

Application Number: 17/10150 Full Planning Permission

Site: LAND in WHITSBURY ROAD, FORDINGBRIDGE SP6 1NQ

Development: 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

Applicant: Pennyfarthing Homes and The Highwood Group Limited

Target Date: 16/05/2017

Extension Date: 11/08/2017

RECOMMENDATION: Service Man P & BC Grant

Case Officer: Ian Rayner

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council View

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Part Built-up Area and Part Countryside

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
6. Towns, villages and built environment quality
7. The countryside
8. Biodiversity and landscape

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS6: Flood risk
- CS7: Open spaces, sport and recreation
- CS10: The spatial strategy
- CS12: Possible additional housing development to meet a local housing need

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
FORD1: Land east of Whitsbury Road, Fordingbridge
FORD2: Transport schemes

Hampshire Minerals & Waste Plan
Policy 15 - Safeguarding Mineral Resources

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 - Mitigation Strategy for European Sites
SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

Housing Development (Screening Opinion) (17/10149) - EIA not required

7 PARISH / TOWN COUNCIL COMMENTS

7.1 Fordingbridge Town Council:- Recommend refusal:- The application does not adequately or accurately assess the development's impact on the local highway network; have concerns with traffic generated, increased congestion and harm to highway / pedestrian safety; are concerned with flooding; concerned that SUDS may not provide adequate attenuation and could be a danger to children; concerns about increased pressures on education infrastructure and medical provision; concerns that SANGS site will impact on wildlife and conservation interests; Loss of green space; design is too high a density and feels cramped and urban; the low percentage of affordable housing provision is not acceptable; road layout and parking provision is unsuitable; concerns about school drop-off zone conflicting with residential parking; queries whether spine road has been designed to become a future access road linking to the A338. The Cumulative impact with other housing allocations and particularly the issues of access to the A338 cannot be ignored.

7.2 Whitsbury Parish Council:- Objects - proposed access onto Whitsbury Road and the significant additional traffic generated will have an adverse impact on vehicles going to and from Whitsbury village.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer: final views awaited; Holding Objection raised in respect of earlier proposals pending resolution of concerns relating to internal layout.
- 9.2 Environment Agency:- No objection in principle; requests a condition requiring the agreement of a working method statement to cover all works associated with the development of the SANG in order to ensure the proposal does not increase flood risk.
- 9.3 Natural England:- No objection - considers that the proposed development will not have significant adverse impacts on designated sites.
- 9.4 Environmental Health (contaminated land):- No objection subject to standard contaminated land conditions
- 9.5 Environmental Health (pollution):- No adverse comment.
- 9.6 Southern Gas Networks:- Advise of site's proximity to gas main
- 9.7 Hampshire County Council (Surface Water Drainage):- the proposals for surface water drainage meet the current standards / best practice in relation to surface water drainage; maintenance details will need to be agreed.
- 9.8 Hampshire County Council (Education):- no objection subject to the applicant providing an education mitigation contribution of £725,120.
- 9.9 Hampshire County Council (Minerals & Waste):- applicant should carry out further investigations to determine the viability of extracting minerals from the site; if prior extraction is deemed to be unviable would like a condition imposed to record recovered minerals and to ensure that any minerals recovered can be put to beneficial use; in the absence of any further investigation of the site's mineral potential would consider the proposal to be contrary to Policy 15 of the adopted Minerals Plan.
- 9.10 Hampshire County Council (Rights of Way):- no objection; requests a number of informatives to ensure appropriate account is taken of adjacent public rights of Way.
- 9.11 Archaeologist:- no objection subject to archeological conditions, noting that the work undertaken to date has proved inconclusive.
- 9.12 Tree Officer: objects - the proposed scheme threatens the retention of important mature trees protected by a Tree Preservation Order; have particular concerns with the impact of Unit 1 on a birch tree adjacent to Whitsbury Road and also the impact of a proposed footpath on a mature oak tree adjacent to Whitsbury Road; impact on trees on the west side of Whitsbury Road needs to be clarified.
- 9.13 Ecologist:- no objection subject to conditions to secure appropriate management and mitigation measures; With respect to the SANG provision on land that is a SINC, the Council need to be satisfied that the benefits of public ownership and better management outweigh disturbance arising from public access.

- 9.14 Wessex Water:- no objection subject to a condition requiring the approval of a scheme for the disposal of foul water.
- 9.15 Urban Design Officer:- objection to initial proposals - whilst the broad elements work, the character of the development is undermined by poor street design; further views on amended plans awaited.
- 9.16 Landscape Officer:- final Views awaited; holding objection raised to earlier proposals pending adjustments to layout and submission of additional details.
- 9.17 Public Open Space Officer:- advice given on levels of contribution necessary to meet policy requirements; full and detailed proposals will be required for the design of the SANGS and Public Open Space.
- 9.18 Housing Development & Strategy Officer:- does not support as the proposal does not meet the requirements of Core Strategy Policy CS15
- 9.19 District Valuer:- for the proposal to be viable, the applicant will need to be willing to reduce their profit expectations or build costs (or both). Understands that the developer may be willing to accept a lower profit, on which basis the applicant's proposed affordable housing mix would be a reasonable way forward.

10 REPRESENTATIONS RECEIVED

- 10.1 36 letters of objection / concern from local residents:- Unsuitable access onto Whitsbury Road; Access should be onto A338 instead or as part of a through route; Proposal would result in a significant increase in traffic onto unsuitable local roads resulting in congestion and additional highway dangers; proposal will increase potholes; overdevelopment of the site; development would be too high a density; open space on western side of Whitsbury Road is not supported by policy; proposal would result in increased pressures on local schools, medical facilities and infrastructure that will be unable to cope; pressures on local sewerage system; proposal will result in increased risk of flooding; insufficient affordable housing; such a large expansion of the town will harm its semi-rural / New Forest character; development would be too urban in character; lack of need; increased noise pollution; flats would be out of character; concerns about the precedent this could set for future development's in the area; adverse impact on Slow Worms, Water Voles, bats and other wildlife; adverse impact on ecology of Sweattfords Water; dwellings would lack amenity; design of affordable dwellings would be poor relative to the design of the private dwellings; concerns about access on SANG land given its ecological interest; concerns that SANG land will not be available due to potential flooding of this area; insufficient parking provision for school drop off facility; concerns about the lack of a blue line plan showing other land controlled by applicant; concerns about applicant's intentions for adjacent land; development needs to be considered holistically in conjunction with other potential future development sites.
- 10.2 1 letter from the governors of Burgate School, raising no objection subject to the applicant entering into a Section 106 legal agreement to secure a contribution of £1,199,880 towards expansion projects at Burgate School in order to mitigate impact of the development on educational infrastructure.

