

<b>Application Number:</b>	<b>24/10976</b> Full Planning Permission
<b>Site:</b>	SS17 Land east of WHITSBURY ROAD, TINKERS CROSS, FORDINGBRIDGE, SP6 1NQ
<b>Development:</b>	68-bed care home (use class C2); 8no. dwellings (use class C3), public open space, provision of an extended residential curtilage for 'Fairmile', new access to Whitsbury Road; closure of the existing access to Whitsbury Road; parking, landscaping, sustainable drainage, and other associated works.
<b>Applicant:</b>	Highwood Ventures 19 Limited
<b>Agent:</b>	
<b>Target Date:</b>	18/02/2025
<b>Case Officer:</b>	Stephen Belli
<b>Officer Recommendation:</b>	Service Manager Grant
<b>Reason for Referral to Committee:</b>	One of the Council's strategic sites

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of development including 5-year housing land supply
2. Site layout, design and impact on the character and appearance of the area.
3. Impact on designated landscapes
4. Designated heritage assets
5. Access, car parking provision, highway safety and sustainable transport
6. Flood risk and drainage
7. Ecology and impact on sites designated for nature conservation, and matters relating to Biodiversity Net Gain (BNG)
8. Environmental protection: air quality, contaminated land, minerals and noise
9. Residential amenity
10. Section 106 Heads of Terms and infrastructure contributions
11. Planning balance and conclusions

## 2 SITE DESCRIPTION

The site is located within the settlement boundary of Fordingbridge as shown in the adopted New Forest Local Plan 2016-2036. The application site is a long broadly rectangular shaped parcel of land with a north-south axis adjoining Whitsbury Road. The site comprises a parcel of land approximately 1.2 ha in area. The site forms part

of Strategic Site 17: Land at Whitsbury Road and shown in the adopted New Forest Local Plan 2020. The site lies approximately 1km outside the Fordingbridge town centre and Conservation Area, and approximately 1.9kms from the Cranborne Chase National Landscape (formerly AONB) to the west, and approximately 1km from the New Forest National Park to the east. The nearest Listed Buildings to the site are 500 metres to the north at Fryern Court. The site slopes generally from north to south and is elevated above the road by about 1 metre.

The site is located adjacent to Whitsbury Road and directly opposite to the east of another parcel of Site 17 known as Whitsbury Green being part of the Pennyfarthing Homes development of Site 17. To the northwest corner of the site lies one dwelling Fairmile which forms part of the hamlet of Tinkers Cross. To the northeast the site borders public footpath 83. To the east lies the private garden of Newton House (which itself is included in the allocation for Site 17), and to the south lies a pair of semi-detached cottages, Tinkers Lea and Arch Farm Cottage along with another small parcel of Site 17. The larger Pennyfarthing Homes parcel of site 17 lies further to the west.

Vehicular access to the site at present is via an agricultural field gate situated in the northwestern corner near Fairmile. There are no public rights of way which cross the site albeit public footpath 83 runs along part of the northern boundary.

### **3 PROPOSED DEVELOPMENT**

The development is for full planning permission a care home and 8 no. open market dwellings.

The care home will comprise of a 68-bedroom two storey building with three wings to be used as a care home under Class C2 of the Town and Country Planning Use Classes Order 1987 (as amended). Class C2 is defined as being residential development for the following -

Use Class C2 (residential institutions) relates to residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

The care home is located in the southern part of the site adjoining the garden of the dwelling known as Tinkers Lea. The care home is orientated with three wings facing north, south and east, with a central courtyard and gardens facing Whitsbury Road to the west. To the north of the building lies a proposed 30 space car park with areas set aside for disabled parking and ambulance drop off as well as service buildings.

To the south of the care home lies a further area of communal gardens, and a separate area given over to biodiversity enhancement part of which bordering with Tinkers Lea will form a potential through route to the land to the east should that land come forward for development in the future. There is an open space in this southern part of the site which will be part of the private grounds of the care home. A small 30m x 15 m parcel of public open space land is located to the north of the car park between the care home and the dwellings.

The care home will be purpose designed for its proposed function with 31 ensuite bedrooms on the ground floor along with a reception, offices, communal lounges, kitchen and dining rooms, hair and beauty salon, and cinema on the ground floor. On the first floor the building will provide a further 37 bedrooms, nurses stations, quiet room, lounge, and dining rooms with lifts and stairwells connecting the two floors.

The proposed care home will deliver care accommodation to the locality and wider district. The applicant states this will respond to an identified local need. It will provide accommodation for the elderly and/or infirm, with the capability for all care needs to be met on site, including end of life, nursing and specialist dementia care. Internally the care home is designed to respond to differing resident needs and likely to be occupied by individuals requiring advanced levels of care.

The northern part of the site will be dedicated to the provision of 8 no. open market dwellings facing onto a new access road to serve both the dwellings and the care home car park. The dwellings comprise a mix of brick faced traditional design two and one and a half storey buildings, with a mix of 6 detached and 2 semi-detached units. The dwellings have a mix of 1 x 4 bed, 1 x 3 bed, and 6 x 2 bed units arranged around a single private drive with dedicated car parking through surface parking, garages and car ports. Two visitor parking spaces are also provided. All houses will be provided with a small strip of front garden and a rear private garden of varying dimensions.

Amended plans and further details have been submitted during the processing of the application. The main changes have been to reduce the height, mass and footprint of the care home building and minor modifications to the design of the building as well as modification to the site layout and the dwellings.

#### **4 PLANNING HISTORY**

Apart from a pre- application submission which included an element of community engagement there is no relevant planning history on the site itself. Strategic Site 17 which incorporates and adjoins the site to the south, west and east does have a detailed planning history which is set out below for information.

Whitsbury Green has planning permission for a development of 64 new homes most of which are now completed with the site being partly occupied. The larger parcel of Pennyfarthing Homes land lies further to the west and has planning permission in outline form for 342 new dwellings. The smaller parcels of Site 17 referred to above have no planning permissions yet. The remaining parcel of Site 17 lies to the east of Newton House's garden and forms the new development of Augustus Park granted planning permission for 145 new dwellings in 2018 and now fully developed.

**24/10809** Reserved matters application for 74 residential dwellings and associated Alternative Natural Recreational Greenspace, public open space and ancillary infrastructure, and discharge of conditions 7,12,15,17,18,21,22,23,25,27,28,29,30,31, 32,33,34,36,38,40 & 41. (Details of appearance, landscaping, layout & scale, pursuant to Outline Planning Permission 21/10052)

LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE

First residential block phase 1c - not yet determined

Pennyfarthing Homes

**24/10651** Construction of temporary access road, bridge and associated works, in connection with the construction of Phase 1 of Land west of Whitsbury Road (Application 21/10052)

SS17 LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE

Approved 11/12/24 – works not commenced

- Pennyfarthing Homes
- 21/10052** Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)
- LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE
- Application approved 6/09/24 subject to S106 – works not commenced
- Pennyfarthing Homes - main outline site
- 20/11469** Erection of 64 dwellings, change of use of land for Alternative Natural Recreational Greenspace, new accesses onto Whitsbury Road, and all necessary on-site infrastructure
- LAND AT TINKERS CROSS, WHITSBURY ROAD, TINKERS CROSS, FORDINGBRIDGE SP6 1NQ
- Approved 2/11/22 subject to S106. Site now virtually complete.
- Pennyfarthing Homes – Whitsbury Green development
- 17/10150** Development of 145 dwellings comprised: 39 detached houses; 31 pairs of semi-detached houses; 1 block of 8 flats; 1 block of 7 flats with terrace of 3 houses; 1 block of 7 flats; 1 terrace of 6 houses; 2 terraces of 5 houses; 1 terrace of 3 houses; garages; parking; SANG; public open space; access onto Whitsbury Road; associated infrastructure; associated development works; landscaping
- LAND in WHITSBURY ROAD, FORDINGBRIDGE SP6 1NQ
- Approved 26/03/18 - site now complete
- Pennyfarthing Homes Augustus Park development.

## **5 PLANNING POLICY AND GUIDANCE**

### Local Plan Part 2: Sites and Development Management

Policy DM1 Heritage and Conservation

Policy DM2 Nature conservation, biodiversity and geodiversity

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

STR1 Achieving sustainable development

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

STR3 Strategy for locating new development

STR5 Meeting our housing needs

STR9 Minerals safeguarding

Strategic Site 17 - Land at Whitsbury Road

ENV1 Mitigating the impact of development on International Nature Conservation sites

ENV3 Design quality and local distinctiveness

ENV4 Landscape character and quality

HOU1 Housing type, tenure, size, choice and tenure  
HOU2 Affordable Housing  
HOU3 Residential accommodation for older people  
CCC1 Safe and healthy communities  
CCC2 Safe and sustainable travel  
IMPL1 Developer contributions  
IMPL2 Development standards

#### Supplementary Planning Guidance and other Documents

SPD Planning for Climate Change adopted April 2024  
SPD Air Quality adopted June 2022  
SPD Parking standards adopted April 2022  
SPD Mitigation Strategy for recreational impact on European Sites adopted 2021  
SPD Housing design, density and character adopted April 2006  
Ecology and Biodiversity Net Gain Interim Note

#### Relevant Hampshire County Guidance

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

#### Relevant Legislation

Planning and Compulsory Purchase Act 2004  
Habitat Regulations 2017  
Listed Buildings and Conservation Areas Act 1990  
Environment Act 2021 (including Local Nature Recovery Strategies)  
Levelling Up and Regeneration Act 2023

#### Government Planning Guidance

National Planning Policy Framework 2024 (with February 2025 amendments)  
Planning Practice Guidance  
National Design Guide 2021

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

### **Fordingbridge Town Council**

Recommend REFUSAL under PAR2, for the reasons listed, but would accept the decision reached by the District Council's Officers under their delegated powers. Reasons include the lack of a turning circle, the increase in traffic flow to and from the site, scepticism over the traffic movements numbers, concerns about the impact of this application on the surface water, ground water and the potential risk of flooding, and also a request that the need be assessed. FTC would also like the walkway to be tidied.

