution based on final housing mix to be agreed in subsequent Reserved Matters application with the following rates (as of February 2025): one-bed (£465 per dwelling), two-bed (£671 per dwelling), three-bed (£875 per dwelling) and four-bed plus (£1029 per dwelling). Please note figures may be subject RPI indexation in March 2025.

Off-Site Children's Play - Contribution of £230,000.

#### Public Open Space (POS) West of Hordle Lane

The proposed public open space in the land parcel to the west of Hordle Lane (adjacent to the proposed housing) will be delivered and managed by the applicant through a management company. This will include the proposed play area for younger children.

#### ***Hampshire County Council Provisions***

The following contributions and provision to be included with contributions/fee amounts and triggers:

Primary Education – contribution of £974,263 towards the future expansion of primary schools in Hordle or Ashley or New Milton.

Countryside Services – Public Rights of Way Improvements and Maintenance contribution of £11,883.

Local Highways Authority (LHA) – the LHA and the applicants have agreed a contribution of £97,179 to be secured by a s106 planning obligation towards the following highways and access improvements:

- improvements to the cycling infrastructure between the site and New Milton
- an additional crossing point along Elvin Close/Stopples Lane

Additionally, the provision of a Travel Plan and associated approval and monitoring fees and bond to be secured in the s106 planning obligation.

As such, it is estimated that the total s106 contribution (excluding monitoring charges) will be approximately £1,610,220.

Additionally, the development will be subject to the Community Infrastructure Levy. The funds arising from the development from CIL will be calculated in the determination of a future Reserved Matters application.

#### *Impact on local infrastructure*

A significant number of representations from the local community set out objections in relation to the potential impact of the proposal on local infrastructure including healthcare facilities and schools.

The NPPF (Paragraph 30) sets out that development plans should set out the contributions expected from development including, amongst other things, health infrastructure. However, there is no Policy in the NFDC Local Plan which sets out an explicit expectation that a contribution should be made to local health facilities. Nonetheless, health service providers do have the option of bidding for Community Infrastructure Levy (CIL) funds where projects can be assessed against other proposed infrastructure projects for limited funds.

The primary education contribution required by the Local Education Authority (as set out above) would be to expand capacity at one local primary school only in either Hordle, Ashley or New Milton. The developer contribution from this proposal would be pooled with similar contributions from other strategic site applications including site SS9 (Land at Everton Road). The LEA has confirmed that they have not yet made a formal decision on which local primary school may be expanded using the s106 funds nor when this decision will be made.

The LEA also confirmed (28 September 2023) that Hordle school would likely no longer be able to accommodate any out of catchment children (as it currently does) in the event that the proposal is consented and occupied. For reference, the determination of catchment areas is a matter for the LEA only.

The letter from the Governing Body of Hordle CE Primary School on 30th October 2024 is noted. However, as set out there is no policy requirement for the site promoters to provide additional car parking for parents of those at the school in line with the direction of travel in the Hampshire Local Transport Plan 4. The reduction in existing parking spaces on Hordle Lane is modest, only four, and the church in the long-term will be served by additional parking spaces within the housing area. New pupils living on the development will clearly be in very close proximity to Hordle CE Primary School and hence could very easily walk the very short distance to school.

NHS Hampshire and Isle of Wight has confirmed that the GP surgeries within the catchment area that this application would affect, currently have sufficient infrastructure capacity to absorb the population increase that this potential development would generate.

Therefore, there is no definitive evidence that the scheme needs to actively make provision of further primary health facilities, or that existing facilities cannot accommodate the population increase. Likewise no evidence has been provided that the proposal would have a significant impact on sub-regional health facilities such as hospitals.

NHS Hampshire and Isle of Wight also requested that a potential s106 sum of £589 per dwelling towards Primary Care infrastructure in supporting viability assessments. Essentially, NFDC do not generally seek contributions towards healthcare facilities, and these are usually matters for central government funding. However, the CIL funds provide an opportunity for potential suitable bids from health service providers to be considered alongside other projects.

Prior to the occupation of each dwelling in the proposed development the necessary infrastructure required to enable high speed fibre broadband connections shall be provided within the site up to property thresholds in line with Local Plan IMPL2 criterion (v). This shall be secured through a suitable condition.

It is generally not feasible for all additional infrastructure to be put in place before the housing is built. Obligations must meet the necessary tests as set out in the NPPF and CIL Regulation 122. Consequentially the delivery of works secured by planning obligation are often phased relative to the scheme delivery to ensure that the mitigation is in place at the right time.

Additionally, some infrastructure providers (for example veterinary surgeons) are within the market sector and hence not subject to public sector contributions.

There is also no policy requirement for any retail units or employment floorspace within the application site.

#### **I. Environmental Protection: Air Quality, Contaminated Land, Minerals, Noise and Lighting, Residential Amenity, Sustainable Construction.**

Local Plan Policy ENV3 (Design quality and local distinctiveness) criterion (ii) sets out that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity.

Local Plan Policy CCC1 (Safe and healthy communities) criterion (i) sets out that development should not result in pollution or hazards which prejudice the health and safety of communities and their environments including air quality and the water environment. Criterion (iv)(c) sets out that on contaminated, polluted or unstable land unless it is first adequately remediated or otherwise made safe for the proposed use and for the local community prior to occupation. The Council has also adopted an Air Quality in New Development SPD.