11 CRIME & DISORDER IMPLICATIONS

See Assessment Report Below

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive the New Homes Bonus amounting to £177,480 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £1,064,888.00.

Tables setting out all contributions are at the end of this report.

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case, the application proposals have been the subject of lengthy and detailed negotiations both before the application was submitted and during the application process. Amended plans and additional information have been submitted during the application process to address specific concerns, and this has enabled a positive recommendation to be made.

14 ASSESSMENT

The application site and its surroundings

- 14.1 This application relates to a large parcel of undeveloped land to the north side of Fordingbridge, spanning both sides of Whitsbury Road. The site extends to 9.2 hectares in total. The greater part of this area (7.3 hectares in total) is set to the east side of Whitsbury Road and is known as the eastern parcel. This area is relatively flat and open, and consists of 2 fields of pasture, one of which is much larger than the other. The 2 fields are separated by a field hedgerow. There are also hedgerows and groups of taller trees around the other field edges. Just beyond the site, there are public footpath routes that run immediately adjacent to the eastern parcel's northern and eastern boundaries. Meanwhile, to the south-east side of the eastern parcel is the line of an old railway. This line is now somewhat overgrown, there being no existing public access along this route. This former railway line provides a buffer between the application site and residential development to the south. Also situated in close proximity to the east and south-east side of the site are the grounds of Burgate School. The land immediately to the west side of the eastern parcel is essentially rural in character, but includes individual dwellings separated from the application site either by small fields or dense screening.
- 14.2 The smaller part of the application site on the western side of Whitsbury Road extends to 1.9 hectares. This area is known as the western parcel, and has a different landscape character to the eastern parcel. This area, which wraps around the Arch Farm Industrial site, is a small scale pastoral landscape that slopes down towards Sweatfords Water, which is an attractive tree lined watercourse that meanders through the site. This western parcel lies immediately to the north of an area of public open space that includes a children's play area.

The submitted proposal

- 14.3 The submitted application is a proposal for 145 dwellings, all of which would be sited within the eastern parcel. The proposal would be comprised specifically of 39 detached houses, 31 pairs of semi-detached houses, 1 terrace of 6 houses, 2 terraces of 5 houses, 1 terrace of 3 houses, 1 block of 8 flats, 1 block of 7 flats, 1 block of 7 flats attached to a terrace of 3 houses, garages and parking. All of the dwellings would be served by a new vehicular access onto Whitsbury Road. The application also proposes areas of Public Open Space and Suitable Alternative Natural Green Space (SANGS). The proposed SANGS area would extend across both sides of Whitsbury Road, with all of the western parcel being SANGS land.

Policy Framework

- 14.4 The eastern parcel is an allocated housing site that is allocated under Policy FORD 1 of the Local Plan specifically to provide for local housing needs in accordance with Policies CS12 and CS15(b) of the Core Strategy. These 2 Core Strategy policies seek to provide up to around 100 dwellings at Fordingbridge, of which at least 70% should be for affordable housing, made up of at least 40% social rented housing and at least 30% intermediate affordable housing. The policies indicate that the remainder of the site to be developed pursuant to these policies

should be developed for low-cost market housing, which could include starter homes. At least 50% of the affordable housing provided is expected to be family housing.

- 14.5 Policy FORD1 reiterates the requirement that 70% of dwellings provided on this allocated site should be for affordable housing. The policy requires development of this site to meet a number of specific criteria. These criteria are that vehicular access should be from Whitsbury Road; pedestrian and cycle routes should be provided through the site linking to the footpath and cycleway network; a safe pick-up and drop-off facility should be provided within the site to serve adjoining schools; on-site public open space should be provided to include provision of natural playspace for children and recreational space for young people; SANGS should be provided on or close to the site; important trees and hedgerows should be retained; a landscape buffer should be provided along the Whitsbury Road frontage and the south-eastern boundary of the site; and a minimum of 10 full size allotment plots should be provided within the site. The supporting text to policy FORD1 suggests that if the SANGS is provided on site, the development could accommodate about 100 new homes having regard to the character of the area as one of transition between town and countryside.
- 14.6 The western parcel does not form part of the allocated housing site. It is outside of the built-up area and is subject to general countryside policies. Part of the western parcel forms part of a designated Site of Interest for Nature Conservation (SINC). Part of the western parcel also forms part of an Area at Risk of Flooding (both flood zones 2 and 3).

The principle of development

- 14.7 Given the site is an allocated housing site, albeit one that should be developed primarily for affordable housing, the principle of developing the eastern parcel for residential purposes is considered to be acceptable.
- 14.8 The 145 dwellings that are proposed would be a greater number of dwellings than is sought through Core Strategy Policy CS12. It is also more than the 100 dwellings that Policy FORD1 suggests could be built on the site. However, the suggestion that 100 dwellings could be built on the site is only advisory and is based on an assumption that all SANGS would be on site. There is actually no policy requirement for all of the SANGS to be provided on the FORD1 site, and therefore if part of the SANGS is being provided on adjacent land, as is actually the case, then this should, in theory, increase the capacity of the site to provide more than 100 dwellings. Ultimately, it is not felt there would be any in-principle objection to providing 145 dwellings on the site. What is important is that the development is well designed and sympathetic in spatial terms to its rural edge context. This is a matter that is considered later in this report.
- 14.9 SANGS linked to an adjacent residential development is considered an appropriate use to provide in the countryside. There would, therefore, be no in-principle objection to the provision of SANGS on the unallocated western parcel.