## **7 COUNCILLOR COMMENTS**

No comments received

## **CONSULTEE COMMENTS**

### **Active Travel England – No comments**

In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.

### **Archaeologist – No objection subject to condition**

Due to the high potential for the potential development area to contain in situ archaeological deposits, which would be negatively impacted by the proposed development, further archaeological investigation and recording is required. However, with this likely to be continuation of known archaeological remains satisfied that post-determination archaeological conditions would be sufficient to identify, document and assess the significance of any archaeological deposits on the site.

Recommend that the applicant conducts an iterative programme of archaeological investigation and recording, starting with Archaeological Trenched Evaluation, with a sample percentage of no less than 5% of the PDA. The findings of this to inform any future archaeological work.

### **Cranborne Chase National Landscape – Comments only**

The Design and Access Statement fails to mention the Cranborne Chase NL and the need to ensure any lighting protects the International Dark Skies Reserve. Recommends that the lighting on the site is in accordance with Zone 1 of the latest guidance (as per standards used for development in designated landscapes). Recommends also that consideration given to reducing rooflights in the dwellings. The Council is reminded of the new duty under the Levelling Up and Regeneration Act to further the aims of protected landscapes. Recommends that lighting is conditioned.

### **Hampshire and Isle of Wight Fire and Rescue Service – Comments only.**

Refers to guidance for development sites contained within the Building Regulations.

### **Hampshire County Council (HCC) Countryside – no objections subject to S106 contribution and condition.**

In regard to the Public Rights of Way network, the proposed development only interacts in two ways, intensification of use proportional to the number of new residents it introduces to the vicinity of FP83 and a proposed pedestrian connection to the footpath from the northern boundary of the site between two dwellings. The costs of the required improvements to FP83 and FP84 to accommodate the development of the adjoining strategic sites (SS17 and SS18) has been proportionately divided up between the applications coming forward on these strategic sites. Therefore, a contribution of £10,000 is sought by Hampshire County Council from the development hereby considered to provide its contribution to these improvements. This would be secured via a S106 legal agreement.

In addition, any connection between the site and the adjoining footpath needs to be made in accordance with the latest HCC design standards and dealt with via a condition.

### **HCC Children's Services (Education) – No Comments**

No contributions to education school places are applicable to a care home development. The housing element is also under 10 units of accommodation so does not trigger a contribution either.

## **HCC Highways – No objections subject to conditions and S106 obligations**

A revised Transport Assessment and associated drawings have been submitted following on from the Highway Authority previous comments. Upon review, the information provided deals with the previous concerns raised. As such, the Highway Authority have no objection to this application subject to condition relating to a construction method statement and traffic management plan.

The new junction will need to be subject to a S278 Agreement under the Highways Act which can be secured through the S106 Agreement route.

## **HCC Local Lead Flood Authority (LLFA) – No objection subject to condition**

The Flood Risk Assessment (FRA) and drainage strategy are well presented. The principles of the proposed drainage strategy appear to be appropriate for the site. There are some minor points that could be dealt with by condition. We are satisfied with the principles of the development and have no objection but recommend that a detailed drainage strategy has been submitted to and approved by the Local Planning Authority.

## **HCC Minerals Planning Authority – No objection subject to condition**

The proposed development lies within the mineral and waste consultation area – minerals section. This area is informed by the mineral safeguarding area (MSA) as defined through Policy 15: Safeguarding – mineral resources of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP) and indicates where viable, safeguarded mineral resources are likely to be present. The purpose of this policy is to protect economically viable mineral resource deposits from needless and unnecessary sterilisation, in line with Chapter 17 of the National Planning Policy Framework (NPPF). The policy seeks to maximise the recovery of viable mineral resources prior to development, this concept is known as prior extraction.

We are in agreement with the conclusions of the Mineral Resources Report that only incidental extraction is suitable for this proposal. It is therefore expected that high quality material, such as sand, gravel and soft sand uncovered during the preparation and construction. Recommends a condition to record minerals recovered and re-used on site.

## **HCC Public Health – Comments only**

Public Health wouldn't wish to make any scheme specific points but would highlight that in considering this application the following best practice guidance would be useful. Regarding housing for an ageing population this guidance sets out key design aspirations to create healthier more responsive neighbourhoods and developments. The scheme should be measured against the key points within the guidance in provision of specialist housing. This outlines best practice design approaches in relation to the site, layout, design and built form of housing for an ageing population HAPPI - Design - Topics - Resources - Housing In addition, the consideration of Government Guidance around lifetime neighbourhoods would be helpful in how the scheme integrates with both its new and existing contexts (Lifetime Neighbourhoods).

## **Natural England – Holding comments**

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Requires an Appropriate Assessment (AA) to be carried out in respect of any adverse impact on protected species and area arising out of recreational impact. Also requires an AA to be carried out in respect of the potentially adverse impact on phosphates on the River Avon

Special Area of Conservation. NE would like to be re-consulted when these matters are further considered.

Also refers to Discretionary Advice Service

### **Nature Space – Holding comments**

The site lies within a red zone for great crested newts. We acknowledge that the ecological report states the District Licensing route will be taken. In order to take this route, the applicant must submit a NatureSpace Report or Certificate prior to determination, to satisfy the LPA that potential impacts to great crested newts have been dealt with. This method of licensing often removes the need for survey work and onsite mitigation for great crested newts as it provides compensation habitats off-site.

If the applicant does not enter the District Licensing Scheme, the applicant must either: Provide further information, in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals; or If it is determined that there is no suitable habitat impacted on site and the likelihood of great crested newts is very low, then a precautionary working statement in the form of Reasonable Avoidance Measures (RAMs)/Non-Licensed Method Statement (NLMS) strategy documents completed by a suitably qualified ecologist may be acceptable for the development.

### **New Forest District Council (NFDC) Conservation – No objections**

The Heritage Assessment follows the staged approach to assessing the impact of development on the Setting of Heritage Assets, set out in the Historic Environment Good Practice Advice in Planning (GPA) Note 3.

### **NFDC Ecologist – No objections subject to conditions**

Biodiversity net gain not achievable on this site but can be secured by the deemed planning condition seeking the now obligatory 10% net gain as a contribution to be used offsite.

Protected species i.e. reptiles, badgers and birds can be dealt with by mitigation conditions.

Great Crested Newts (GCN) - on further reflection and in discussion with Nature Space a District License is not now required, and this can be dealt with by a precautionary working method condition. This has been agreed with Nature Space.

On site biodiversity enhancements i.e. birds, insects, bat boxes and hedgehogs can be conditioned.

Satisfied that latest lighting scheme is acceptable for protected bat species.

### **NFDC Environmental Design and Landscape – No objections subject to conditions and further minor modifications.**

The proposed design is a result of a valuable iterative pre-app process which delivers a scheme with many improvements. The modest houses are generally acceptable. The main issue was whether a care home of this size could be delivered in a sympathetic way without detracting from the character of Whitsbury Road and the wider landscape whilst complying with the local plan policy of enhancing Tinkers Cross as an identifiable hamlet.

Some concerns about site layout, landscaping and design of the care home building in particular but feel that these issues can be overcome by condition or further amendments.

Provided that the landscape planting is delivered adequately and retained, whilst I have some reservations about the care home part of the development, overall, the design is acceptable.

Please seek to resolve remaining issues outlined above, through conditions or through seeking further amendment.

Landscape (planting) resolution is critical to the success of this scheme, in how the main building assimilates into the host environment. Therefore, if minded to approve the application, please apply landscape conditions with an ongoing management requirement for the frontage hedgerow and car park vegetation for the lifetime of the flatted block.

The dwellings are acceptable as low rise. Please consider the removal of PD rights which might otherwise allow uncontrolled extension upwards.

Regarding wider landscape implications for this development there are no objections.

### **NFDC Environmental Health (Air Quality) – No objection subject to condition**

Previous concerns expressed regarding the lack of comment by the developer's consultant on cumulative impact on air quality through the committed and approved developments on Sites 17 and 18. The updated Air Quality Assessment references the additional proposed development in the locality, with particular reference to Strategic Sites 16, 17 and 18 as requested by Environmental Health (pollution) in previous comments. The Air Quality Assessment is accepted with a recommendation a condition be attached for appropriate consideration of dust from the construction phase, as part of a Construction Environmental Management Plan (CEMP):

Have noted the addendum air quality report submitted in February 2025 and can confirm that no objections are raised relating to the impact on air quality through other developments. Construction impacts can be covered by a dust management condition.

### **NFDC Environmental Health (Noise) – No objection subject to conditions**

It is noted that the location of the proposed electrical substation has changed. There are concerns that the impact of noise (including low frequency noise) and vibration from the substation, which may have an adverse effect on nearby residential properties, has not been assessed. It is recommended that a condition is applied to assess noise impact through an acoustic report and that any mitigating factors are applied.

In addition, conditions should be attached to deal with any noise and odour from the kitchen extraction system of the care home, road traffic noise impact on plot 1, noise from air source heat pumps for the dwellings and care home, construction management plan including hours of work and deliveries to the site, dust management and external lighting. Also suggests conditions controlling internal noise sources.

### **NFDC Environmental Health (Contaminated Land) – no objection subject to conditions**

Confirm that Environmental Protection have no objection in principle to the proposed development as submitted. However, we consider that the planning permission should only be granted to the proposed development as submitted if standard planning conditions 14a - 14e are imposed. 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.

## **NFDC Open Spaces - No objection**

For the development of 8 market housing, to comply with NFDC Planning Policy CS7 this development should deliver 0.04ha informal, 0.0047ha play and 0.02ha formal POS. The POS shown within the north comprises 535sq.m (based on the Proposed site plan of 5th Nov). This meets the informal POS requirement. You may wish to secure a financial contribution towards off-site formal POS provision. Play - Due to the small number of private/social dwellings and the resulting 0.0047ha requirement(47sq.m), it is suggested that there is an off-site contribution agreed with respect of the play provision. Any play area within the site red line would be very small and not meeting the minimum size outlined in the Fields in Trust standard. Potentially an off-site contribution could be invested into the nearby sites at FORD1 or Town Councils Whitsbury Road to provide additional equipment/facility within the existing play area nearby. For another site/application there was recently an off-site play contribution which could be pro-rata for this proposal. Details provided to support the suggested off site contribution level are set out in the report below and the officer's updated response

Other general comments are also offered regarding access, sustainable travel, landscaping and design layout and maintenance of landscaping and open spaces.