Local Plan 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 Hampshire Minerals and Waste Plan (HMWP) (October 2013) is part of the New Forest development plan. HMWP Policy 15 (Safeguarding Mineral Resources) sets out that Hampshire's mineral resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.

Local Plan Policy DM5 sets out that where development is proposed on a site that is known or suspected to be contaminated, a detailed site assessment will be required to establish the nature and extent of the contamination.

#### *Contaminated Land*

The proposal is supported by a Ground Appraisal Report (Geo-Environmental, April 2020).

NFDC Environmental Protection have no objection in principle to the proposed development as submitted subject to suitable land contamination conditions. NFDC Environmental Protection confirmed that without these conditions, the proposed development on this site could pose risks to human health and/or the environment and would wish to object to the application

As such, subject to suitable land contamination conditions, the proposal accords with Local Plan Policies CCC1 and DM5.

### *Minerals*

The proposal is supported by a Mineral Safeguarding Assessment (MEWP, May 2023).

HCC Minerals and Waste Planning has agreed that the site is not a viable option for prior extraction of mineral reserves.

However, recovered minerals could be re-used on site, which could encourage a reduction of excavation waste removed from site as well as inbound materials for construction uses associated with reduced costs. Suitable conditions (as set out) are recommended to be added.

As such, subject to suitable minerals conditions, the proposal accords with Local Plan Policies STR1 and STR9 and Hampshire Minerals and Waste Policy 15.

### *Noise and Lighting*

The proposal is supported by a Noise Impact Assessment (24 Acoustics, May 2023). NFDC Environmental Protection has reviewed the Noise Impact Assessment and found the methodology and findings to be reliable and as such recommend that subject to suitable conditions to be secured at the detailed design (Reserved Matters application) the proposal is acceptable.

NFDC Environmental Protection also recommend that any consent is supported by a lighting condition. A lighting condition has been recommended by the NFDC Ecologist and Natural England (in relation to protected species such as bats). Essentially, the requests for a suitable lighting strategy for both people and protected species has been amalgamated in one suitable condition.

As such, subject to suitable noise and lighting conditions, the proposal accords with Local Plan Policies CCC1 criteria (i) and (ii), ENV criterion (ii) and NPPF paragraph 198 criterion (c).

### *Residential Amenity*

A number of public representations have set out objections on amenity impacts arising from the development. As set out, during the construction phase the development will be subject to a Construction Environmental Management Plan (CEMP), a Construction Traffic Management Plan (CTMP) and an hours of operation condition. As such, whilst it is accepted that the construction process may cause some disruption, it is considered that subject to these conditions no significant impact on amenity should arise during the construction phase.

As such, subject to suitable construction period conditions, the proposal accords with Local Plan Policy ENV3 criterion (ii).

Detailed consideration of the separation distances and potential amenity issues (over-shadowing, overlooking or overbearing impact) between both proposed and existing dwellings, and dwellings within the scheme will be made during a subsequent Reserved Matters application when the final site layout, building heights and fenestration will be known.

### *Sustainable Construction*

The proposal is supported by a Sustainability Statement (JSP Sustainability, May 2023). The Sustainability Statement provides details on energy efficiency, water efficiency, material selection and waste management measures.

The proposed measures include:

- Each dwelling will be constructed to a specification which incorporates insulation levels and fixings capable of complying with the revised fabric energy efficiency standard and any subsequent revisions to building regulations.
- Low carbon heating in the form of air source heat pumps will be included in each home.
- The dwellings will achieve a low internal water consumption rate of less than 110 litres per person per day.
- Each dwelling will be zero carbon ready at the point of first occupation.

The report to NFDC Cabinet on 3 April 2024 Item 6 (Supplementary Planning Document: Planning for Climate Change pages 49-180) sought approval to adopt the supplementary planning document (SPD) Planning for Climate Change. The SPD was adopted by the Council and will be used in the determination of planning applications for the construction of new homes, commercial and community buildings.

Whilst the adopted NFDC Planning for Climate Change SPD does not strictly apply to applications already in the system prior to the April 2024 Cabinet meeting they have nevertheless offered the following information. The principal objective of the Climate Change SPD is to encourage developers to take reasonable steps to minimise expected carbon emissions when designing and constructing new buildings. The following proposals are made in respect of this development which can be further detailed at reserved matters and discharge of condition stage.

Essentially, the proposal has had adequate regard to the NFDC Climate Change SPD, taking into account the fact the application was submitted to NFDC in June 2023, and that there are potential opportunities to incorporate various sustainable construction and design features into the development in line with the submitted Sustainability Statement.

The Climate Change SPD seeks to influence the design and layout of a scheme from its initial inception it does not applications already submitted. However, based on the outline nature of the application there are limited details to consider against its requirements. Any applications for the Reserved Matters of layout and design will undertake more a detailed assessment against its guidance.