Affordable Housing Provision

- 14.10 The application is proposing that 86 dwellings (59.4%) be for private housing, 35 dwellings (24.1%) be Starter Homes, and 24 dwellings (16.5%) be for Affordable Rent. Evidently, this would not meet the policy expectation for 70% of the dwellings to be affordable. The applicants have submitted a detailed viability appraisal, which argues that meeting the Local Planning Authority's policy requirement would make their development unviable. Furthermore, their viability case argues that a greater level of affordable housing than what is actually being offered would result in an unviable scheme.
- 14.11 The applicant's viability appraisal has been considered by the District Valuer (DV). The District Valuer considers that even the applicant's proposed scheme would not be viable unless the applicants are willing to reduce their profit expectations below normally accepted profit expectations (the 'norm' being 20%), or reduce their construction costs, or potentially both. If, however, the applicants were willing to reduce their profit expectations to circa 18.25%, then the applicant's proposed mix of housing would be viable.
- 14.12 Based on the applicant's viability appraisal, and the conclusions of the the District Valuer, it is clear that the Council's policy expectation of securing 70% affordable housing on this site is unrealistic and unachievable if the scheme is to be viable. Accordingly, it is considered reasonable to accept a level of affordable housing that falls significantly below the Council's policy expectation.
- 14.13 The applicant's affordable housing offer is not the only possible mix that would be viable (if an 18.25% profit is accepted), but it is felt to be the best and most appropriate offer in this case. If the proportion of affordable rented accommodation was to be increased so as to be equal to the proportion of starter homes, this would necessitate an increase in the number and proportion of private dwellings in order to achieve a similar level of profit. Consequently, the combined proportion of affordable rented dwellings and starter homes under a more balanced affordable / starter home mix would only be 38%, as opposed to 40.6% under the scheme that is actually proposed. While, ideally, officers would have wanted to see a scheme with a greater proportion of affordable rented dwellings (including more affordable family accommodation), it is felt, ultimately, that the applicant's scheme provides an appropriate balance between maximising the affordable offer and securing an appropriate affordable / starter home mix, taking into account viability constraints.
- 14.14 It should be noted that Starter Homes do not meet the definition of affordable housing based on the Council's own policies. However, the Council has on other recent large-scale housing schemes accepted Starter Homes as an alternative to intermediate affordable housing (i.e. shared ownership and shared equity housing), having regard to statements from central government that were in favour of starter homes as an affordable tenure option, particularly in relation to stalled brownfield sites. A government's Housing White Paper has since been published, which has changed the criteria for Starter Homes, meaning that Starter Homes are no longer, in most circumstances, going to be an appropriate alternative to affordable housing. However, in the case of this particular application, because the Local Planning Authority has

accepted Starter Homes as an alternative to affordable housing on other developments being built pursuant to Core Strategy Policies CS12 and CS15, it is felt that it would not be reasonable to reject Starter Homes as an alternative to affordable housing on this scheme, given it would be developed pursuant to the same policies.

- 14.15 The applicant's affordable housing offer of 35 Starter Homes and 24 homes for affordable rent will need to be secured within a Section 106 legal agreement. Providing the affordable housing is secured in this way, it is considered the quantum and mix of affordable housing, while not meeting policy expectations, would nonetheless be acceptable for the reasons set out above. It should be noted that if the Starter Homes are unable to be sold as Starter Homes within an initial 9 month period, they would then through the Section 106 legal agreement be safeguarded for other forms of Intermediate Housing.

SANGS

- 14.16 Based on the requirements of the Council's own policies, the development should secure 3.236 hectares of SANGS either on or adjacent to the site. This required quantum of SANGS would be achieved through the provision of a long area of SANGS running alongside the eastern parcel's eastern boundary, and through the provision of SANGS on the western parcel.
- 14.17 The SANGS area proposed, which would include pedestrian links to adjacent public footpaths, would provide attractive open areas for people to walk (with their dogs). In terms of its size and location, it is felt that the SANGS would meet the requirements of Policies DM3 and FORD1. In terms of its design, the SANGS within the eastern parcel would be an attractive green corridor, typically between 25 and 40 metres wide. It would include a combined footpath and cycle path running through it. The SANGS within the western parcel would include a network of footpaths, including boardwalks and footbridges over Sweatfords Water. It has the potential to be an attractive space, although precise details of some of the features within the SANGS will need to be agreed through condition. It should be noted that some of the western SANGS will occasionally flood, meaning that these areas are unlikely to be useable when in flood. However, it would only be a very small proportion of time (primarily in winter and not during the bird breeding season) when the SANGS may not be usable, and in these circumstances, it is not felt the SANGS would be so compromised as to fail in its key function, which is to ensure that the impact of the development on designated European sites is adequately mitigated. Overall, through the provision of the SANGS on the development, it is considered that significant effects on the New Forest European sites can be ruled out. Therefore, the proposal would meet the requirements of the Habitats Regulations. It is of note that Natural England have raised no objection to the layout and design of the proposed SANGS.
- 14.18 Adjacent to the SANGS, the applicants are proposing to safeguard areas of land for future road improvements and access (that would be needed if further land in the vicinity were to be developed for residential purposes in future). These future road improvement / access areas do not form part of the SANGS, but they would function as SANGS until such time as the land is needed for future road improvements or access, thereby ensuring that the SANGS, as proposed, is not compromised by

artificial severance. Any future planning application for residential development that necessitates access works across the safeguarded areas would need to ensure the SANGS proposed through this application remains fit for purpose.

- 14.19 Aside from providing SANGS on the site, the development will need to secure an appropriate contribution towards the future maintenance of the SANGS. In this instance, a maintenance contribution of £362,432 is deemed necessary, taking into account the specific nature and design of the SANGS area. The on-site SANGS areas, the specified maintenance contribution, and a separate monitoring contribution of £7250 will all need to be secured within the S106 legal agreement.