## **NFDC Trees – No objection subject to condition**

The amended plans and the submitted updated James Fuller Arboriculture Arboricultural Method. Statement Ref: JFA0347 V2 Dated February 2025 have not materially altered the relationship of the proposed development to the trees to be retained on site.

No objections on tree grounds to this proposal. Please amend my previous recommended condition to reflect the updated Arboricultural Method Statement.

## **9 REPRESENTATIONS RECEIVED**

One letter of support from adjoining property Fairmile – developers have agreed a land transfer to protect privacy.

Four letters of objection raising the following points

- Another junction onto a 500m stretch of road causes concern
- Traffic speeds in the area means another junction would hazardous
- Servicing of houses and a care home will increase traffic flows
- Insufficient car parking
- Local roads struggling to cope with so much development
- Impact on residential amenity

## **10 PLANNING ASSESSMENT**

### **Principle of development**

Local Plan Policy STR1 refers to sustainable development and the opportunities to create a thriving local economy. Policy STR3 provides a strategy for locating new development. In addition, the site forms part of Strategic Site 17 allocated for development for housing in the adopted Local Plan. The allocation for residential development incorporates the potential for standard housing under Town and

Country Use Classes Order C3 as well as care homes under Class C2. Given this allocation and the site's position within the settlement boundary there is an acceptance in principle to new residential development subject to consideration of the environmental impact and the tests and definition of sustainability as set out within the Development Plan Policy STR1 and the NPPF.

The form of residential development in this case is a mix of open market housing and for a care home under Class C2.

Class C2 is defined thus - Use Class C2 (residential institutions) relates to residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

It is therefore a requirement of the use that any occupiers are in need of higher-level care which extends beyond that normally associated for example with an apartment complex catering to those who wish to downsize or retire (usually over 55s), including some residents who have need for any care being at a lower level such as by a visiting health care worker offering personal assistance in daily tasks.

The Town and Country Planning General Permitted Development Order 2015 (as amended) does allow for other uses within Class C2 and the change of use of any such building to a state funded school for education purposes under Part 3 Class T of that legislation. Such other uses as are contained within the definition of C2 such as a boarding school, residential college or training centre use would also not be considered acceptable however due to additional traffic movements and noise and should be conditioned out of any planning permission. Such other alternative C2 uses could result in organised visits for study or recreation to the protected areas referred to below in the habitat mitigation section of the report.

There is no affordable housing requirement in relation to C2 type accommodation and for schemes of less than 10 Class C3 dwellings. No affordable dwellings are proposed in either element in line with Local Plan policies HOU2 and HOU3.

Policy HOU3 of the Local Plan Part 1, supports development of care homes in locations appropriate to residential use. The character of the area adjoining this site is residential and the land is allocated for residential development, therefore it is a location appropriate for residential development in principle and therefore appropriate for a C2 care home.

Policy HOU3 also requires that there is an identified local need for such Class C2 care bed spaces.

The Justin Gardiner Consulting evidence base of Objectively Assessed housing need to support the New Forest Local Plan Part 1 is a relevant consideration. The study considered the specialist housing needs for the District's ageing population, supplemented by demographic projections for the plan area. The study identifies that there would be significant increases in the percentages of the total population falling within in older age categories and who would need housing designed to cater for their health and mobility needs as residents live longer.

The report predicts 970 care bed spaces would be required in the District over the plan period, and 203 specifically needed within the Avon Valley and Downlands sub area of which Fordingbridge forms a part.

The applicants have also provided further evidence to support the need for the development. The Laing Buisson Care Homes for older People UK Market Report states that the percentage of the UK population over the age of 85 is projected to

multiply more than four times to circa 7.09m

Within the Fordingbridge area the applicants have identified that there are only three care homes which between them have an existing capacity of 134 beds of which 56 are not ensuite. The need for this type of accommodation has been highlighted by the Covid pandemic and new care beds should be all ensuite. The area around the site shows an existing population of a percentage of residents aged over 85 substantially above the national average at 2.6%. The demand for accommodation to cater for this sector will grow significantly it is argued

Members will recall the recent planning application from the March meeting where the committee resolved to grant permission for a care home on land adjoining the Wheelwright's Post (part of Strategic Site 18 – application no. 24/10837). That proposal was for 70 care bed spaces. Even with that development there is still significant demand it is considered for this type of accommodation in the Fordingbridge and Avon Valley.

### Housing Mix

With regard to Policy HOU1 this requires that all residential developments help to address the diversity of housing needs of local people at all stages of life by providing a mix and choice of homes by type, size, tenure and cost. Each development should contribute appropriately to improving housing diversity taking into account the location, size and characteristics of the site, the form of development proposed and the viability of the scheme.

In this case the development is small scale but nevertheless provides a good mix of 2,3- and 4-bedroom units. There is an emphasis on smaller 2-bedroom units which is considered to be appropriate given the scale of 3- and 4-bedroom units being provided on the nearby larger site 17 and site 18 allocations. The emphasis on smaller units will also appeal to those either seeking to downsize or to get on the housing ladder.

Consequently, it is considered that the proposal is acceptable in principle, both for the C2 and C3 development types meeting an identifiable housing need for accommodation in line with Local Plan Policies HOU1, HOU3, STR1, STR3 and SS17. The development will assist towards meeting overall housing need requirements and also provides a range of social and economic benefits.

A review of environmental factors will follow in the remainder of this report to assess the third limb of the sustainable development test.

### Housing Land Supply & the approach to decision making

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 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 [8], granting

permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole 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 2.39 years.

The "Housing Supply and Delivery" section of the latest Planning Practice Guidance allows for other forms of residential development to count towards an area's housing land supply. This includes an allowance for residential care homes. In this case the development of a 68-bed care home will be equivalent to providing 38 open market or affordable dwellings based on an occupancy rate of 1.8 adults per household. Adding this to the proposed open market dwellings will result in a provision of the equivalent of 46 new dwellings.

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.

### **Site layout, design and impact on landscape character**

Local Plan Policy STR1 sets out a need for any development to make a positive environmental contribution.

Policy STR2 applies to protect designated landscapes from the harmful impact of development. This includes development which affects the setting of those area. Great weight will be given to ensuring that the character and setting of such landscapes are not harmed. In addition, the recent Levelling Up and Regeneration Act requires that Local Planning Authorities seek to further the statutory purposes of protected landscapes. This replaces the previous duty to have regard to their statutory purposes.

Policy ENV3 of the Local Plan states that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive. New development should be accessible for those with different needs with realistic levels of car parking, and attractive and appropriate green spaces

ENV4 states that where development is proposed there is a requirement to retain and/or enhance landscape features and characteristics through sensitive design, mitigation and enhancement to integrate new development into the local landscape context.

The application is supported by the following

- A Design and Access Statement
- Detailed site layout and landscaping plans
- Landscape and visual design statement
- Landscape and ecological management plan
- Climate Change Statement

### **Wider and local landscape impact including designated areas**

The site lies approximately 2kms from the Cranborne Chase National Landscape to the west, and 1km to the New Forest National Park to the east. The site will not however be seen from the National Park with the intervening development of site 17 and existing retained vegetation preventing any direct visual relationship. There will be no adverse impact on the setting of the National Park.

Upward lighting of the site may cause skyglow which will adversely impact on the International Dark Skies Reserve. The consultee response set out above makes specific reference to this matter particularly with regard to light from streetlights, rooflights and glazing. The type of lighting to be used on this site will be low level bollard style lighting rather than street lighting; the number of rooflights has been kept to a minimum on the dwellings with no rooflights on the care home; and the impact of glazed areas on the care home will be minimised by orientation of the building with its open aspect facing west it is considered.

Overall, it is considered that the scenic beauty of the National Park and Cranborne Chase National Landscape and their setting and statutory purposes are not harmed by this proposal and that the development complies with STR2 and NPPF guidance. The Council has also shown in the design of the building and a sensitive lighting regime that the statutory purposes of the designated landscapes have been furthered.

With regard to the local landscape, the site enjoys a backdrop of trees along its eastern boundary which will be retained. In addition, the existing roadside hedgerow will be retained and enhanced. Additional trees are proposed to be planted around the boundaries of the site and within the car parking, open space and formal gardens. The development of the land is essentially split with the southern two thirds of the site devoted to the care home and its gardens, wildflower meadow and car park, with the northern third devoted to a small area of open space and the 8 no. market dwellings. A wildflower meadow is proposed in the south eastern corner of the site which measures approximately 700 square metres in area.

The proposal has been considered against policy ENV4 and it is considered that the development does comply with the relevant elements of that policy namely parts (i) to (iii). In local landscape terms it is considered that the proposed development will not be harmful and will retain an element of greenspace along the majority of the frontage which mirrors the site opposite.

#### Design of buildings and site layout

With regard to design of the buildings, the care home building has three wings with an open courtyard that faces Whitsbury Road. The courtyard provides a functional and useable space for the residents in a safe and secure environment with attractive areas of planting and seating to enjoy. A further private garden is also set out to the south of the care home building.

The Environmental Design officer of the Council expressed some concerns regarding the height of the care home building, its material and fenestration pattern, and layout of the car parking, height of fencing around the care home building, relationship of service buildings to the adjoining new dwelling, and comments on the elevational treatment of the dwellings and the layout of the plots.

The building has been significantly reduced in height from the original proposal and now is more of a two-storey building height, albeit the levels here are slightly elevated above the road. That said the care home building whilst large does fit acceptably into this area and will not be visually intrusive in the wider streetscene. It will be the largest roadside building in this part of the allocation, but it will be seen in context with the development opposite to the west and with the other permitted apartment block building further to the south.