## *Summary*

As such, subject to suitable conditions, the proposal addresses the material considerations of air quality, noise, lighting, contaminated land, mineral safeguarding, residential amenity in the construction period and sustainable construction and therefore satisfies Local Plan policies CCC1, ENV3, STR1, STR9 and HMWP Policy 15. The proposal broadly accords with the direction of travel in the recently adopted NFDC Climate Change SPD in terms of sustainable construction and design.

## **J. Other Matters**

### *Community Engagement*

The application is supported by a Statement of Community Involvement (Meeting Place, July 2023) which sets out how the applicants undertook community consultation. This satisfies the NFDC application validation requirement for a Community Involvement Statement.

### *Local Economy*

The scheme could likely have positive local economic benefits during construction, involving new employment in the construction industry. Construction workers could then bring additional spending into local services and as would future occupiers of the scheme in due course.

## **K. Planning Balance and Conclusions**

As set out, the proposal has received a significant number of objections in respect of the principle of development, which the allocation of the site in the Local Plan makes non-material. Other objections submitted are not supported by the technical advice of statutory consultees such as the Local Highway Authority, Natural England, the Environment Agency, and the Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

The application site is part of a strategic site allocated in the Local Plan for housing and public open space. The proposed new housing and public open space is in the urban area as defined in the Local Plan. The proposed housing is located outside of the South West Hampshire Green Belt following the Local Plan public examination process. The proposal is not EIA development.

Recent changes to the National Planning Policy Framework and Written Government Ministerial Statements do not undermine or in any way change the allocated status of the site and do not change the legislative requirement that development is approved in accordance with the Development Plan unless other material considerations indicate otherwise.

The cumulative impact of the two Hordle Local Plan Strategic Sites was assessed through the Local Plan examination and there is no policy requirement in the Local Plan to stagger the delivery of the two allocation sites. The exclusion or inclusion of Hordle within the National Park boundary was subject to prior public examination and is not a material consideration in the determination of this planning application.

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

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

This site is allocated for mixed-use development within the adopted New Forest Local Plan (Strategic Site 8) and as such it is planned to make an important contribution to the District's housing supply.

As set out, NPPF paragraph 11 clarifies the presumption in favour of sustainable development. Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

The lack of a demonstrable five-year housing land supply means, however, that the presumption in favour of sustainable development - 'the tilted balance' - in NPPF paragraph 11(d) is engaged for this application.

The new NPPF (December 2024) has expanded the scope of material considerations in paragraph 11(d) to make explicit reference to the need to consider key policies (emphasis below). For decision-taking this means:

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:

*'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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'.*

The application site is formed by part of, but not all, of Strategic Site Allocation 8 in the NFDC Local Plan. It also includes a small parcel of land south of Nursery Close outside the Local Plan Allocation Site but within the urban area of Hordle as defined in the Local Plan. As such, the application is within an area planned for change and within the settlement boundary where the principle of development is established. The Local Plan Inspectors set out their report (paragraph 207) that:

*The site provides the opportunity to bring forward residential development and public open space in a sustainable location in the centre of the village making a significant contribution to the housing requirement (at least 160 houses).*

As such, in line with the conclusions of the Local Plan Inspector, Strategic Site Allocation 8 is in a sustainable location.

There is a clear identified need for both open market and affordable housing of all sizes in the District. The Local Plan Inspectors Report noted (paragraph 210) the lack of sufficient alternative sites for providing new housing. Essentially, there is nothing in front of NFDC Officers which would clearly demonstrate that the availability of land suitable for housing has significantly changed since the adoption of the Local Plan in July 2020. The viability of the proposed development has been subject to independent assessment and an overall affordable housing offer of 40% has been agreed with the site promoters.

The proposal for up to 155 new homes will clearly make an important contribution to the District's housing land supply in line with Policy STR5 (Meeting our housing needs). The development will deliver up to 62 affordable dwellings with a Local Plan



policy compliant tenure and size mix and as such will satisfy the renewed specific emphasis on delivering Social Rent tenure affordable housing in the December 2024 NPPF. However, given that the negotiated affordable housing is slightly below the policy target of 50% it is identified as a modest harm in terms of the planning balance.

A contribution towards improvements in local primary schools has been agreed with the site promoters. As set out earlier in the Committee Report it is entirely within the gift of the Local Education Authority to determine which primary school in the local area should be expanded. If Hordle Primary School is not expanded during the construction phase of the proposed development, then it is currently anticipated that school numbers will be managed through scaling back numbers from out of the current catchment area. The very close proximity of the proposed development to Hordle Primary and the provision of enhanced pedestrian routes should ensure that all journeys to the primary school from the development are not undertaken in private vehicles.

The proposal will be acceptable in terms of highways, access, public transport, construction traffic management, public rights of way and pedestrian and cycle routes subject to a s106 planning and suitable conditions. There is no policy requirement to provide additional on-site parking for primary school users. The loss of some existing non-formalised spaces outside the Parish Church will be compensated through a small parking area within the site.

The proposed public open spaces to the east of Hordle Lane are well-designed in principle and, subject to suitable landscape conditions, would provide attractive spaces. However, given the lack of a pedestrian access onto Vicarage Lane it is identified as a very modest harm in terms of the planning balance. The potential visual impact of the allotments is also identified as a very modest harm in terms of the planning balance.

