

**Application No: 15/00294/FULL Full Application**

**Site:** Pondhead, Near Lyndhurst, New Forest

**Proposal:** Wetland restoration comprising the replacement of 290m of artificial channel with 388m of restored meander; bed level raising for a total length of 874m; replacement of 175m of the western side channel with a shallow channel; bed level raising of the eastern side channel for a total length of 50m; the installation of a piped culvert; the creation of a gravel stock crossing and the relocation of an existing bridge across the restored watercourse.

**Applicant:** Forestry Commission

**Case Officer:** Emma MacWilliam

**Parish:** LYNDHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

Application made pursuant to the New Forest Higher Level Stewardship (HLS) scheme for wetland restoration.

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Ramsar Site  
Special Area of Conservation  
Special Protection Area  
Site of Special Scientific Interest  
Flood Zone

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
CP2 The Natural Environment  
CP3 Green Infrastructure  
CP4 Climate Change  
CP6 Pollution  
CP19 Access  
DP1 General Development Principles  
DP2 Safeguarding and Improving Water Resources  
DP4 Flooding and the Coast  
DP6 Design Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE - Not applicable**

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommends refusal due to the following reasons;

It is considered that the proposals would damage three SSSI units, one of which is currently favourable. These are SSSI Unit 386, SSSI Unit 387 and SSSI Unit 562.

There is concern regarding the necessity to fell mature trees.

There are existing dwellings in the area which could flood and there have not been dwellings in the area where similar schemes have taken place. Had the existing work not been implemented in the 1850s the nearby houses could not have been built.

There is not enough evidence that the scheme should take place.

Following drainage work in Gosport Lane this had led to a velocity increase of the stream and a heavy downpour in August had led to a marked rise in the water level adjacent to Lime Wood Lodge. The flood risk assessment does not take the Gosport Lane works into account. The Lidar and topographical data show large differences.

There does not appear to be any technical data regarding how the proposed stock crossing will be accommodated and still take the existing flood flows and storage volumes and its location is not clear. The stock crossing is not considered to be as efficient as the previously proposed culvert which was refused by HCC.

**8. CONSULTEES**

8.1 Landscape Officer: The restoration proposals will be beneficial for the landscape character of the area, giving long term improvements to both nature conservation and landscape quality.

8.2 Ecologist: Support subject to conditions. In reaching a decision the NPA must give due weight to Natural England's advice. The proposals have been submitted on the basis that they are necessary to the management of the site and this is confirmed by

Natural England. The works support the integrity of the designated sites and there are no satisfactory alternatives and as such the proposals are in accordance with Policy CP1. It would be desirable to ensure that works are in accordance with the measures proposed within the Construction Environmental Management Plan and the methods included in the Biodiversity Statement and that this is the subject of an appropriate condition.

- 8.3 Archaeologist: No objection subject to condition.
- 8.4 Natural England: No objections subject to conditions. Throughout the planning of this proposal Natural England have worked closely with the Forestry Commission and the Environment Agency. The proposal is entirely necessary for European site management. Natural England considers that the works are necessary for the management of the European site interest features for nature conservation purposes, enabling the maintenance or restoration of those features and contributing to the achievement of the site's Conservation Objectives. The proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 61 of the Habitats Regulations 2010, as amended. Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. The SSSI does not represent a constraint in determining this application.
- 8.5 Environment Agency: No objections in principle to the proposal. No further comments to make on amended plans.
- 8.6 Highway Authority (HCC): There are no 'in principle' objections to the current application subject to pre and post construction surveys of the highway for which HCC is the Highway Authority. Given that if granted the Construction Traffic Management Plan will form part of the approved documents this does not require a condition to ensure compliance.
- 8.7 Highways Agency: No objections
- 8.8 Verderers of the New Forest: Support the application for the following reasons:
- Turns the clock back to remove previous man made interventions.
  - Will improve the landscape amenity of the forest.
  - Will encourage the re-establishment of the flood plain, depositing beneficial organic matter on the forest rather than it being washed out to sea.