The building has been sensitively designed to appear as a number of building elements rather than one large monolithic block, with different building materials and breaks in the wall plane to reduce the overall visual impact. Overall, it is considered that with conditions requiring further details on hard and soft landscaping, materials and levels, the building will be acceptable and in line with the above ENV3 policy. The issues raised by the Environmental Design officer have been amended or mitigated with planting and covered by the detailed conditions set out below. With regard to the proposed dwellings these are low rise 1.5 to 2 storey buildings with traditional features and materials. The proposed dwellings have 10-15m deep rear private gardens. The density of the residential parcel is approximately 23 dwellings per hectare which is considered to be low to medium density. Having regard to making the best use of land available, and taking into consideration the site

surroundings, this density is considered acceptable. Higher densities would be out of place in this location and give rise to amenity issues for the neighbouring dwellings it is considered. All dwellings have direct access from front to back gardens to facilitate bin and cycle storage with defensible front garden space bordered by hedgerows. All dwellings have surface parking spaces with all but one having the use of car ports/garage.

The dwellings are sensitively laid around a private drive with their own front and rear gardens and car parking. The buildings are considered acceptable and will be seen in context with the other modern housing provided directly to the west, and to the Augustus Park development further to the east.

There is a good separation distance of 8 m (side to side plot 1) and 12 m (rear to side plot 4) between the new dwellings and adjoining dwellings, and an element of separation created by a new public greenspace which will form an attractive green buffer between the dwellings and the care home.

The public open space in this part of the site will be available to both the housing residents and the care home residents. Street furniture is shown but can be formally agreed by condition. The open space will be managed by a management company set up by the care home. The same company will also likely manage the small northern public open space area as well.

The design of the access for the site and the car park for the care home have been sensitively integrated into the scheme and are not considered to be intrusive with greenery and landscaping enhancing the site.

There are no Tree Preservation Orders (TPO) on the application site. The trees on the current site were surveyed prior to Local Plan allocation and not considered worthy of formal protection. The majority of site trees will be however retained but there are some conifers that can make way for more appropriate species and some trees in the northern part of the site that are not worthy of being retained because of their health.

### Sustainability and climate change

Policies STR1, CCC1, CCC2, and the Council's Climate Change SPD require development to be sustainable in location, design and layout.

The applicants have provided a Climate Change Statement to support their application in which they set out various measures that have been incorporated into the development to ensure suitable levels of sustainability performance in their view. The applicants refer to Building Research Establishment (BREEAM) advice and standards and their aim to ensure the care home building reaches the Excellent standard. The applicants have provided a BREEAM assessment which considers a range of environmental factors such as building design, health and well-being of the occupiers, use of resources in a sustainable manner and reducing or removing environmental pollutants.

The following elements of the proposal are highlighted for the care home and the dwellings

- Reduction of energy use through design and energy saving fixtures and fittings
- Re-use of water and reduction of water consumption
- Consideration of materials and their life cycle, and using recycled materials
- Building for a Healthy Life to be adopted to promote wellbeing.
- Climate control within the building due to orientation and design features to prevent overheating and using solar gain where appropriate taking into account climate change and the need to future proof.

- Consideration of external pollutants such as noise, light and odours
- All electric power through heat pumps to be used with no gas boilers
- Exceeding thermal specifications for insulation required by the Building Regulations
- Sustainable travel options for staff and residents backed by a Travel Plan
- Flood risk using sustainable drainage features
- Ecological considerations and enhancement measures to be built in.
- New planting to provide shade
- Construction waste management including mineral re-use

### Summary on landscape and design considerations

Officers consider that the development is acceptable in terms of arboricultural matters, design, local and wider landscape matters including designated landscapes, and sustainability/climate change, subject to suitable conditions. The proposal is considered to comply with Local Plan policies STR1, STR2, ENV3, ENV4, CCC1, CCC2 and the Council's Climate Change SPD.

### Heritage assets

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

Section 72 of the same Act requires the decision maker to have regard to the preservation or enhancement of the character of a conservation area.

Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits which is also referred to in the National Planning Policy Framework (NPPF) 2024.

The NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm including any impact on setting this should be weighed against the public benefits of the proposal.

The applicants have submitted an Archaeology and Heritage Assessment which concludes that whilst there are a number of Listed Buildings in this area there will be no adverse impact on setting or direct harm and that such impact can be balanced against the public benefits test.

In this case the site is well separated (approximately 800 metres) from the Fordingbridge Conservation Area and there will be no adverse impact arising from this development on the character, appearance or setting of the Conservation Area. The character of the conservation area would be preserved.

With regard to Listed Buildings the nearest is the collection of buildings at Fryern Court Farm some of which are associated with the painter Augustus John. These listed buildings are over 500 metres to the north-west from the application site. The impact on setting is not however just judged on the intervisibility between the site and those buildings, but how the Listed Buildings are experienced and whether or not such experience will be harmed. The group of Listed Buildings are surrounded by countryside, and this constitutes a major part of their setting. In this regard that will not change.

With regard to archaeological implications the consultation response set out above refers to potential local interest as this site is seen in context with other parts of site 16, 17 and 18 which have revealed Roman remains and other features of interest. The Archaeologist recommends a condition be imposed to require an archaeological investigation to take place with an opportunity to evaluate and record any finds. The archaeologist considers that a post decision condition rather than excavation and evaluation predetermination is acceptable.

It is therefore considered that there will be no identified harmful impact on designated heritage assets, or their settings and that the proposal complies with Local Plan Policies DM1, NPPF paragraph 212 and the relevant legislation. In addition, the proposal complies with advice set out in DM1 and the NPPF relating to ensuring that archaeological interests are properly recorded.

### **Access, car parking provision, highway safety and sustainable transport**

Local Plan policies CCC2 require any development to be safe, to have appropriate levels of car and cycle parking, and to provide sustainable transport links, as well as to consider any impacts on local road capacity.

The Council's Car Parking standards are set out in the 2012 SPD. In this case the SPD differentiates between standards required for dwellings and those for care homes. An assessment is set out below.

The NPPF (December 2024) paragraph 115 sets out 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 applicants have submitted a Transport Statement (TS) to support this application. They have also provided amended plans taking into account the earlier concerns expressed by the Highway Authority (HA).

#### Access

A new vehicular access shared between the care home and the 8 dwellings is proposed some 22 metres to the south of the existing access. The old farm gate access will be closed up with landscaping. The access road into the site measures 6m in width with a 10m radius in line with current standards.

The proposed site access is located to allow visibility in both directions along this stretch of Whitsbury Road. At the present time the existing access is located around 8m from the change in speed limit sign to 40mph. There is at present an anomaly in speed limits along Whitsbury Road in that Tinkers Cross hamlet to the north is within the 30mph zone whilst the stretch of land to the south and beyond the junction for the Augustus Park estate lies in a 40mph zone. As part of the Tinkers Cross development opposite a Traffic Regulation Order is now in place to change the speed limit along the whole stretch of the site boundary to 30mph. This change is due to take place this spring/summer. Also, at the present time there is a narrow tarmac footway in the highway verge from the site access leading south. This footway is to be widened to 2m in width again as part of the s278 works associated with the Tinkers Cross site to the west. That work is also scheduled to take place late spring/early summer this year.

The HA are also satisfied that there is sufficient turning opportunity both within the residential part of the development and the care home for larger emergency and

service vehicles. The internal junctions have been satisfactorily tracked to show those arrangements are practical.

Notwithstanding the comments received on the application from some local residents and the Town Council the Highway Authority (HA) has considered the new access and considers it is acceptable. The HA have had regard to a road safety audit which has taken into consideration the number of accidents in this area. The HA has concluded that the site access and car parking area for the care home provide an acceptable and to standard opportunity for access, as well as for service and emergency vehicles. The introduction of a 30mph speed limit along the site frontage will assist in highway safety terms. There will also be two new uncontrolled crossing points to allow residents to access the open space and play facilities at the Whitsbury Green site to the west. The crossings have been secured under the Whitsbury Green development to the west.

In addition, the application has been assessed with regard to highway capacity in the area. There are no objections from the Highway Authority.

### Sustainable transport

The site is located in a sufficiently sustainable and accessible location (confirmed through the allocation of the site for development) and will be further improved given the improvements along Whitsbury Road as part of recently constructed or consented developments. Along with this at present the site is close to a number of amenities and facilities including footways and footpaths. The footway along Whitsbury Road will be upgraded as part of application 20/11469 to further emphasise this travel mode. Bus services are accessible within walking distance of the site that include a half-hourly service between Salisbury and Bournemouth, making bus travel suitable for commuter and leisure travel. The X3 service has now been agreed to be re-routed through Augustus Park estate using the new link road provided as part of Site 18 with new bus stops close to the entrance of the estate onto Whitsbury Road a short distance from the current application site.

The availability of sustainable transport options will be a positive factor for residents and for care home staff who need to travel to the site. The dwellings on the site will also be able to take advantage of new safe routes to school. A direct footpath link from the north of the site will be made to public footpath 83 which runs east to west along the northern boundary of the site. This provides a direct improved footpath to both the Burgate Secondary School and the Fordingbridge Infants and Junior School through an improved link along public footpath 84 which joins with footpath 83 and runs southwards to the primary school. A further link from the site is to be provided should this be required in the future for a footpath access to the eastern boundary linking with the easternmost part of Site 17.

The Hampshire Countryside service has requested a contribution of £10,000 to be used towards improving or maintaining rights of way in the area. It is known that the local footpaths closest to the site have already been the subject of separate contributions from other parts of Strategic Site 17 and 18 for their upgrading, and these contributions have also included future maintenance costs. The County Council in their justification statement make reference to a proportionate sum to be collected from each new residential development taking into account the additional usage of the local footpath network and the pressure on maintenance. Any contribution can be ringfenced for the Parish area of Fordingbridge and is considered to be reasonable and is added to the list of S106 requirements set out below.

## Car and cycle parking

With regard to the dwellings this mix would require a total of 17.5 spaces plus potentially 2 visitor spaces. The proposal provides for 19 spaces. The proposal satisfies the SPD.