The supporting Parameter Plans for the housing area west of Hordle Lane provide a suitable basis for the detailed consideration of residential design at the Reserved Matters stage.

The proposal will be acceptable in terms of fluvial flood risk, surface water drainage and foul drainage, subject to suitable conditions. The proposal has demonstrated that there will be no inappropriate development within fluvial flood zone 3b in line with national planning guidance. The Lead Local Flood Authority (Hampshire County Council) has agreed the proposed surface water strategy subject to conditions. The foul water service provider confirmed that there is sufficient capacity within the local network.

The proposal will, as set out in the Planning Assessment, be acceptable subject to a s106 planning and suitable conditions in terms of habitat mitigation and European designated nature conservation sites, phosphates neutrality, biodiversity enhancement and protected species. The applicant has carried out a shadow Habitats Regulation Assessment (HRA) and Appropriate Assessment (AA) under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional nitrates entering the local environment will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm. The LPA has undertaken its own AA taking into account the shadow HRA and AA and has re-consulted Natural England on this matter.

As set out in detail in the Planning Assessment, the proposal, subject to suitable conditions, will not have a harmful impact on heritage assets, archaeological remains, the New Forest National Park its setting and the special qualities and purposes of the National Park, trees, land contamination, mineral extraction, air

quality, noise and lighting, and residential amenity during the construction period. The proposal has also address community engagement and could have a positive impact on the local economy.

The proposal, subject to suitable conditions and a s106 planning obligation, satisfies site-specific Local Plan Policy SS8 criteria (ii)(a)(b)(c)(d) and (f) and (iii)(a) and (b) through environmental improvements, ecological protection and enhancement, access improvements and suitable design which facilitates appropriate areas of higher-density residential development in the centre of the proposed housing area. .

As such, in line with key NPPF policies and the positive contribution towards the District's housing land supply, the balance is clearly in favour of permission and will meet the priority of meeting housing needs set out in the NFDC Corporate Plan 2024 to 2028. No substantive alternative evidence has been provided in the representations received to set aside the views of the statutory consultees.

Essentially, it is considered that any identified harms (affordable housing below policy target, Vicarage Lane pedestrian access, allotment visual impact) very clearly do not significantly and demonstrably outweigh the identified benefits that the application will bring as set out in the above detailed report. Moreover, the collective weight of identified harms does not equate to an identifiable level of adverse impact whereby that impact would significantly and demonstrably outweigh the identified benefits that the application will bring as set out in the above detailed report.

Overall, given the significant public benefits including the delivery of needed market housing and affordable housing and the provision of substantial new public open space, the proposal is acceptable in line with relevant NFDC Local Plan Policies and the NPPF subject to suitable conditions and a s106 planning obligation.

As such, in accordance with paragraph 11(d) of the NPPF, on the balance of all material considerations, with significant weight placed on the substantial market and affordable housing being bought forward, the proposal comprises sustainable development in line with Local Plan Policy STR1 (Achieving Sustainable Development) and satisfies the site-specific criteria of Local Plan Policy SS8.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies SS8, STR1, STR2, STR5 criterion (i), STR8 criterion (i)(b), STR9, ENV1, ENV2, ENV3, ENV4, HOU1, HOU2, CCC1 criteria (i) and (ii), CCC2, IMPL1, IMPL2 (i)(ii)(v) and (vi), CS7, DM1, DM2 and DM5, and National Planning Policy Framework (December 2024) paragraphs 11, 61, 63, 116, 117, 118, 124, 124 criterion (a), 129, 135, 142, 153, 181, 182, 187, 193, 196, 198, 224 and 231.

## **11 RECOMMENDATION**

Delegated Authority be given to the Service Manager (Development Management) to reconsult Natural England on the Appropriate Assessment and have regard to their advice. and to GRANT PERMISSION subject to

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
  - Affordable housing provision (40%) with a tenure split in line with Local Plan Policy HOU2 (35% Social Rented, 35% Affordable Rented, 30% Shared Ownership);

- Provision of Allotments, Allotment car parking and management arrangements including future management arrangements with potential transfer to Hordle Parish Council;
  - Air quality monitoring contribution;
  - Delivery of Alternative Natural Recreational Greenspace (ANRG), Public Open Space (POS) and on-site play space including management and maintenance framework (including provision for the transfer of the allotments to the Parish Council and to provide for the scenario whereby management is not undertaken properly or the management company ceases to operate);
  - Biodiversity Net Gain management and monitoring;
  - District Council Monitoring charges (recreational habitat mitigation commencement and on-site monitoring and/or inspections, affordable housing monitoring, biodiversity net gain monitoring, public open space);
  - Formal public open space contribution;
  - Non-Infrastructure Habitat Mitigation (Access Management and Monitoring);
  - Habitats Mitigation: Birds Aware (Solent) Contribution;
  - Off-site Children's Play Space contribution;
  - Hampshire County Council:-
    - Primary Education in Hordle/Ashley/New Milton contribution;
    - Countryside Services (Public Rights of Way) contribution;
    - Local Highway Authority contribution
    - Framework Travel Plan and supporting charges.
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

### **Proposed Conditions:**

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

The first application for the approval of Reserved Matters for the first phase of development shall be made within a period of three years from the date of this permission. All subsequent Reserved Matters applications for future phases shall be submitted no later than five years from the date of this permission.