Public Open Space

- 14.20 Based on the Council's Core Strategy Policy CS7, the development should secure 0.829 hectares on Informal Public Open Space and 809 square metres of designed playspace. The Council's policies allow for a degree of overlap between informal public open space and SANGS, given that areas of SANGS close to dwellings can function equally as an area of informal public open space. However, informal public open space serves many different needs and functions, and so not all public open space will be suitable as SANGS, and vice versa. In this case, the applicants are proposing distinct areas of Public Open Space that are not SANGS, which would include a central green square, a separate landscaped green, wide landscaped margins to the primary highway route serving the development, and landscaped strips adjacent to the main site's western boundary. These, in combination with areas of SANGS closest to the dwellings, would ensure that the development's need for appropriate areas of public open space are met.
- 14.21 The applicants are proposing to provide an equipped children's play area (LEAP) as an island within the SANGS on the eastern boundary of the site. This, together with the opportunity to provide more informal play opportunities within the SANGS, would ensure that the requirement to secure appropriate playspace in accordance with policies CS7 and DM3 is met.
- 14.22 The on-site public open space and children's playspace will need to be secured through the S106 legal agreement. This will include a need to secure a public open space maintenance contribution of £92,870 (which has been calculated to take into account the public open space size and design) and a separate Children's Play Area maintenance contribution of £113,260.

Allotments

- 14.23 The application proposes 10 full size allotments within the north-west corner of the main site (eastern parcel), which would include 10 car parking spaces to be used in association with the proposed allotments. The allotments would be in an appropriate location and of an appropriate size, and would meet the requirement of Policy FORD1 to secure at least 10 full size allotments. The allotments would need to be secured through the Section 106 legal agreement.

School Drop-off Facility

- 14.24 The application proposes 25 unallocated car parking spaces on the eastern boundary of the site, which are designed to meet the requirement of Policy FORD 1 to provide a safe pick-up and drop-off facility within the site to serve adjoining schools. The layout includes a pedestrian link between these car parking spaces and an adjacent public footpath that abuts the school grounds. It is felt that the number of car parking spaces being provided in association with the school drop-off facility and its location within the development would meet the specific requirement of Policy FORD1.

Transportation Considerations

- 14.25 Vehicular access to the development would be from Whitsbury Road via a simple priority junction. The arrangement proposed has been the subject of a Road Safety Audit and design checks. The access would have appropriate visibility and the Highway Authority are satisfied that this access would be a safe and acceptable means of access to serve the development.
- 14.26 Concerns have been expressed by local people that an access should be provided onto the A338 as part of a through route. However, this is not required under policy and nor is it necessary to make this proposal acceptable from a transportation perspective.
- 14.27 The application proposes to provide 349 car parking spaces (including garages) to serve the needs of the residential development. There would also be a small amount of visitor parking adjacent to main roads within the development. The level of car parking being provided would be fractionally in excess of the level of car parking recommended in the Council's Parking Standards Supplementary Planning Document (SPD). As such, the Highway Authority have confirmed that the level of parking being provided in association with the development would be acceptable from a highway safety perspective. The application also makes appropriate provision for cycle parking within garages (that would be large enough to accommodate cycles) and within sheds and communal stores.
- 14.28 The majority of the internal highway arrangements are intended to be offered to Hampshire County Council for adoption. From the Highway Authority's advice to date, it is understood that there are no fundamental concerns with the internal layout from a highway safety perspective, but there are some minor layout issues which has resulted in a holding objection. The applicant has amended their proposals and provided additional information to address the Highway Authority's concerns, and the further comments of the Highway Authority are awaited. It should be noted that the concerns raised by the Highway Authority are all capable of satisfactory resolution.
- 14.29 The submitted application is accompanied by a detailed Transport Assessment, which, among other things, considers the trip generation rates that would be expected for the development, the likely growth in traffic, and the likely increase in traffic on specific routes and using specific junctions. From the information within this Transport Assessment, the Highway Authority are satisfied that the additional traffic using a number of nearby roads and junctions will be within

operational capacity and will not therefore pose a danger or inconvenience.

- 14.30 In terms of the wider highway network, the greatest impact is forecast to be seen at the junction of Salisbury Road and Green Lane, where traffic flow increases of 6.7% to 8.7% are expected. This level of increased traffic is unlikely to result in any physical impact (queuing) at this junction, however, due to the specific junction arrangement, there being no opposing flow at this junction. The next greatest impact on the wider network would be at the A338 on-slip, the A338 off-slip, and A338/Salisbury Road. However, the identified percentage impacts at these junctions would be within the recorded daily variation of traffic flow and would therefore be unlikely to materially impact on highway safety and movements at these junctions.
- 14.31 Overall, therefore, the Highway Authority is satisfied that the proposal will not generate levels of traffic that would cause unacceptable congestion or be harmful to the local highway network. However, the Highway Authority do consider that there is a need to ensure that the development's overall transportation impact is mitigated by ensuring that contributions are made towards a number of specific schemes designed to improve pedestrian and cycle links between the site and Fordingbridge Town Centre / nearby bus stops, and also to improve a Public Right of Way between the site and Penny's Lane. The Highway Authority has sought a transportation contribution of £173,745 towards these planned improvements, which is considered a reasonable contribution. While this contribution could potentially be secured through a Section 106 legal agreement, it is felt in this instance that it would be better to secure this contribution through CIL in order not to further compromise the applicant's affordable housing offer. Ensuring that CIL money is put towards the transportation improvements that are deemed necessary will need to be agreed separately from the determination of this application, but in principle, there is no reason why £173,745 of the applicant's significant CIL payment could not be put towards transportation improvements, thereby ensuring the development's transportation impact is appropriately mitigated.
- 14.32 The applicants have submitted a Framework Travel Plan, as required by policy, in order to encourage future occupants of the development to travel by modes other than single occupancy car use. Having regard to the advice of Hampshire County Council, the principles set out in the Framework Travel Plan are considered to be acceptable, but for the application to be fully in accordance with policy, there will be a need to agree a Full Travel Plan. This requirement should be secured within the Section 106 legal agreement, which will also need to secure a bond at 100% of the cost of the measures; an initial evaluation fee of £1500; and a Monitoring Fee of £3000 per year for a minimum of 5 years.