Whilst the scheme does satisfy the SPD it is still considered prudent to ensure that the proposed car ports are retained as open structures so as to prevent them being converted to other non-parking uses and being lost to their original purpose. There are therefore sufficient car parking spaces to serve the residential part of the scheme it is considered.

The application proposal provides a new car park to serve the care home and on plot parking for the dwellings. The key planning guidance is the Council's SPD on parking standards. The guidance states for nursing and rest homes 68 bed spaces requires a total of 39 spaces. The proposal provides for 30 spaces.

Where there is a shortfall a robust evidence base is needed to demonstrate that this will not lead to adverse impacts. In this case the applicants have pointed to other similar care home establishments in Marchwood, Eastleigh and more recently at the Wheelwrights Post site on Site 18 where a shortfall was shown to be justified. The SPD does allow an applicant to make a case for reduced parking.

The applicants in that case pointed out how the care home would function with staggered hours and staffing levels for a 70 bed home. Similarly, it was shown to be unlikely that overspill car parking would happen on adjoining roads or estates, and that there needed to be a balance between hard surfaced areas and landscaping. With the current application even if car parking does happen on the adjoining road this will be on a 30mph street rather than on a higher speed A road such as the A338. It was also the case that none of the residents of the care home would have access to a car themselves. Staffing levels for the current application building which is for two less bedrooms than the Wheelwright's Post building will be the same or slightly less as they are based on care home design guidance and ratio of staff to patients. The Wheelwright's Post building demonstrated that a maximum of 16 staff would drive to the site, but some of these would car share or use public transport. Low visitor numbers particularly for homes specialising in dementia care was also evidenced. So, with the current application even if all staff drove in separate cars to the site on any one shift, there would still be 8 spaces for visitors.

The applicants have pointed out that most care home staff will not travel by separate car and that a shift pattern and shared travel opportunities encouraged by a Travel Plan (to be secured through a s106) will mitigate against the shortfall. A Travel Plan has not yet been fully agreed but will be as part of the S106 obligations. The applicants have also pointed to Fordingbridge town centre being within easy bus travel distance and being designated a green area for bus proximity. This improves still further with the re-routing of the current hourly service to the town centre and onwards to Salisbury, Ringwood and Bournemouth. Given that it is also likely that none of the residents will have the use of a car it is considered that the evidence demonstrates that the identified shortfall in on-site parking spaces will not lead to significant problems.

Cycle parking for staff and visitors to the care home will also be provided as well as individual cycle stores for the dwellings (to be conditioned). Showers, changing rooms and lockers will also be provided within the care home for staff cycling to work. Cycle storage proposals for all dwellings without a garage through secure outbuildings can be secured by condition.

It is therefore considered that there are no highway safety implications with regard to matters of access, sustainable travel or network capacity and that the proposal complies with Local Plan policy CCC2 and para 115 of the NPPF. Whilst there is a shortfall in vehicular parking on the Care Home site sufficient justification has been provided to set this aside.

### **Flood risk and drainage**

Local Plan policies STR1 and CCC1 and SS17 criterion (ii)(b) requires any development to put in place measures to prevent or offset the impacts of risk to development including flood risk and suitable foul sewer connections.

With regard to foul drainage the agreed strategy adopted by Wessex Water allows for the additional storage of foul waste through two new holding tanks to be provided near the entrance to Site 17 and at Site 16. The storage tank for Site 17 is now in place and will become operational this summer. This strategy ensures that where there are combined foul and surface water infrastructure there will be no future discharges during periods of heavy rain. In the short to medium term Wessex Water have agreed an upgrading of the Fordingbridge Sewage Treatment works. There is therefore capacity in the system and a connection can be made direct to Whitsbury Road.

A Flood Risk Assessment and SuDS (Sustainable urban drainage system) Strategy has been submitted in support of the application.

Flood risk within the application site is limited to ground water flooding as the site is located in the lowest fluvial flood zone 1

The Town Council has expressed concern at the site drainage. The drainage strategy seeks to ensure that there is no off site run off achieved through capture at source on site and attenuation to manage surface water flows through a combination of SuDS rainwater gardens, and planting. Water quality will be maintained by systems to intercept polluted water run-off from roads before they reach infiltration systems. In essence all rainwater arising from normal rainfall levels or major events can be managed by infiltration and/or through attenuation within the crates and porous subbase material being provided beneath permeable car parking areas and patio paving.

The design of the Drainage Strategy is also based on future proofing for climate change when calculating the required storage areas to be needed to ensure the development remains safe from flooding and there is no adverse off-site flood risk during the lifetime of the development.

The HCC Lead Local Flood Authority has confirmed that the development is acceptable subject to a condition which seeks a finalised drainage strategy be submitted and agreed and that the development be carried out in accordance with that agreed strategy. The Environment Agency has not been consulted on the application as the site lies outside any critical flood zone.

Overall, it is considered that the proposal meets with Local Plan Policy CCC1

### **Ecology**

#### Phosphate neutrality and impact on River Avon SAC

Local Plan Policy ENV1 requires there to be no adverse impact on European

protected sites and species. In addition, and in accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the River Avon European sites, in view of those sites' conservation objectives, having regard to phosphorous levels in the River Avon. Natural England has been consulted on the Council's Appropriate Assessment and any comments are awaited.

Previously, Natural England advice agreed with the Council as competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC.

To address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable the development's phosphate impact to be offset. Such a project has now been secured, and a Grampian style condition can be imposed that will secure the appropriate level of phosphate mitigation.

When assessing the occupancy rate for C2 type of accommodation this is based on single bedroom occupancy giving rise to an additional 68 bedspaces of accommodation with no residential staff staying overnight. This is the equivalent to 38 dwellings taking the housing land supply equation of a nursing home care bed being a factor of 1.8 compared to a standard C3 dwelling. The 8 no. open market dwellings will be added to the phosphate mitigation sum to be required giving a total of 46 dwellings.

#### Habitat Mitigation due to increased recreational impact

The site is located in proximity to the River Avon Special Area of Conservation (SAC) and New Forest SAC, Special Protection Area and Ramsar. Various, these support a range of Annex I habitats and Annex II species as set out in the Conservation of Habitats and Species Regulations 2017.

Local Plan Policy ENV 1 seeks to ensure that where new residential accommodation giving rise to overnight stays are proposed that necessary mitigation is in place so that development does not result in any adverse effects on the integrity of International Nature Conservation sites. In addition, and in accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, normally have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. This is the position taken on residential accommodation under Class C3 i.e. standardised housing for open market and affordable occupation purposes.

With regard to the C2 use this type of accommodation used by residents in need of care and from whom there is likely to be few if any trips undertaken to the protected areas. Officers have carried out their own Appropriate Assessment upon which

Natural England has been consulted.

The Council has also had regard to other similar C2 care home proposals such as the scheme at Marchwood adjoining the Pilgrim Inn Public House (planning reference 23/10172 – approved by Committee in May 2024), which came to the same conclusion that such facilities were unlikely to give rise to recreational impacts, and in relation to the recent development at the Wheelwright's Post as part of Site 18. In addition, officers are also aware of another scheme in Netley Hampshire for a similar C2 care home where such principles have been agreed by the Local Planning Authority and by Natural England.

With regard to the C3 dwellings the standard formula will be applied to seek a habitat mitigation contribution for infrastructure and non-infrastructure matters. As the site is below the level of 50 dwellings there is no requirement to provide on-site Alternative Natural Recreational Greenspace.

### Air Quality mitigation

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

A contribution can be collected for the eight open market dwellings.

With regard to the C2 accommodation, and whilst it could be argued that this will not result in additional trips, the policy is clear that an air quality monitoring contribution should be sought for all forms of residential development. The usual charge is based on each new dwelling. In this case a proportionate charge should be levied however which recognises that individual residential units are not being proposed rather simple ensuite bedroom accommodation for single occupiers without the other requirements that constitute a normal dwelling/residential flat. The level of such contribution can be agreed as part of the S106 obligations set out below but is likely to be on the basis of the equivalent number of dwellings from a 68 bed care home as per the equation used for assessing local housing need. The equivalent rate is 38 dwellings.

### Biodiversity Net Gain (BNG)

By virtue of the Environment Act, the proposal is required to demonstrate a post development 10% statutory net gain in biodiversity either on site or in combination with on site improvements and the purchase of off-site BNG credits .

The Environment Act also requires Local Planning Authorities to have regard to any Local Nature Recovery Strategy (LNRS) that may be in place. At the present time

the LNRS has been published in draft form by Hampshire County Council who are to adopt a single LNRS for the whole of Hampshire. This draft has now been withdrawn pending further work and consultations. When published this document will guide how BNG contributions may be spent in the future.

The Council's Ecologist has considered the applicant's calculation of BNG pre and post development possible on the site and considers this is accurate. The result is that the site will, post development, result in a net loss in BNG value. The conclusion is that it is not possible to achieve a 10% net gain on site but that the deficit can be made up through an off-site habitat units purchase from an appropriate provider. This can be secured through the statutory deemed planning condition attached to this permission. There are now a range of such providers, some within the boundaries of the District Council's area as well as the Government's own national credit bank scheme. The scheme proposes a wildflower meadow along the eastern boundary and in the southern part of the site. This can be secured by condition, and can count if necessary, towards BNG.

#### On site biodiversity and protected species

Local Plan Policies DM2 and STR1 seek to protect and enhance wildlife species of importance on the site. In addition, the Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats.

Development Plan policy, Government advice and the Environment Act all require an enhancement to on-site biodiversity wherever possible. The site is also subject to the need to demonstrate statutory net gain.

In accordance with policy DM2: (Nature conservation) development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. The Council's Ecologist has reviewed the impact of the development on protected species i.e. birds, bats and hedgehogs and is satisfied that any impacts can be mitigated through a construction ecological management plan. In addition, new opportunities for biodiversity enhancement can be secured through a condition seeking bird and bat boxes, and other enhancements.

With regard to Great Crested Newts the Council's Ecologist has discussed this matter with Nature Space and is satisfied given the negative test result on the onsite pond, and the un-likelihood of GCN migrating from their pond and foraging grounds to the application site, that a precautionary working method can be adopted and a condition applied.

