

**Application Number:** 16/11323 Application by Hampshire County Council

**Site:** LAND OFF, FOREST OAK DRIVE, NEW MILTON BH25 5NT

**Development:** Proposed scheme of 18 one bedroom assisted living units and supporting communal space within the C2 Use Class with associated car parking and landscaping

**Applicant:** Hampshire County Council

**Target Date:** 18/11/2016

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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to Councillor view in part.

**2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS**

Built up area  
Tree Preservation Order  
Allocated Housing Site (NMT7)

**3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

**Core Strategy**

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
2. Climate change and environmental sustainability
3. Housing
4. Economy
5. Travel
6. Towns, villages and built environment quality
8. Biodiversity and landscape

Policies

CS2: Design quality  
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)  
CS4: Energy and resource use  
CS7: Open spaces, sport and recreation  
CS8: Community services and infrastructure  
CS15: Affordable housing contribution requirements from developments  
CS24: Transport considerations  
CS25: Developers contributions

## **Local Plan Part 2 Sites and Development Management Development Plan Document**

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

NMT7: Land east of Fernhill Lane

### **4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

### **5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPD - Housing Design, Density and Character

SPD - New Milton Local Distinctiveness

SPD - Parking Standards

SPD - Mitigation Strategy for European Sites

SPD - Design of Waste Management Facilities in New Development

Advisory Note on the Implementation of Core Strategy Policy CS15 - Affordable Housing (Nov 2012)

### **6 RELEVANT PLANNING HISTORY**

None relevant to the consideration of this proposal

### **7 PARISH / TOWN COUNCIL COMMENTS**

New Milton Town Council: acceptable but would not accept a delegated refusal, make the following suggestions:

1. That hedging is planted on both sides of the boundary fencing and that the hanging tiles are replaced with brickwork to make the building more in keeping with properties in the immediate vicinity (Local Plan policy CS2 Design Quality)
2. That Southern Water remedy the faulty hydro brake prior to any works
3. That stronger traffic management options are considered for the crossing of Fernhill Lane, such as traffic light assisted pedestrian crossing;
4. That construction vehicles enter from the south of the site via Violet Lane.

N.B. The land directly north, and a northerly strip on the western side of the site is under Town Council ownership. Any use of this land is not permitted at any time.

### **8 COUNCILLOR COMMENTS**

Cllr Jill Cleary: Having attended both consultations at New Milton Town Council I wish to make some comments regarding this application.

In general I support the application, this site has always been designated for affordable/ social housing and I believe that this application fulfils that criteria. I support that it should be accessed via Forest Oak Drive once the site has been finished and indeed this is in the local plan 2014.

However I am concerned that aesthetically the proposed design does not sit comfortably with the current design of this estate.

There are no chimney pots or chimneys at all on the estate and there are no hanging tiles, wooden clapperboard, wooden fascia panels, all houses are brick built.

I appreciate that in the next road, Gainsborough Avenue they have wooden fascia boards but Forest Oak Drive is an estate that looks in on itself, you do not nor can you see Gainsborough Avenue from any place on the estate . This proposed design must fit in with the estate, the proposal currently has chimneys and hanging tile, surely there is a policy that states it should fit in and match its immediate surroundings?

I am also concerned that one house in particular will be greatly affected, 31 Forest Oak Drive. This house will be opposite the proposed vehicle entrance and exit and therefore is likely to have car headlight intrusion through its living room windows. It could also suffer being blocked or have no turning circle to get on or off of their own drive, I would like to see this looked at. I have talked at length with the other District Councillor John Ward and he fully supports my comments and concerns.

We were told at the Town Council that the next stage is for this to go before the New Forest District Council planning committee, I sincerely hope that the committee makes time to come and see Forest Oak Drive to fully understand the complications of this site.

## **9 CONSULTEE COMMENTS**

9.1 Urban Design Officer has raised the following issues with the scheme: Integration within the existing neighbourhood especially in terms of:

- Connections and respect for the existing POS
- Provision of POS
- Landscape intentions
- Appropriateness of the scale, mass and overall site coverage

I am concerned that as well as failing to really embrace the importance of the POS and the opportunity it offers, there is no case made for why the development should not provide public open space in accordance with adopted local plan policy and why the development cannot be created to ensure that residents benefit from a more neighbourly approach to open space and the public realm.

The building seems introverted with front door unseen from the public realm. The curtailing of the POS with what appears to be a fire escape and maintenance gate addressing the key public space may well be an issue.

I am concerned that by placing the building thus, the usefulness of our existing open space (which appears on the face of it to have been awaiting the rest of the housing development for its completion) will be seriously depleted in terms of options for amenity, play and activity. Indeed, it may well become seen as nuisance in such a constricted space.

- 9.2 Tree Officer: no objection subject to condition, the proposals would have no adverse impact on protected trees or those along the Fernhill Lane frontage which are far enough away from the proposed development not to be implicated.

## **10 REPRESENTATIONS RECEIVED**

None received

## **11 CRIME & DISORDER IMPLICATIONS**

None

## **12 LOCAL FINANCE CONSIDERATIONS**

Not applicable as NFDC is not the determining body.