Design Considerations

- 14.33 The application layout takes the form of a main spine road running through the site from north to south, with a number of subordinate, secondary roads coming off that main route. Those coming off to the east would form part of a connected circuit, whilst those coming off the west would typically be cul-de-sacs. The layout would have a strong perimeter block character, with houses actively addressing the road(s) that they would front onto. Front gardens would typically be modest in

size, but to the rear, generous garden groups would be created with enough depth to allow for larger trees and mature vegetation to develop over time. While in places the new streets would have quite a tight and intensive form, this would be mitigated by the generous open spaces running through the development. The SANGS / Public Open Space (with SUDS feature) would be a significant feature at the main entrance to the development, and would give this main entrance a very green and open character. Within the development, the creation of a central square to include a landscaped greenspace (public open space) would be a key feature, while a smaller green further to the north would also be an important feature. Together these significant public open areas, in combination with the generous sized rear garden groups, would ensure the development does not feel too urban or intensive a development on the town's rural edge.

- 14.34 The development would be overwhelmingly 2-storey in scale. Indeed, no dwelling would be more than 2-storeys high, although a few on the site's northern edge would be slightly lower 1.5 storey dwellings. It is felt this scale of development would be entirely appropriate to the site's context. A significant proportion of the dwellings would be detached or semi-detached. While, there would be some larger building groups, these would be well articulated buildings with variations in rooflines, which would help to ensure the buildings are not too dominant in their setting. The largest and most intensive building groups within the development would be Units 12-18 and 63-77, which have been designed as barn style courtyard blocks. - Units 12-18 would be particularly visible from Whitsbury Road. It is felt that this building through its form, materials and detailing would adequately respond to the site's rural context. Units 63-77 (2 adjacent buildings) would also be well designed, and while the rear courtyard would not be the greenest of spaces, it is felt that with appropriate hard and soft landscaping the setting of these 2 units would be adequate. More generally, it is felt the proposed dwellings would be of an acceptable appearance. - Many of the dwellings would be of a fairly conventional design. However, the development has been designed to include key buildings and key groups of buildings running through the site, particularly along the main spine road, and along the eastern edge where an appropriate degree of richness has been added to the architecture. As a whole, it is considered that the dwellings would be of an appearance that would adequately respect the site's rural edge context, and with a reasonable consistency running through the design this would help to create a strong sense of place.
- 14.35 The design is not without some concern. The Council's Urban Design Officer has raised particular concerns with the street design, particularly in respect of the central square, which he feels lacks a strong character, and which he feels has been designed with too much emphasis given to vehicular movement through the space rather than creating a well designed, pedestrian friendly area that helps the legibility of the whole development. The views of the Council's Urban Design Officer are understood. However, Hampshire County Council (as Highway Authority) has set guidance as to what it will accept if it is to adopt a highway, and, in this case it is that guidance which has to a large extent dictated the street design. Ultimately, the applicants do need to put forward a design that the Highway Authority will be prepared to adopt. Following detailed discussions between the various parties, the applicants have submitted an amended plan that seeks to strike a balance between the wishes of

the Council's Urban Design Officer and the Highway Authority. While not going as far as the Council's Urban Design Officer would like, it is felt the central square, as amended, would through its detailed design measures (entrance features and changes in surfacing) have sufficient character and quality, both visually and functionally.

- 14.36 There would be good natural surveillance of the key public areas within the eastern parcel of the proposed development. The design is considered to be one where opportunities for anti-social and criminal behaviour are reasonably minimised.
- 14.37 Overall, it is considered the proposed development would be well designed and sympathetic to local distinctiveness and the site's rural edge context. The development would therefore have an acceptable impact on the character and appearance of the area.

Amenity considerations

- 14.38 The proposed development would not have a significant impact on the amenities of nearby residential properties given that existing dwellings are typically set well away from the development site. Newton House, which does have a common boundary with the site, is separated from the site by dense and mature screening, and whilst some additional noise and activity is to be expected, it is not considered that the proposal would give rise to levels of noise that would be harmful.
- 14.39 The future occupants of the dwellings within the development would enjoy satisfactory levels of amenity, noting the reasonable garden sizes for most dwellings and the network of open spaces through the development.

Landscape & Arboricultural Considerations

- 14.40 The proposal would result in the loss of the hedgerow that separates the 2 fields that comprise the eastern parcel. The loss of this hedgerow (mainly comprised of hawthorn) is unfortunate. However, it is a relatively recent hedgerow rather than an ancient hedgerow. Its loss may not fully meet the aspirations of Policy FORD1, but ultimately, it is not felt to be of such landscape or indeed ecological importance as to justify retention.
- 14.41 The applicant has carried out a Landscape and Visual Impact Assessment (LVIA). From this, it is evident that the development, when viewed from Castle Hill (to the east) will be seen to extend Fordingbridge further north into the rural landscape. To a large extent, this is an inevitable consequence of the site's allocation, but it is an impact that could and should be mitigated as far as reasonably possible through new hedge and tree planting. The application is accompanied by a detailed planting strategy. While detailed landscaping proposals would need to be agreed as a condition of planning permission, it is considered the planting strategy provides an acceptable landscape framework that will ensure the development is not too intrusive within its wider landscape setting.
- 14.42 The Council's tree officer has objected to the application, in part, because the proposal would be likely to have an adverse impact on a birch tree adjacent to Whitsbury Road that is protected by a Tree Preservation Order. The tree is set close to Plot 1 and because of this

proximity the development is likely to have an adverse impact on the future of this tree, both through direct impact, and through potential future pressures. The conclusions of the Council's tree officer in respect of the likely future impact on this tree are accepted. However, it is not felt the tree offers such significant amenity value as to justify a refusal of planning permission, when balanced against the scheme's significant economic, social and environmental benefits.

- 14.43 The Council's tree officer also raised an initial concern relating to a mature oak tree, given that a footpath would extend within the root protection area of this tree. However, the applicant has since confirmed that this footpath would be laid on a cellular confinement system, which would ensure impact on this tree would be adequately mitigated.
- 14.44 There may be a need for limited tree removal within the SANGS to facilitate the use and future management of that area. This would not be unreasonable, although precise details would need to be agreed through condition. Otherwise, the development would have appropriate regard to the important trees and hedges on the site.