The proposal overall is considered to accord, subject to suitable conditions and a s106 planning obligation, with Local Plan Policies DM2 and STR1 and the relevant legislative provisions.

#### **Environmental protection: air quality, contaminated land, minerals and noise**

Local Plan Policy CCC1 requires that development will not adversely affect human health through pollution or hazards which prejudice the health and safety of communities and their environments.

#### Contaminated land

The applicants have submitted a Ground Condition Preliminary Assessment (Solis) and a Ground Condition Desktop Study (GCC) which does set out the potential for

contamination on this site. The Council's Environmental Health Officer (EHO) has noted the potential on this site for contaminants to be present and has accordingly recommended that the standard set of conditions is applied to deal with unexpected, contaminated land including a remediation strategy to remove such contaminants should they be discovered during the development construction phase.

### Minerals

Site 17 lies within a mineral safeguarding zone as defined in the Hampshire Minerals and Waste Plan (October 2013). The HCC Minerals Authority has asked for a standard condition to be applied to allow for the potential re-use of any minerals that might be recovered from the site during construction.

### Noise during and post construction

A noise impact assessment (Dice Environmental Acoustics on 24 October 2024 (Report Ref:101319-R01 -Version 2) has been submitted which indicates that bedrooms which face Whitsbury Road will be subject to road noise and thus a scheme for sound insulation of windows with appropriate ventilation will be required for those windows. Bedrooms to the rear or towards internal courtyards would not be subject to undue road noise. In addition, protection is needed to avoid intrusive noise from on-site kitchens and external plant equipment such as air source heat pumps. A condition will be applied to protect those residents from external sources of noise as well as odours from heat pumps and kitchen extraction systems.

Noise from deliveries and waste collections is also another source of noise that could impact on existing and proposed residents. The recommendation made is therefore that these matters are covered by conditions. A Construction and Environmental Management Plan can be conditioned. A separate condition is also needed to require the submission of an acoustic report to deal with any potential noise nuisance from the proposed electricity sub station which is close to the proposed dwelling on plot 1.

### Air quality and dust

The applicants have submitted an air quality assessment which appropriately assesses the impact of the development on local air quality in terms of the operation and construction phases of development.

The NFDC EHO has noted the addendum air quality report submitted in February 2025 - Air Quality Assessment (*Land east of Whitsbury Road, Fordingbridge. 11 February 2025 Ref: 101319 v4. Dice Environmental*) and can confirm that no objections are raised relating to the impact on air quality through other developments. Construction impacts can be covered by a dust management condition.

Given the above it is considered that the proposal subject to suitable conditions complies with Local Plan Policy CCC1.

### Residential amenity

Local Plan Policy ENV3 criterion (ii) requires that development should not create an unacceptable impact on local residential amenities by virtue of noise, disturbance, overshadowing, overbearing nature and loss of privacy.

There are three dwellings which adjoin the site. The adjoining dwelling has agreed a strip of land is dedicated to them to give a further element of separation from the adjoining new dwellings. The relationship of this property to the side of the new

dwelling on plot 1 is approximately 8 metres and is considered acceptable. The position of the dwellings has been designed so as not to cause any significant loss of privacy to those dwellings outside the site. The dwelling to the east is separated by a degree of existing landscaping which is to be retained. In the event the landscaping is removed there is still a 10 metre plus distance and a rear to side relationship which is acceptable. The dwelling to the south of the care home is also at a reasonable distance away (over 40 metres) such that the overlooking and general impact is judged to be acceptable.

Two newly built dwellings to the north have raised objections as set out above. These properties are however some 23 metres distance when measured from building to building and are not overlooked by the proposed new dwellings and there are no amenity issues arising.

The impact of the care home on the proposed new dwellings has also been taken into consideration and the amended site layout plan has improved the relationship between the care home and the new dwellings. In particular the relationship of the care home plant and bin store to the nearest new dwelling has improved by moving them further away. Added to that the mass and height of the care home closest to the nearest new dwelling has improved by virtue of that part of the building being reduced from 3 storey to 2 storey in height. The impact of the substation is also covered by a condition as recommended by the Environmental Health Officer in respect of the relationship of that plant to plot 1.

Overall given the design and layout of the proposal with the safeguards recommended by the Council's Environmental Health Officer to be incorporated into suggested conditions it is adjudged that the development does not raise such serious issues of amenity to warrant a refusal of planning permission. On balance of considerations the application is considered acceptable in residential amenity terms and therefore in line with Local Plan Policy ENV3 criterion (ii).

## **11 S106 HEADS OF TERMS AND INFRASTRUCTURE 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.

With regard to play space provision the Council's Open Spaces Officer has recommended in his comments that the site is too small to adequately provide play space of its own but that the development can be seen as contributing to offsite play facilities in the town. The officer has calculated an offsite contribution of £16,416, and a 20 year maintenance contribution of £10,080 would be reasonable.

With regard to an off-site contribution to formal open play space e.g. playing fields such as a multi-use games area, football or other playing field, the previous strategic site developers in Fordingbridge have provided a contribution of £1000 per dwelling. This has already been used to contribute to the new all-weather football and rugby pitch at the Burgate School. Further contributions are likely to be required to help fund the associated pavilion changing rooms. In addition, a play space strategy and Neighbourhood Plan for Fordingbridge is likely to identify further formal play requirements. Given this position it is considered reasonable to use the same contribution level for the current application C3 dwellings as there is a causal link between the dwellings and the ongoing need for formal play in the town.

The reference in the report above to a sustainable transport publicly accessible pedestrian link between Whitsbury Road and the eastern boundary of the site with Newton House, also needs to be secured through the S106, should the land at Newton House come forward for development in the future. This will allow for the Newton House developer entering the care home site along the southern boundary to put in place the link, or alternatively to make an off-site contribution to a contractor jointly appointed by the developer and the owners of the care home. This will only be required if the Newton House land owner comes forward with a development proposal at some future date. Should that not happen within 10 years of the signing of the Agreement the clause in the Agreement will fall away and the land along the southern boundary will remain as private land within the care home grounds. The approved plans show an easement strip to cater for this eventuality.

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 2025 and index linked)

#### New Forest District Council Provisions

- Habitat Mitigation contribution for C3 dwellings towards infrastructure and non-infrastructure
- Air Quality monitoring contribution for both elements of the development
- Play space off site contribution arising from 8 no. C3 dwellings of £16,416 plus a maintenance contribution of £10,080
- Formal open space off site contribution arising from C3 dwellings of £8,000
- Securing of a sustainable transport link along the southern boundary of the care home site between Whitsbury Road and Newton House.

#### Hampshire County Council Provisions

- Submission of a full Travel Plan in respect of the Care Home element
- Section 278 Agreement for new junction onto Whitsbury Road
- Contribution towards the provision of a connecting pedestrian link from the site boundary to public footpath 83 (sum to be agreed)
- Contribution of £10,000 towards improvements and maintenance of local public rights of way in Fordingbridge Parish.
- County Council preparation of agreement charge

## **12 PLANNING BALANCE**

Members will be aware that decisions are to be made in accordance with the development plan unless material considerations indicate otherwise. Earlier in this report the implications of paragraph 11(d) are set out. The NPPF and paragraph 11(d) are a material consideration afforded weight in decision making for this application. The lack of a demonstrable five-year housing land supply means that the presumption in favour of sustainable development - 'the tilted balance' - in NPPF paragraph 11(d)(ii) is engaged for this application.

In considering the benefits, the site forms part of Local Plan Strategic Site 17 and hence is within the settlement boundary of Fordingbridge as set out in the adopted New Forest Local Plan. The proposal brings forward class C2 residential accommodation and eight open market dwellings for which there is a clear evidenced local need. Furthermore, care homes can count towards housing land supply and would be equivalent to 38 additional dwellings.

The development is subject to Strategic Site 17 Policy, and it is considered that the proposal is considered to comply with the relevant criterion which in this case are section (ii) b relating specifically to flood risk and that Policy CCC1 is also satisfied. In relation Site 17 section (c) on design matters the proposal is considered to be in compliance with providing a distinctive neighbourhood and sense of place and with an appropriate density.

Policy STR1 supported by the NPPF sets out the need for sustainable development. This includes an assessment of environmental, social and economic benefits that may flow from a development. In this case there is a socio-economic benefit from the creation of additional new jobs in respect of the care home and construction jobs for both elements. The development will also potentially result in the release of existing open market under occupied homes. In social terms the care home part of the development will assist towards increased wellbeing and reduced isolation, provide a range of facilities to encourage social interaction, and a potential reduced load on local NHS services. The proposed housing mix also has an emphasis on smaller 2 bedroom properties which would make a welcome contribution to the stock of smaller dwellings available to first time buyers and young families as well for which there is an acknowledged need.

With regard to technical issues including highway impact, access, environmental protection measures including phosphate impact, minerals and flood risk the development can be adequately managed through conditions and appropriate contributions through a s106 planning obligation.

There will be no adverse impact on the setting of designated heritage assets. Similarly, the development will have no adverse impact on designated landscapes and any impact on the Cranborne Chase International Dark Skies can be mitigated through design and lighting.

The proposal will have a limited impact on local residential amenities of both existing and proposed new dwellings nearby and any adverse impact arising from new plant facilities on the care home site can be mitigated.

The development will bring forward a range of social and economic benefits and will result in a good -quality design which meets the Local Plan policy aspirations. The proposal will result in other environmental benefits through additional landscaping and biodiversity net gain as well as enhancement for protected wildlife species.

It is considered that when applying the balancing exercise required in paragraph 11(d) of the NPPF the identified adverse impact arising due to the scale of the care home building and any impact on Whitsbury Road, does not significantly and demonstrably outweigh the benefits. The balance therefore falls in favour of the application and the proposal is recommended for permission.