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 of each phase shall be begun no later than two years from the final approval of details of that phase.

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 including Alternative Natural Recreational Greenspace (ANRG), recreation facilities, and all on-site foul and surface water drainage and highway works, shall be submitted to and agreed in writing with the LPA. It shall demonstrate how the scheme will provide a proportionate delivery of Alternative Natural Recreational Greenspace (ANRG) to match the needs of residential dwelling occupation.

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

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 Parameter Plans**

The Reserved Matters details to be submitted shall be substantially in accordance with the following Development Parameter Plans (all Pegasus) comprising:

- Land Use and Access Parameter Plan, 17/9/2024, Ref: P22-1777-DE-050-01 Rev. F
- Green Infrastructure Parameter Plan, 18/9/2024, Ref: P22-1777-DE-052-01 Rev. D
- Building Height Parameter Plan, 12/12/2024, Ref: P22-1777-DE-051-01 Rev. D

Reason: To ensure satisfactory provision of the development.

## 6. **Approved Plans and Documents**

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

- Site Location Plan, Pegasus, 11/9/2024, Ref: P22-1777-DE-004-01 Rev. D;
- Highways Work General Arrangement, MJA Consulting, May 2023, Ref: 6589-MJA-SW-XX-DR-C-600 Rev. P13;
- Drainage Strategy Technical Note, MJA Consulting, 25/11/2024, Ref: SS/24/0855/6589;
- SUDS Management & Maintenance Plan, MJA Consulting, 21/11/2024, SS/24/0855/6589.
- Ecological Appraisal (EcAp) v5, Tetra Tech, October 2024
- Environmental Mitigation Management Plan (EMMP) v.4, Tetra Tech, October 2024
- Biodiversity Enhancement Management Plan (BEMP) v.3, Tetra Tech, October 2024

Reason: To ensure satisfactory provision of the development.

## 7. **Minerals safeguarding**

No development shall take place, excluding site clearance, enabling and demolition works, until a method statement covering the following matters has first been submitted to and approved in writing by the Local Planning Authority.

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

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

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

## 8. **Woodland Management Plan (Construction Phase)**

The Stage 1 Woodland Management Plan (Tetra Tech, September 2024, Rev. 4) provides an overview of the notable and protected species within the woodlands within the Outline area only of the Application Site, and outlines the general protection, enhancement, and management for these features. It forms a Stage 1 framework document to provide an overview of the management requirements for the woodlands on site and will be followed by a Stage 2 detailed report to be provided at the Reserved Matters (Detailed Design) stage.

Any works undertaken during the Construction Phase should be in accordance with the Stage 1 Woodland Management Plan and enacted upon in conjunction, where appropriate, with the following supporting environmental reports:

- Environmental Mitigation Management Plan (EMMP), Tetra Tech, October 2024
- Ecological Appraisal (EcAp) v5, Tetra Tech, October 2024
- Biodiversity Enhancement Management Plan (BEMP) v.3, Tetra Tech, October 2024
- Biodiversity Net Gain Assessment (BNGA), Tetra Tech, October 2024
- Landscape Framework Management and Recreation Mitigation Strategy (LFMRMS) v.7, Deacon Design, October 2024
- Various protected species reports.

Reason: In the interests of the protection of woodland and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed in perpetuity.

#### 9. **Tree Protection**

The works hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural Impact Appraisal and Method Statement (Barrell, 4/10/2024, Ref: 21172-AIA4-CA) and Tree Constraints Plan (Barrell, received 10/101/2024, Ref: 21172-7) or as may otherwise be agreed in writing with the Local Planning Authority.

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

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

#### 10. **Arboricultural pre-commencement site meeting**

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

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

#### 11. **Detailed Surface Water Drainage Strategy (Outline Application Area)**

No development shall take place until a detailed surface water drainage scheme for the site, based on the principles within the site-specific Flood Risk Assessment and Drainage Strategy (MJA Consulting, May 2023) and the Indicative Drainage Strategy Plan (MJA Consulting, May 2023) 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 and Indicative Drainage Strategy.

- b) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- c) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including the 1:30 + climate change and 1:100 + climate change.
- d) Evidence that urban creep has been included within the calculations.
- e) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f) 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; and
- b) Details of protection measures.

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

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

## 12. **Foul Water Drainage Strategy**

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

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

## 13. **Construction Environmental Management Plan (CEMP)**

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the

approved CEMP shall be implemented and adhered to throughout the entire construction period. The CEMP shall provide the following details as appropriate but not necessarily be restricted to only the following matters:

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

Reason: In the interests of highway, pedestrian safety and local general amenity.

#### 14. **Construction Traffic Management Plan (CTMP)**

No development hereby permitted shall commence, including site clearance or other demolition works until a Construction Traffic Management Plan (CTMP), to include details of provision to be made for the following, has been submitted to and approved in writing by the LPA following consultation with the Local Highways Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

- i. contractor's and visitors on-site parking;
- ii. contractor's mess and toilet facilities;
- iii. construction traffic access;
- iv. site exiting construction vehicle and road cleaning procedures;
- v. the turning and parking of delivery vehicles within the confines of the site;and
- vi. lorry and delivery vehicle routeing to and from the site;



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 and local general amenity.