Ecological Considerations

- 14.45 The submitted impact is accompanied by an Ecological Impact Assessment that considers the impact of the development on the ecological interest of the site, which has included a survey of water voles. The most ecologically rich part of the application site is the western parcel, which as noted previously includes land designated as a SINC. This SINC includes riparian habitat which could be suitable habitat for water voles. However, the applicant's survey has found no field signs of water voles at the current time, meaning that it is reasonable to conclude that their resident presence is unlikely. Notwithstanding this, while the proposal would appear to have no direct impact on water vole populations, the Council's ecologist advises that it is important the site continues to provide the opportunity for water vole movement and colonisation, which therefore demands sensitive management of this area.
- 14.46 The proposed use of the western parcel as a SANGS means that there will be increased recreational activity across this area, which could result in disturbance that could potentially be harmful to some wildlife features. The Council's ecologist indicates that to offset this potential harm arising from additional disturbance, there will be a need to incorporate significant ecological measures into the landscaping. The Council's ecologist also notes that there could be some management benefits in bringing this land into public ownership. As such, while use of a sensitive ecological environment as a SANGS does give rise to legitimate ecological concerns, it is felt that a combination of sensitive landscaping and sensitive public management of the area should ensure that an appropriate balance is struck between improving public access and safeguarding ecological interests. These are matters that could be reasonably resolved through condition and the S106 requirements.
- 14.47 On the wider site, the development would have some impact on a local population of reptiles (Slow Worms), which will need to be the subject of a translocation scheme. There is some potential to relocate Slow Worms within the site itself (onto the SANGS land and the site's landscaped corridors), which would have good connectivity to adjacent habitats.

Ultimately, it is felt that the development could take place without causing unacceptable harm to Slow Worm populations, although further mitigation measures will need to be agreed through condition.

- 14.48 There is also evidence of bats foraging along some of the site's landscaped edges (including 1 rarer species). The application would maintain suitable landscaped edges, and subject to an appropriate scheme of lighting being agreed, it is not considered the proposal should cause undue harm to foraging bats.
- 14.49 Overall, it is felt that subject to suitable conditions to include the agreement of a suitable biodiversity mitigation and enhancement scheme, the development is one that could take place without causing undue harm to ecological interests.

Flood Risk & Drainage Considerations

- 14.50 The submitted application is accompanied by a Flood Risk Assessment (FRA). All of the dwellings would be within Flood Zone 1 and would not be at risk of flooding. The SANGS on the western parcel would extend into Flood Zones 2 and 3, but it would not be a sensitive use in flood risk terms and would therefore, in principle, be compliant with flood risk policies. The Environment Agency have confirmed that the proposed SANGS use would be appropriate in Flood Zones 2 and 3, but require works within the SANGS to be agreed through condition to ensure those works do not increase flood risk elsewhere.
- 14.51 The applicant's FRA proposes a drainage system based on Sustainable Drainage Systems (SUDS) in accordance with best practice to ensure flood risks from pluvial and overland flow flood sources is appropriately mitigated. The Drainage Strategy proposes to maintain the current drainage principles of the site by discharging to ground. Attenuation features on the eastern parcel include permeable paving systems, swales and a pond. The surface water drainage team at Hampshire County Council confirm that the applicant's drainage proposals accord with best practice and are therefore acceptable, although additional details would need to be agreed through condition. It should be noted that the pond is expected to be fairly gently shelving. Any risk to safety should therefore be adequately minimised through the pond's design.

Education

- 14.52 The Local Education Authority at Hampshire County Council have sought a contribution of £725,120 towards improving primary education facilities in Fordingbridge, noting that the development would be likely to generate a total of 40 additional primary age children, meaning that the existing schools will need to be expanded. While securing an education contribution is a reasonable principle, it does need to be adequately justified in relation to the relevant tests. In this case, the County Council have been unable to identify specific schemes to which the education contribution would be put. Without clearly justifying how the contribution would be spent and how such works would be reasonably related to the development, it is considered that the education contribution sought by Hampshire County Council is not justified. The request from Burgate School for an education contribution of £1,199,880 is considered to have even less justification, and it is not therefore a contribution that the applicant should be required to make.

Minerals and Waste

14.53 The application site does form part of a Minerals Safeguarding Area that is safeguarded under Policy 15 of the 2013 Minerals and Waste Plan (that is supported by a later Supplementary Planning Document). The submitted application was accompanied by a Minerals Resource Assessment, which indicates that there is an estimated potential volume of 216,000 cubic metres of sand and gravel lying across the site which is potentially economically viable. There are therefore opportunities for mineral extraction, but also constraints. The applicant's Minerals Resource Assessment is supported by the recommendation that a more detailed Phase 2 assessment be carried out to allow for appropriate engagement with mineral operators and to ensure that a thorough exploration is undertaken to consider the potential for mineral extraction at the site. This recommendation seems to be appropriate, and therefore to ensure compliance with the aforementioned policy, it is recommended that a further Phase 2 assessment should be secured as a condition of planning permission, and this will then inform whether prior extraction of minerals is viable or appropriate.

Other Considerations

- 14.54 Concerns relating to archaeology and contamination can reasonably be addressed through condition.
- 14.55 Concerns about increased pressure on other local infrastructure are noted, but would not be so significant as to justify withholding granting planning permission.
- 14.56 Concern has been raised about the applicant's intentions for adjacent land. Ultimately, this is a stand alone scheme that must be judged on its individual merits (noting that adjacent land is not currently allocated for residential development). Even though the applicant has made allowance in their design for possible links through to adjacent land (thereby ensuring the potential of that land is not compromised), it is felt that the scheme is an appropriate development as a stand alone scheme.

Summary & Conclusions

14.57 Overall, the application constitutes a significant residential development on the edge of Fordingbridge that would be broadly consistent with policy requirements. Although the level of affordable housing being provided would be materially less than sought by policy, it is felt this would be justified in the light of viability considerations. The development would be of an appropriate density and a good quality design that would be sympathetic to its rural edge context. The development would be provided with appropriate areas of public open space and SANGS, and impact on ecology, trees and other environmental assets could all be adequately mitigated. The development's impact on the local highway network would be acceptable, and there would be minimal impact on the amenities of nearby properties. As such, the application is recommended for permission subject to detailed conditions and subject to the prior completion of the required Section 106 legal agreement that is necessary to ensure policy compliance on a number of key issues.