## **CONCLUSIONS**

Overall, it is considered that the balance of considerations is one of clear approval taking into account the public benefits when considered against the identified limited environmental harms.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies SS17, STR1, STR2, STR5, STR9, ENV1, ENV3, ENV4, HOU1, HOU3, CCC1 criterion (i), CCC2 criterion (i), (iv) & (v), Local Plan Policy DM1, DM2, and NPPF 2024 paras.11, 61, 63, 96, 112, 115, 116, 117, 124, 129, 131, 135, 163, 181, 182, 187, 189, 193, 195, 198, 224, and 231

## 13 RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to:

- i. Take receipt of and have regard to any comments from Natural England in response to the Council's Appropriate Assessments
- ii. The prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
  - Habitat Mitigation contribution towards infrastructure and non-infrastructure costs
  - Air Quality monitoring contribution for both elements of the development
  - Play space off site contribution arising from market dwellings
  - Formal play off site contribution
  - Securing sustainable transport pedestrian link along southern boundary
  - Submission of a full Travel Plan in respect of the Care Home element
  - Section 278 Agreement for new junction onto Whitsbury Road
  - Contribution towards connecting link to public footpath 83
  - Contribution towards improvements and maintenance of local rights of way
  - County Council preparation of agreement charge

Then GRANT PERMISSION subject to 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 comments from Natural England and due to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

### **Proposed Conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

#### **Plans received 20 March 2025**

DR A 1050 Rev L11 Proposed contextual site layout

DR A 2100 Rev PL5 Care home ground floor plan

DR A 3000 Rev PL9 Care home north and west elevations

DD 680L01 Rev F Landscape general arrangement plan

#### **Plans and reports received 14 February 2025**

Arboricultural method statement v2

Noise impact assessment v3  
Sustainability and climate change statement  
DR A 2000 Rev PL4 A1 house type  
DR A 2000 Rev PL4 A2 house type  
DR A 2000 Rev PL 4 B1 house type  
DR A 2000 Rev PL5 D1 house type  
DR A 2000 Rev PL5 E1 house type  
DR A 2050 Rev PL1 F1 car port  
DR A 2050 Rev PL1 F2 car port  
DR A 2000 Rev PL3 F3 garage  
DR A 2050 Rev PL2 F4 car port  
DD A 2200 Rev PL4 Care home first floor plan  
DR A 2300 Rev PL4 Care home roof plan  
DR A 1500 Rev PL2 Care home bin store  
DR a 1501 Rev PL1 Care home cycle store  
DR A 3001 Rev PL5 Care home south and east elevations  
DR A 3002 Rev PL5 Care home elevations sheet 3  
DR A 3003 Rev PL4 Care home elevations sheet 4

**Plans received 11 November 2024**

DR A 0001 Rev PL1 Site location plan

Reason: To ensure satisfactory provision of the development.

**3. Finished floor levels**

Prior to the commencement of development, the exact finished ground floor level and ridge heights of the buildings in relation to the existing site and road levels shall be submitted to and agreed in writing with the Local Planning Authority (hereafter referred to as LPA). The development shall not be carried out other than in strict accordance with the existing and proposed levels as may be agreed.

Reason: In the interests of ensuring the impact of the buildings facing onto Whitsbury Road are acceptable and to comply with Local Plan policy ENV3.

**4. Building materials and details**

No development above ground floor slab level of any part of the care home

or dwellings hereby approved shall take place until a full schedule of proposed materials for the buildings including details of all external building materials, windows (including glazing pattern and means of opening), doors and rooflights, soil and vent pipes, and external meter boxes, has been submitted to and agreed in writing with the LPA. The development shall not be carried out other than in accordance with any written schedule of materials as may be agreed.

Reason: In the interests of the appearance and character of the building hereby approved

#### 5. **Tree and hedgerow protection measures**

No development shall take place including any site clearance works until the trees and hedgerows on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted James Fuller Arboriculture Arboricultural Method Statement Ref JFA0347 dated October 2024 and Tree Protection Plan JFA0347.03 TPP dated 29/10/24.

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

#### 6. **Hard and soft landscaping detailed design**

No development above ground floor slab level of the care home or any dwelling hereby permitted shall take place until a scheme of detailed hard and soft landscaping plans for the site are submitted to and approved in writing by the LPA. This scheme shall include:

- i) A schedule and specification for new tree planting (species, size, staking, spacing, location, details of irrigation pipe),
- ii) A schedule and specification for new soft planting (hedgerows, shrubs, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location
- iii) A specification for the protection of all new soft landscape planting (e.g., temporary fences, rabbit guards, mulching).
- iv) A schedule and specification of all hard landscaping, street furniture, and means of enclosure.
- v) A long term (in perpetuity) management and maintenance plan for all new and existing boundary trees and hedgerows, gardens and open space areas.
- vi) A long-term management plan (minimum period of 30 years) for the ecological management and maintenance of the eastern and southern wildflower meadow and pond area, and the Whitsbury Road hedgerow (existing and proposed planting).

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 LPA.

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

and details referred to above.

Reason: To ensure that the development provides a suitable soft and hard landscaping strategy and arboricultural strategy, as well as a long term management plan for all landscaped and ecological areas, in the interests of the appearance and character of the area, and in accordance with the need to enhance biodiversity within the site in accordance with Local Plan Policies ENV3 and DM2.

## 7. **Archaeological investigation**

### Part (A)

No demolition or development shall take place or commence until a programme of archaeological works (strip, map and sample) has been secured, including a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority.

The WSI scheme shall include an assessment of significance and research questions; and:

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

### Part (B)

No demolition or development shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A), and not until the archaeological investigations have been fully completed.

### Part (C)

The development shall not be first occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site has potentially significant archaeological remains. To ensure an archaeological investigation is carried out and any finds are properly stored, documented and a written record is made.

## 8. **Minerals safeguarding**

Prior to the commencement of any part of the development, excluding site clearance, enabling and demolition works, a method statement covering the following matters shall be submitted to and approved in writing with 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

## 9. **Construction Traffic Management Plan**

No development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing with the LPA, to include details of:

- i. provision to be made on site for contractor's parking,
- ii. construction traffic access,
- iii. space for the turning of delivery vehicles within the confines of the site,
- iv. lorry routing to and from the site.
- v. wheel wash facilities to prevent mud and spoil from leaving the site.
- vi. and a development programme of works has been submitted to and approved in writing by the Local Planning Authority.
- vii. vehicle cleaning measures for traffic leaving the site

The development shall be implemented and carried out in accordance with the details approved.

Reason: In the interests of highway safety in accordance with Local Plan Policy CCC1.

## 10. **Cycle storage for market dwellings**

Prior to the commencement of any part of the C3 residential development scheme above ground floor slab level, a scheme shall be submitted to and agreed in writing by the LPA to provide a lockable and secure cycle storage shed for each dwelling that does not have use of a garage. The cycle storage as may be agreed shall be provided prior to the occupancy of the unit to which it relates and maintained as such thereafter.

Reason: To promote sustainable means of transport.

11. **Environmental protection – road traffic noise**

The proposed noise mitigation measures for the development set out within the Noise Impact Assessment undertaken by Dice Environmental Acoustics on 24 October 2024 (Report Ref: 101319-R01 -Version 2 shall be implemented in full prior to first occupation, and then retained and maintained in accordance with the approved scheme, unless otherwise agreed in writing by the LPA.

Reason: To protect the amenity of residents in accordance with Local Plan Policy CCC1

12. **Environmental protection - Electrical Sub-Station Noise Assessment**

Prior to the erection or building of any electrical sub-station, an acoustic report assessing the impact of noise from said substation on the new dwelling on plot 1 of this development shall be submitted to and approved in writing by the LPA. The report shall address the issue of noise (including low frequency noise) and vibration from the sub-station to ensure that there is no adverse effect to the nearby proposed new dwelling.

The following guidance should be considered:

- BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound.
- BS 8233:2014 Sound insulation and noise reduction for buildings.

The electricity sub-station equipment shall be maintained in a condition so that it complies with the levels and mitigation measures specified in the approved acoustic report, whenever it is operating. After installation of the approved plant, no new plant shall be used without the prior written permission of the Local Planning Authority.

Reason: To protect the amenity of local residents

13. **Environmental protection - Noise and Odour from care home kitchens exhaust**

Prior to the first operation of the care home, a scheme and maintenance schedule for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises, shall be submitted to and approved in writing by the LPA. Any equipment, plant or process provided or undertaken in pursuance of this condition shall be installed prior to the first operation of the premises and these shall thereafter be operated and retained in compliance with the approved scheme.

The design of the proposed system should meet the appropriate standard specified in the EMAQ+ document - "Control of Odour and Noise from Kitchen Exhaust Systems 2018.

Reason: To safeguard the amenity of the adjoining dwellings

14. **Environmental protection - Noise from Deliveries**

Deliveries and collections to/from the care home part of the site shall not be permitted other than between the hours of 08.00-18.00 Monday to Saturday and at no time on Sundays and Public/Bank Holidays.

Reason: In the interests of the amenity of the existing and proposed residents of the dwellings hereby approved.

15. **Environmental protection – noise from air source heat pumps**

Prior to the commencement of any part of the development above ground floor slab level, the developer shall carry out an assessment in accordance with MCS Planning Standards for Permitted Development Installations of Wind Turbines and Air Source Heat Pumps on Domestic Premises to determine the potential noise impact from the proposed Air Source Heat Pump to existing neighbouring residential properties and new dwellings hereby permitted. A scheme for any noise attenuation shall be submitted to the LPA and agreed in writing prior to commencement and implemented in full prior to the use of the building being taken up. Reason: To protect the amenity of residents and neighbouring residential premises.

Reason: In the interests of the amenity of the adjoining residents both existing and proposed.

16. **Environmental Protection - Lighting Strategy**

Prior to any development above ground floor slab level taking place to any of the buildings hereby approved, a scheme showing the details of the external lighting of the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the predictions of vertical illuminance (Ev) affecting nearby human receptors. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP)

In addition, the lighting scheme shall be designed to comply with zone E1 of the above ILP standards such as to limit any adverse impact on wildlife and protected landscapes, which in turn will reduce any impact on foraging bat species that may use the site. The lighting scheme as may be approved shall be fully implemented prior to the first occupation of any of the buildings and maintained in perpetuity thereafter. There shall be no other external lighting standards, bollards or security lighting installed on the site other than that approved without the further prior written permission of the Local Planning Authority.