**15. Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities.

**16. Vehicular Delivery of Construction Materials: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all vehicular deliveries of construction materials shall be carried out only between 0930 hours and 1400 hours and 1600 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities and to avoid potential highways impacts given local school start and finish times.

**17. Hard and Soft Landscaping Detailed Design (Full Application)**

The access, layout and landscape details for the Full application area (ANRG and Allotments) shall be substantially in accordance with the design principles and strategy that are set out in ANRG Strategy Plan (Deacon Design, 30.11.22, DD529L03 Rev. L). or such other variation as may be agreed in writing by the Local Planning Authority.

Before development commences in the Full Application area a scheme of detailed hard and soft landscaping plans for all of the public open space and vehicular parking in the Full Application area only shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the public open space (including informal open space, Alternative Natural Recreational Greenspace, areas with open surface water drainage features within and without the Alternative Natural Recreational Greenspace.
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing

and location for the proposed public open space including informal open space, alternative natural recreational greenspace and any areas with open surface water drainage features (within and without the ANRG).

- iv. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed public open space including informal open space and Alternative Natural Recreational Greenspace.
- v. A specification for the protection of all new soft landscape planting (e.g., temporary fences, rabbit guards, mulching).
- vi. A schedule and specification of all hard landscaping and means of enclosure;
- vii. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests and a schedule and specification of all benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- viii. All public bins shall be wooden combined litter/dog waste such as Wybone or similar as agreed with the Local Planning Authority and attached to a suitable concrete base.

All soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development provides a suitable soft and hard landscaping strategy and arboricultural strategy.

## 18. **New Trees**

After the planting of all new trees on site as to be agreed under Condition 20 (Hard and Soft Landscaping Detailed Design), notice shall be given to the Local Planning Authority Tree Officer to inspect the trees. If it is found that the planting is not in accordance with the aforementioned condition, further works and/or replacement planting will be undertaken and agreed with Local Planning Authority Tree Officer until correct.

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

19. **Finished Floor Levels**

The development shall be carried out in accordance with the advice from the Environment Agency and with the following mitigation measures set out in the supporting Flood Risk Assessment (ref CP/22/0160/6589, May 2023):

- Finished floor levels (FFLs) should be set at a minimum of 300mm above ground levels across the development site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

20. **Market Housing Mix**

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

- 1 bed dwellings and 2 bed dwellings : 30 to 40% of the total market dwellings
- 3 bed dwellings: 40 to 45% of the total market dwellings
- 4+ bed dwellings: 20 to 25% of the total market dwellings.

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

21. **Public Right of Way**

No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works, use, or occupation of the development, shall be left on or near to a Public Right of Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the public right of way at all times.

Reason: In the interest of Highway Safety.

22. **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 accordance with Local Plan Policy IMPL2: Development Standards criterion (v).

23. **Ecological Mitigation and Management Plan (EMMP) and Wildlife Enhancement**

The development during both construction, construction and part occupation, and post-construction the full occupation phase shall be undertaken in accordance with the long-term habitat protection, enhancement, management and monitoring programme set out in Section 6.0 (Habitat Mitigation Measures), Section 7.0 (Newly Created Habitats) and Section 8.0 (Protected and Notable Specie Mitigation) in the Ecological Mitigation and Management Plan (EMMP) (Tetra Tech, Ref: 784-B031348, v.4, October 2024) or any further updated and revised iterations of the EMMP.

Prior to commencement of development a detailed scheme including site plans showing the exact location, specification and quantum of each feature for the placement of the wildlife enhancements and mitigation set out in:

- a. the EMMP (or any approved successor iterations of the EMMP); and
- b. the following submitted protected species assessments (or any approved successor iterations):
  - i. Bat Activity Survey Report (Tetra Tech, September 2024, B03148 v.5)
  - ii. Ground Level Roost Assessment (Tetra Tech, February 2024)
  - iii. Badger Survey Report (Tetra Tech, September 2024, B031348 v.3)
  - iv. Dormouse Survey Report (Tetra Tech, September 2024, B031348, v.5)
  - v. Reptile Report (Tetra Tech, 10/10/2024, Ref: B031348, v.3)

Reason: To mitigate the impact of the development on the ecology of the site and to provide biodiversity enhancements and suitably protect protected species.

24. **Baseline Ecological Assessments**

Where the approved development is to proceed in excess of 2 years from the date of this permission, in line with the Ecological Mitigation and Management Plan (EMMP) (Tetra Tech, Ref: 784-B031348, V4, October 2024) the supporting baseline ecological assessments will require updating in line with CIEEM guidance on the lifespan of ecological surveys and reports (CIEEM, 2019) and should inform a revised EMMP.

In line with this guidance, any surveys or assessments carried out more than 18 months ago require a site visit and updated desk study information, updating of the supporting Ecological Appraisal assessment (v5, Tetra Tech, October 2024), and reviewing of the validity of the reports. Updated surveys will be undertaken, where necessary, to identify shifts in the ecological baseline condition (particularly where support is required for an EPS derogation licence application), and to inform revised impact avoidance and mitigation measures, as required.