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

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	102	24 + 35 starter homes	- 43
Financial Contribution	0	0	
Habitats Mitigation			
Financial Contribution	3.23ha	3.23ha	

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	12101		12101	12101	£80/sqm	£1,064,888.00 *

Subtotal:	£1,064,888.00
Relief:	£0.00
Total Payable:	£1,064,888.00

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2017 this value is 1.1

15. RECOMMENDATION

That the Service Manager Planning and Building Control be **AUTHORISED TO GRANT PERMISSION** subject to:

- i. the imposition of the conditions set out below.
- ii. the prior completion of a planning obligation entered into by way of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure:-
 - a) on-site SANGS, as proposed, together with appropriate contributions towards its future maintenance, and also a SANGS Monitoring Contribution;
 - b) on-site Public Open Space and children's playspace, as proposed, together with appropriate contributions towards their future maintenance;
 - c) on-site allotments as proposed;
 - d) on-site Affordable Housing / Starter Homes in line with the proposed numbers and mix;
 - e) a Green Travel Plan, and associated evaluation and monitoring costs;
 - f) the temporary use of the safeguarded access land as if it were SANGS land.

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: P124-128.e rev B, P124-128.p rev B, P46-50.e rev B, P46-50.p rev B, P9-18.e rev B, P9-18.p rev B, P9-18.p1 rev B, P71-77.e rev B, P71-77.p rev B, P108-111.e rev B, P.91-96.e rev B, P.91-96.p rev B, HT.403.e1 rev A, HT.403-A.e rev A, HT.403-A.p rev A, HT.403-H-A.e rev A, HT.403-H-A.p rev A, HT.404.e rev A, HT.404.p rev A, HT.404-A.e1 rev A, HT.404-A.e2 rev A, HT.404-A.p rev A, HT.AND-A.p rev A, HT.AND-H.e1 rev A, HT.AND-H-A.p rev A, HT.DEN.p rev A, HT.DEN-H.p rev A, HT-FLET.e1 rev A, HT-FLET.p rev A, HT-FLET-H.p rev A, HT.NORTH.e rev A, HT.NORTH.p rev A, HT.NORTH-H.p rev A, P136-137.p rev A, D-GAR.01.pe rev A, T-GAR.03.pe rev A, T-GAR.02.pe rev A, T-GAR.01.pe rev A, SUB.01 rev A, P108-111.p rev A, LP.01 rev A, HT.SET-S.e3 rev A, HT.SET-S.p rev B, HT.SET-S.p2 rev A, HT.SET-S.e1 rev B, HT.STOCK-3.e rev A, HT.STOCK-3.p rev A, P98.e rev A, P98.p rev A, HT.403.e2 rev C, HT.403.p rev C, HT.403-B.p rev A, HT.403-B.e rev A, HT.403-B.H.e rev A, HT.403-B.H.p rev A, HT.403-H.e rev B, HT.403-H.p rev B, HT.AND-A.e rev B, HT.AND-H.e2 rev B, HT.DEN.e rev B, HT.DEN-D.e1 rev A, HT.DEN-D.e2 rev B, HT.DEN-D.p rev A, HT.DEN-H.e rev B, HT.DEN-H-D.e rev A, HT.DEN-H-D.p rev A, HT.FLET.e2 rev B, HT.FLET-H.e rev B, HT.NORTH-H.e rev B, HT.OVER.e1 rev B, HT.OVER.e2 rev B, HT.OVER.p rev B, HT.SET-S.e2 rev B, P.44-45.e rev A, P.44-45.p rev A, P63-70.e1 rev B, P63-70.e2 rev B, P63-70.p2 rev B, P63-70.p1 rev B, P136-137.e1 rev B, P136-137.e2 rev B, CS01.pe rev A, S-GAR.01.pe rev B, S-GAR.02.pe rev B, HT.A3S-1.e rev B, HT.A3S-1.p rev B, P33-35.p rev B, P33-35.e rev B, HT.STOCK-2.p rev B, HT.STOCK-2.e rev B, HT.STOCK-1.p rev C, HT-STOCK-1.e rev C, DD137L01 rev C, DD137L02 rev B, DD137L03 rev B, DD137L04 rev B, DD137L05 rev A, 34WR001A, CSE.01 rev B, SE.01 rev B, DBML.01 rev D, SL.01 rev G (coloured site layout), SL.02 rev G (wider site layout).

Reason: To ensure satisfactory provision of the development.

3. 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 no 4 to 6 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 7 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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

4. 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 DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

5. 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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

6. 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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

7. 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 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, 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 6.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

8. No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- a) The programme and methodology of site investigation and recording;
 - b) The programme for post investigation assessment;
 - c) Provision to be made for analysis of the site investigation and recording;
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation;
 - f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the Written Scheme of Investigation approved under this condition.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

9. The development shall not be 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 condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

10. No development shall take place until a working method statement to cover all works associated with the SANG development on the west side of Whitsbury Road has been submitted to and agreed in writing by the Local Planning Authority. This working statement shall provide details of all works to be carried out in Flood Zones 2 and 3. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development does not increase flood risk either on or off site, in accordance with Policy CS6 of the Core Strategy for New Forest District outside of the National Park and Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

11. The development hereby permitted shall not be commenced until such time as a scheme for the disposal of foul water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved, to the agreed timescales.

Reason: To ensure no increased risk of sewer flooding to downstream property and in the interests of public health and water quality, and to comply with Policy CS6 of the Core Strategy for New Forest District outside of the National Park.

12. Before development commences, a detailed scheme for the disposal of surface water shall be submitted to and approved by the Local Planning Authority. The detailed scheme shall accord with the principles and details set out in the submitted Surface Water Drainage Strategy that forms part of the WSP Parsons Brinckerhoff Flood Risk Assessment (Project 70026857) dated January 2017. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

13. Before the development is first occupied details of the means of the future maintenance of the approved surface water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The drainage arrangements shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

14. Before development commences a detailed scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- a) the existing trees and shrubs which have been agreed to be retained;
- b) a specification for new planting (species, size, spacing and location);
- c) areas for hard surfacing and the materials to be used;
- d) the treatment of the boundaries of the site and other means of enclosure;

- e) a detailed specification for all soft and hard landscape works and features to be carried out / provided within the SANGS land;
- f) a detailed design for the children's play area;
- g) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy).