## **13 WORKING WITH THE APPLICANT/AGENT**

Not applicable as NFDC is not the determining body.

## **14 ASSESSMENT**

- 14.1 This site is located at the southern extreme of Forest Oak Drive which contains detached, semi detached and terraced housing. The site is relatively level (with the exception of an attenuation basin) and presently comprises open grass/scrub and is contained by a substantial tree belt on the west side of the site which screens the site from Fernhill Lane. To the east are detached properties in Gainsborough Avenue and to the south is Fernmount House a former County Council Day Centre. There are also substantial trees on the west and south boundaries. The immediate area is characterised by a mix of building styles and sizes, Forest Oak Drive comprises a mixture of two storey housing built in the 1990's and Gainsborough Avenue has a more established spacious character while to the south is Fernmount House - mainly single storey with a two storey element.
- 14.2 This is a County Matter application to be determined by Hampshire County Council (HCC), this Council is a consultee in the process. The proposal is to develop the site with a two storey block of 18 one bedroom assisted living units and supporting communal space (within Use Class C2) with associated car parking and landscaping. The car parking area would be located to the east of the site, accessed from Forest Oak Drive with the building immediately to the west of this in an L-shaped plan form surrounded by communal gardens.
- 14.3 In policy terms the site is allocated for residential development (Policy NMT7) (to provide around 15 new homes) including affordable housing in accordance with Policy CS15 (d) of the Core Strategy. The site specific criteria referred to in the policy are:

1. provision of vehicular access from Forest Oak Drive;
2. retention of trees on the boundary of the site with Fernhill Lane;
3. provision of public open space in accordance with Policy CS7, including a natural play space for young children located within the development.

While the proposal is for assisted living units which would not provide the new homes envisaged by policy the use would be of a residential character and satisfy a need for this type of adult disability accommodation which would be appropriate on this site. Policy CS15 states that "private development creating new dwellings will be required to contribute towards the provision of affordable housing". The supporting statement accompanying the application states that the proposed development would not provide new private dwellings and does not, therefore, need to make an affordable housing contribution as the development would be operated by HCC.

In respect of the three policy criteria the proposal addresses these as follows:

1. Access to the site would be via Forest Oak Drive which would comply with the policy.
2. The proposals would have no adverse implications for any of the trees along the Fernhill Lane frontage of the site and all other protected trees would be retained. The Tree officer has raised no objections to the scheme subject to conditions.
3. The proposals make no provision for public open space in accordance with this element of the policy this is an issue that HCC will need to consider when they assess the proposals.

14.4 With regard to the impact of the development on the character and appearance of the area, as stated above, the area is of mixed character and a building of the size proposed could be appropriate in this context, subject to appropriate detailing and landscaping. While the New Milton Local Distinctiveness Document identifies the green and tranquil atmosphere and the verdant setting (The Lanes) this does not preclude a building of the size proposed particularly having regard to the scale of the former Fernmount House to the south, again subject to appropriate detailing. The Urban Design Officer has raised issues with the scheme in terms of the way that the building addresses the public realm and in particular the existing public open space. These issues are set out in paragraph 9.1 above in full and will be updated as required at Committee.

14.5 In terms of residential amenity the building would be located a good distance from the closest dwelling in Forest Oak Drive ( No.31 would be a minimum of 25 metres away). This would result in an acceptable relationship in terms of impacts such as overlooking, overbearing and sun/daylighting. The development of this currently vacant site would clearly give rise to a significant change in terms of outlook and levels of activity when compared to the existing situation, however, this is an inevitable consequence of the development of the site which is to be

expected given the site allocation. The activity generated would be appropriate in this built up area and would not give rise to concerns that would justify an objection. The use of the car park does have the potential to give rise to some disturbance (particularly in relation to Nos. 31 & 33 Forest Oak Drive) in terms of noise and car light pollution, however, while it is acknowledged that this would be noticeable to residents it would be difficult to justify an objection on this basis.

- 14.6 As the proposal is for new residential accommodation and in accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, it is the responsibility of HCC as Competent Authority to ensure that the development incorporates adequate mitigation and that the development is prevented from proceeding until the applicant has secured appropriate mitigation. This could be by agreeing to fund this Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard.
- 14.7 Other matters such as highway implications, drainage/flooding potential and ecology are detailed matters to be considered by HCC who will have carried out the appropriate consultations in respect of these issues.
- 14.8 In conclusion, the type of housing proposed is worthy of support on this allocated site subject to resolution of the outstanding matters in terms of provision of public open space, habitats mitigation and design/scale.

## 15. RECOMMENDATION

**Raise No Objection:** subject to resolution of the provision of public open space, habitats mitigation and detailed matters of design

### Further Information:

Major Team

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DISTRICT COUNCIL

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**Planning Development  
Control Committee**

**November 2016**

**Item No: 3a**

**Land off  
Forest Oak Drive  
New Milton  
16/11323  
SZ2496**

**Scale 1:1250**

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



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