The revised and updated baseline ecological assessments and a revised and updated EMMP should be submitted and agreed in writing with the LPA prior to the occupation of the fiftieth (50<sup>th</sup>) residential dwelling.

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.

**25. Biodiversity Enhancement Monitoring Reports**

Biodiversity Enhancement Monitoring Reports shall be submitted to the Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved Biodiversity Enhancement Management Plan (BEMP) (Tetra Tech, October 2024, version 3).

Reason: To monitor the impact of the development on the ecology of the site and where necessary to provide biodiversity enhancements in accordance with Local Plan Policies DM2 and ENV1 and National Planning Policy Framework paragraph 187.

**26. Badger Survey Update**

Prior to the commencement of any construction work on site, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and 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: To ensure that badgers as a designated wildlife species are afforded adequate protection and any necessary mitigation is carried out so as to comply with Local Plan policy DM2.

**27. Biodiversity Net Gain: Monitoring and Management Plan**

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

- i. Methods for delivering Biodiversity Net Gain including off-site biodiversity units.
- ii. A description of the habitats to be managed.
- iii. Ecological trends and constraints on site that might influence management.
- iv. Timed and measurable objectives in the short, medium, and long-term for achieving Biodiversity Net Gain, including detailed objectives for all habitats (target condition) and key indicators for measuring success.
- v. Appropriate management options and actions for achieving aims and objectives.
- vi. The preparation of a work schedule.
- vii. Key milestones for reviewing the monitoring. • A standard format for collection of monitoring data.

- viii. The identification and definition of set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.
- ix. The measures that will be undertaken for reporting results to the Local Planning Authority. Development shall be carried out in full accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development delivers a minimum 10% uplift in the site's biodiversity value.

**28. Nitrates: Water Efficiency**

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

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

**29. Nitrates: Nutrient Neutrality**

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

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

**30. Land Contamination – Field A**

No development of Field A as defined in the submitted Ground Appraisal Report (Geo-Environmental, 20/4/2020, Ref. GE18914-GAR-APR20) shall take place, until the following items have been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof:

- i. A post demolition investigation of the nature and extent of contamination on the land,
- ii. A report of the post demolition investigation and an assessment of the risks posed to human health and the wider environment including water resources.
- iii. Where required, a strategy of Remedial Measures to address the identified risks;
- iv. Materials Management Plan for reuse of soil/ materials

The agreed scheme of Remedial Measures and Materials Management Plan shall be implemented as agreed and verified in writing by an independent competent person, and the written confirmation shall be provided to the Local Planning Authority prior to the first occupation of any development in the area identified as Field A.

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.

**31. Materials Management Plan**

Prior to importation or reuse of material for the development a Materials Management Plan (MMP) in accordance with CL:AIRE Definition of Waste Code of Practice shall be submitted to and approved in writing by the Local

Planning Authority. All works will be undertaken in accordance with the approved document.

Reason: To demonstrate the materials used will be deposited in an appropriate manner and will not pose unacceptable risks to human health or the environment.

### 32. **Land Contamination Monitoring**

Development shall be monitored during construction for evidence of previously unidentified land contamination. If suspected contamination is encountered then; all work must stop and no further work shall be carried out in the affected area(s) until investigation measures and remediation measures have been submitted to and approved in writing by the Local Planning Authority. The investigation and remediation measures shall be undertaken in accordance with the approved details. The development shall not be occupied within the affected area) until verification that the remediation works approved have been fully implemented in accordance with the approved details. Unless otherwise agreed in writing with the Local Planning Authority such verification will include: as built drawings, photographs of the remediation works in progress, certificates demonstrating that imported and/or material left in situ is free from contamination.

Reason: To ensure a safe living and working environment.

### 33. **Lighting and Bats**

Prior to the commencement of the development, details of the external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The details, which shall comply with the recommendations of the Institution of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light' (GN01:2021), shall take account of bats / other ecological receptors and shall include a "sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/23 'Bats and artificial lighting at night' (or subsequent updated guidance) for all areas to be lit. The strategy shall:

- i) identify those areas/features on site that are particularly sensitive for bats (or other ecological receptors) and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and
- ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained. All external lighting shall be installed in full accordance with the specifications and locations set out in the approved strategy / details, and these shall be maintained thereafter in accordance with the strategy.

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



**34. External Lighting**

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

Reason: To safeguard residential amenities.

**35. Noise**

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

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

**36. Electric Vehicle Charging Points**

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

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

**37. Allotment Details**

No development on the land east of Hordle Lane shall take place until details of the proposed allotments shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a delivery timetable (including when the allotments will be available for use by the public), hard and soft landscaping, surface water drainage, site levels, parking (including access barrier details), servicing, open space furniture including bollards and gates, any on-site buildings or structures, and access. The works shall be undertaken in accordance with the approved details.

Reason: To ensure the delivery of an appropriate allotment landscape framework that will provide a high quality setting for the development, and which will provide suitable recreational opportunities for the local community.