Reason: To protect the amenity of existing and future residents, and to protect protected wildlife and landscapes, in accordance with Local Plan Policies STR2, ENV3, CCC1 and DM2.

17. **Environmental protection – Hours of construction working on site**

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 protect the amenity of residents and neighbouring residential properties.

#### 18. **Contaminated land overview and procedures**

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination nos.18-22 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 22 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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

#### 19. **Contaminated land - risk assessment and appraisal**

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

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

- iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

## 20. **Contaminated land - remediation scheme**

Where contamination has been identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

## 21. **Contaminated land - verification report**

Where a remediation scheme has been approved in accordance with condition 20, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the

effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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

## 22. **Contaminated land - reporting procedures**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 19, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 20, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 21.

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

## 23. **Construction Environmental and Ecological Management Plan**

Prior to the commencement of development including any site clearance or site set up works a Construction Environmental and Ecological Management Plan (CEMP) shall be submitted to and approved in writing by the LPA.

The CEMP shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Details of the site construction compound including welfare facilities.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Details of the type of equipment to be used.

- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Measures to control light spill and glare from any construction floodlighting and security lighting installed, and Mitigation measures to protect wildlife during the construction period including avoidance of works during bird nesting season (March to August inclusive), or only in accordance with an agreed mitigation plan.

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

Reason: To protect the amenity of residents and neighbouring residential properties, and to ensure that protected wildlife is not harmed during the construction phase of the development in accordance with Local Plan Policies CCC1 and DM2

#### 24. **Habitat Mitigation**

No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

#### 25. **Badger pre construction walkover survey**

Immediately prior to the commencement of any construction work on site, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist. Should badger setts be recorded on-site or within 30m of the site, 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 no harm to protected species during construction.

26. **Great Crested Newt precautionary working method statement.**

Prior to any development commencing including any site clearance works a precautionary working method statement for the protection of Great Crested Newts should they be present on the site shall be submitted to and agreed in writing with the LPA. The development shall not take place other than in strict accordance with the agreed working method and any mitigation measures that are contained therein.

Reason: To ensure no harm to protected species during construction

27. **On site wildlife and biodiversity ecological enhancement**

Prior to the commencement of any part of the development above ground floor slab level hereby approved, the Councils Ecological Enhancement Schedule or a schedule prepared by the applicant which sets out the same details shall be completed, submitted to and approved in writing by the LPA.

The schedule shall be accompanied by an appropriately detailed plan (or series of plans) showing the locations of the enhancement measures (site plans and elevation drawings with appropriate suitable siting locations for each enhancement feature on elevation drawings shall be provided. The ecological enhancement scheme shall provide for a minimum of 1 swift brick per new dwelling and at least 15 swift bricks on the care home building, together with a number of bee bricks, bird and bat boxes either on the buildings or within the site to be specified. In addition, any close boarded fences as well as other safety and security fencing shall be provided with hedgehog highways.

The approved details shall be implemented and thereafter retained. Prior to occupation, evidence shall be submitted to the LPA to confirm the agreed features have been installed in their correct locations, for example, a photographic record and/or a signed statement by a suitably qualified ecologist.

Reason: To enhance biodiversity in accordance with Local Plan policy DM2

28. **Water efficiency and phosphate mitigation**

The development hereby approved shall not be occupied unless

- i) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to,

and approved in writing by, the local planning authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

- ii) proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
  - (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
  - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

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

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC).

## 29. **Surface water drainage**

No development shall begin until a drainage strategy for the site, based on the principles within the submitted Flood Risk Assessment and Drainage Strategy including Appendix A-J dated 29 October 2024 and the Drainage Strategy Addendum 24.5062/DSA/2 Rev 2 Paul Basham Associates of 14 February 2025 has been submitted to and approved in writing by the LPA.

The submitted details should include:

- a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment. The technical note is to include justification for any proposed changes to existing drainage features such as ponds. The technical note is to include any changes to the previously submitted maintenance plan in the approved FRA.
- 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 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
- g) A mechanism for future maintenance of the agreed drainage strategy

The development shall be carried out and maintained in accordance with the approved Drainage Strategy.

Reason: To ensure proper and adequate surface water drainage is in place to serve the development in accordance with the requirements of Local Plan Policies CCC1 and DM1

### 30. **Removal of Permitted Development Rights – care home**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any subsequent Order revoking or re-enacting that Order, the use of the building hereby approved shall be limited to Class C2 of the Use Classes Order 1987 (as amended) and specifically for a care home, and for no other purposes including those listed in Class C2 without a further express grant of planning permission.

Reason: The use has been specifically agreed as a care home C2 use as other forms of C2 use and residential development have implications for habitat mitigation and conservation of European protected sites and species relating to additional recreational use. In addition, any other permitted changes of use may result in a more intensive form of development giving rise to additional traffic generation and other environmental impacts which may not be considered acceptable on this site, by virtue of Local Plan Policies ENV1, ENV3 and DM2.

### 31. **Removal of Permitted Development rights - C3 dwellings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, B or C of Part 1 of Schedule 2 to the Order, shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the site being predominantly located and associated with Tinkers Cross which is a predominantly low profile hamlet of buildings; and this being the highest part of the site; and the concerns expressed by Cranborne Chase in respect of the International Dark Skies Reserve, the Local Planning Authority would wish to ensure that any future development proposals do not allow the upward extension of the dwellings, alterations to the roofs, or the insertion of rooflights which may affect the visual character and

appearance of the dwellings and amenities of the area, and lead to additional upward light pollution, contrary to Policy STR2, ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

32. **Removal of permitted development rights for car ports to become closed buildings**

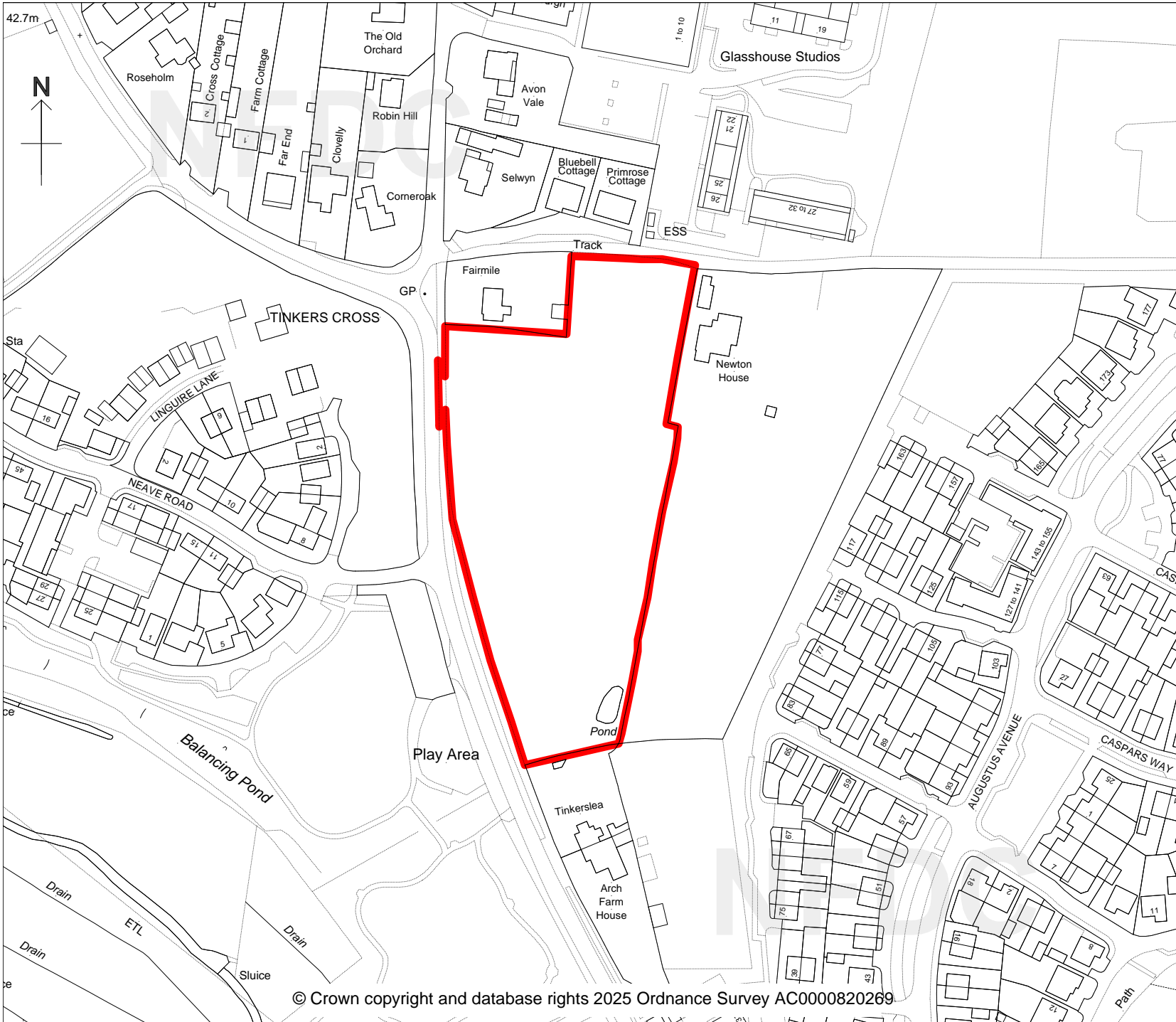
The car ports hereby approved shall be retained as open structures without external doors. There shall be no fitting of doors to the front of the car ports without a further grant of planning permission.

Reason: To ensure that available parking is maximised within the car port buildings and that the site is not placed under any car parking pressure in the interests of highway safety.

**Further Information:**

Stephen Belli

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# New Forest

DISTRICT COUNCIL

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## PLANNING COMMITTEE

April 2025

SS17 Land East of Tinkers Cross  
 Fordingbridge

24/10976

Scale 1:2000

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