16. Before the commencement of development (including site clearance works) a detailed reptile mitigation and enhancement scheme based on up-to-date population estimates shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To safeguard reptiles (particularly Slow Worms), which are protected species, and to comply with policy CS3 of the Core Strategy for New Forest District outside of the National Park and policy DM2 of the Local Plan Part 2: Sites and Development Management.

17. Before the commencement of development, a detailed scheme of lighting, setting out how lighting designs and locations will take account of ecological objectives, shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To safeguard the habitat of foraging bats, which are protected species, and to comply with policy CS3 of the Core Strategy for New Forest District outside of the National Park and policy DM2 of the Local Plan Part 2: Sites and Development Management.

18. Before the commencement of development, a detailed scheme of ecological mitigation and enhancement measures that are to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) a substantive scheme of built environment biodiversity improvements including bat, swift, and other bird nesting / roosting opportunities;
- b) details of how the retained hedgerow corridors are to be enhanced and maintained;
- c) a detailed ecological enhancement plan for those parts of the site defined as a Site of Interest for Nature Conservation (SINC) to include an ecological management plan for this area.

Development shall only proceed in accordance with the approved details.

Reason: To safeguard ecological interests and to comply with policy CS3 of the Core Strategy for New Forest District outside of the National Park and policy DM2 of the Local Plan Part 2: Sites and Development Management.

19. Before development commences, samples and exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the development in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

20. Before the commencement of development, the precise window design details to include details of window heads, cills and reveals shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure the scheme is of an appropriately high design quality and sympathetic to its rural edge context, in accordance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

21. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

22. The development hereby permitted shall not be occupied until the approved spaces for the parking and garaging of motor vehicles and cycles have been provided. These spaces shall thereafter be retained for their intended purposes at all times.

Reason: To ensure adequate parking provision is made for both cars and cycles, in the interest of highway safety, and to comply with Policies CS1, CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

23. The 25 unallocated car parking spaces on the eastern edge of the site that are designed to provide a school drop-off and pick-up facility shall be kept permanently available for the parking of vehicles, and at no point shall any of these spaces be allocated for the specific use of any dwelling on the development hereby approved.

Reason: To ensure this area remains available as a school drop-off and pick-up facility, and to comply with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

24. Before the commencement of development a Phase 2 detailed Minerals Safeguarding Assessment to include any measures that are to be taken to recover minerals from the site shall be submitted to and approved in writing by the Local Planning Authority. The Phase 2 Assessment shall be based on the recommendations set out in Section 4.2.1 of the submitted RSK Phase 1: Preliminary Minerals Resource Assessment dated January 2017. Development shall only proceed in accordance with the approved measures and recommendations set out in the Phase 2 assessment.

Reason: To ensure that the site's potential mineral resources are adequately assessed and not compromised, and to ensure compliance with Policy 15 of the Hampshire Minerals and Waste Plan.

25. The development / works hereby approved shall be undertaken in full accordance with the provisions set out within the Barrell Tree Consultancy Arboricultural Assessment and Method Statement reference 16229-AA3-DC dated 27th January 2017 or as may otherwise be agreed in writing with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

26. All footpaths through the Root Protection Area of trees protected by a Tree Preservation Order shall be laid on a cellular confinement system with an angular stone infill unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard protected trees in accordance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

27. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of the on site provision for contractor's parking, construction traffic access, the turning of delivery vehicles, lorry routing, provisions for removing mud from vehicles, and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interest of highway safety and in accordance with Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

28. Before the commencement of development, a Phasing Plan shall be submitted which shall set out the detailed phasing of the construction of the development. Development shall thereafter be implemented fully in accordance with the Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that development takes place in an appropriate way, and to ensure that the full benefits of the approved development are delivered in accordance with Policies CS1 and CS2 of the Core Strategy for New Forest District outside of the National Park.

29. Any other condition deemed necessary in the light of outstanding consultation responses.

Notes for inclusion on certificate:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants. In this case, the application proposals have been the subject of lengthy and detailed negotiations both before the application was submitted and during the application process. Amended Plans and additional information was submitted during the application process to address specific concerns, and this enabled a positive recommendation to be made.
2. With respect to Condition 10, please note that the Environment Agency have requested the method statement adhere to the following requirements:-
 - No ground raising, obstructions to flow, excessive planting, fencing, walls, structures to be located within Flood Zones 3 or 2;
 - No attenuation features (associated with the surface management scheme for the development within Parcel 1) within Flood Zones 3 or 2;
 - Any proposed pathways should be finished at grade with the existing ground level if they are to be located in Flood Zones 3 and 2;
 - All fencing should be open post and rail/wire style.
3. Please note that the development hereby approved lies adjacent to Public Rights of Way. There must be no surface alterations to these rights of way, nor any works carried out which affect their surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal, that permission would be required from the Rights of Way department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and you are therefore encouraged to contact Hampshire County Council as soon as possible to discuss any works of this nature.

Nothing connected with the development or its future use should have an adverse effect on the rights of way, which must remain available for public use at all times.

No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the public footpaths so as to obstruct, hinder or provide a hazard to walkers.

If there is likely to be an effect on the footpaths in terms of dust, noise or other obstruction during the period of the works, it is suggested that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users of the footpath, the applicant should contact the County Council directly to discuss the Temporary Closure of the footpath for the duration of the works. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at <http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>.

4. Please note that, notwithstanding the details shown on the submitted plans, the Local Planning Authority are likely to want to see some alteration to elements of the SANGS design through the conditions of this planning permission / the Section 106 legal agreement requirements, to ensure the detailed features within these areas are sympathetically designed and can be effectively managed in the long term.

Further Information:

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee
August 2017**

Item No: 3c

Land in
Whitsbury Road
Fordingbridge
1710150
SU1315

Scale 1:5000

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