**38. Invasive Species**

No development shall take place, until the following items have been submitted to and approved in writing by the Local Planning Authority for this whole area or part thereof:

- a) A pre-construction invasive species (flora) survey will be carried out by a suitably qualified person to identify the presence and extent of invasive species on site. This includes Himalayan balsam (*Impatiens glandulifera*) and Japanese knotweed (*Reynoutria japonica*) as set out in Section 5.0 of the Ecological Mitigation and Management Plan (EMMP) (Tetra Tech, Ref: 784-B031348, v.4, October 2024).
- b) The survey should include an assessment of the risks posed to human health and the wider local environment including water resources; and
- c) Where required, the survey should set out a strategy of remedial and mitigation measures to address the identified risks arising from any on-site invasive species (flora).

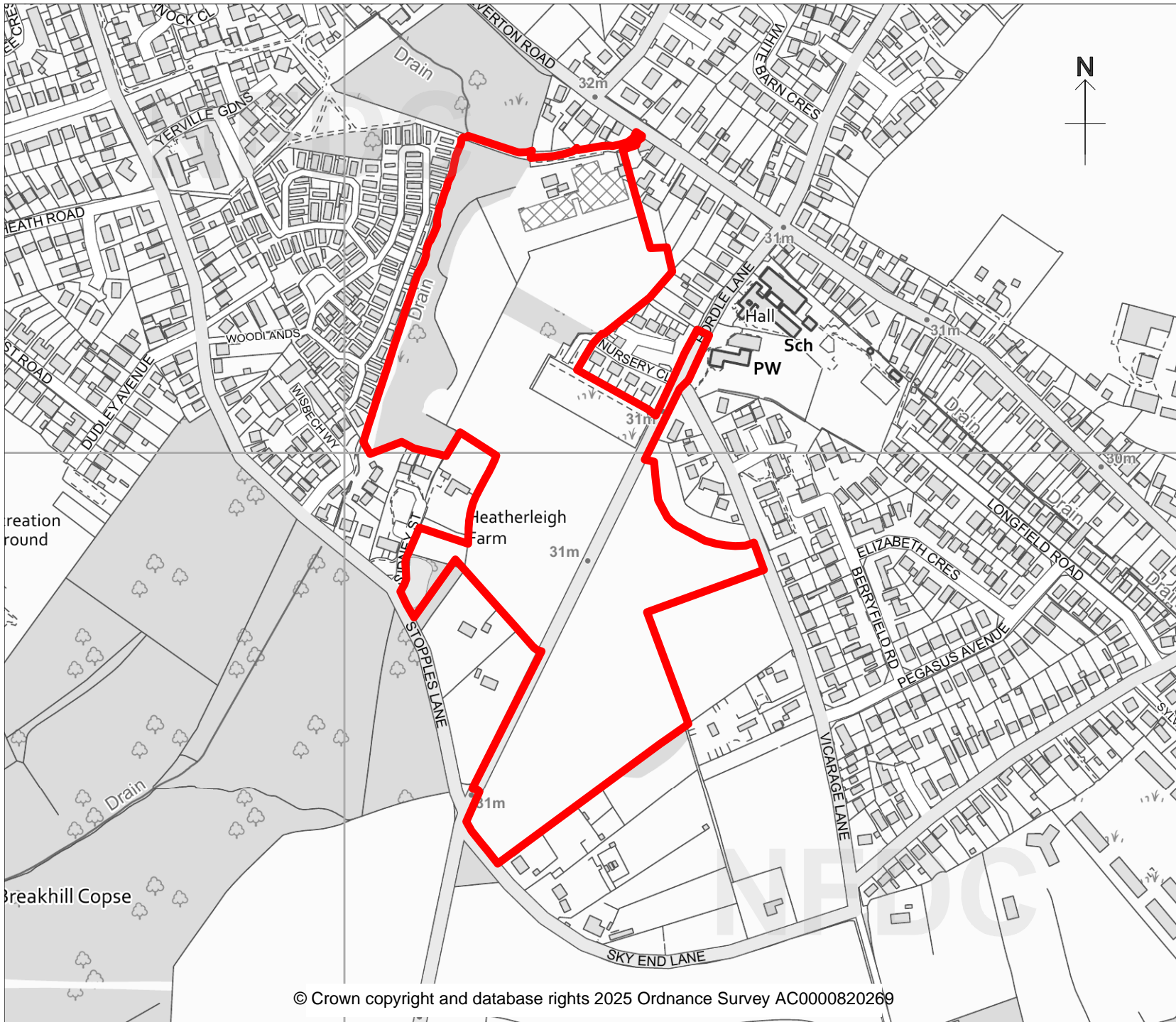
Any agreed scheme of remedial measures and mitigation shall be implemented as agreed.

Reason: To ensure that risks from invasive species (flora) are eradicated or reduced to an acceptable minimum.

**Further Information:**

Robert Thain

Telephone: 023 80 285116



# New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

Mark Wyatt  
 Service Manager  
 Development Management  
 New Forest District Council  
 Appletree Court  
 Lyndhurst  
 SO43 7PA

## PLANNING COMMITTEE

February 2025

SS8 Land at Hordle Lane  
 Hordle

23/10661

Scale 1:5000

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