- Will reduce floodrisk downstream.
- Will improve grazing for the benefit of the animals.
- Will restore this part of the forest to favourable condition for nature conservation.

8.9 Land Drainage (NFDC): As part of the proposal is within the Environment Flood Zone 3 the Environment Agency may wish to see this application. It is noted that the applicant will be approaching Hampshire County Council for Ordinary Watercourse Consent.

8.10 HCC Access Development Officer (Planning): No Objections

## **9. REPRESENTATIONS**

9.1 Nine letters of representation from adjacent properties objecting to the proposals and raising concerns over; loss of trees as a result of felling in association with the proposed works; flooding on adjacent land, farms and properties; impacts upon farming, commoning and safety of stock due to increased flooding and changing water levels and increased poaching; impacts upon properties, such as subsidence, as a result of ground water level changes; insufficient modelling and insufficient and inaccurate information having been provided in relation to flooding and ground water levels; impacts upon protected species and fish; loss of kingfisher habitat and other ecosystems; potential damage to protected sites in contravention of European Habitat Directives; lack of technical data to support the claim that the works will achieve the stated aims; adverse impacts upon archaeology.

9.2 One letter of representation from New Forest Access For All commenting that access across the bridge and restored watercourse should be flat and level and without steps. The bridge should be sufficiently robust to withstand the weight of two wheelchairs/scooters and their riders and wide enough to allow two wheelchairs/scooters to pass.

9.3 One letter of representation from the New Forest Association in support of the application. NFA thanks the Forestry Commission for their prior consultation and informed site visit. The project seems worthwhile most especially the raising of the stream bed in one section. NFA would not object to the replacement of the vehicle bridge at 324069 with a ford on completion of work as they are safer, cheaper to maintain and less intrusive in the landscape.

## **10. RELEVANT HISTORY**

10.1 Wetland restoration comprising the replacement of 290m of artificial drain with 388m of restored meander; bed level raising

for a total length of 874m; replacement of 175m of side drain with a shallow channel; the creation of a gravel stock crossing and the relocation of an existing bridge across the restored watercourse (15/00046). Withdrawn 04/03/2015.

- 10.2 Three similar applications have been recently approved at Planning Committee for Slufers Inclosure to the north of the A31 between Picket Post and Stoney Cross (Ref 14/00394), Harvest Slade Bottom to the north of Burley Village (Ref 14/00611) and Amberslade and Broomy (Ref 15/00045) to the east of the High Corner Inn, Linwood.

## 11. ASSESSMENT

### Site and Surroundings

- 11.1 Pondhead is located adjacent to Pondhead Farm, approximately 500m south of Beaulieu Road and 2km southeast of Lyndhurst. The Lime Wood Hotel is situated approx. 200m to the west.
- 11.2 The western portion of the site is located within Parkhill Lawn which is on the open forest and the eastern portion of the site is located within Denny Inclosure which has been thrown open, meaning that it is accessible to riders, walkers and commoners and grazed by commoners stock, with the objective of the Inclosure being returned to heathland and open forest habitats.
- 11.3 The watercourse arises in Pondhead Inclosure, emerging onto the open forest to flow through pasture woodland and what is now lawn (wet grassland) habitat, until it reaches the riverine woodland of Denny Inclosure. Holmhill Passage runs along the eastern boundary and Public Right of Way 5 runs along the western boundary. There are three bridges within the site which allow riders and walkers to cross the existing watercourse. Two side channels flow into the watercourse from the north. A Park Pale (earthen bank with an internal ditch that once enclosed Lyndhurst Old Park) runs through the centre of the site.
- 11.4 The site is located within the New Forest SAC, SPA, RAMSAR site (Wetlands of International Importance) and SSSI (mainly units 386 (Parkhill Lawn) and 387 (Matley bog)). The site lies within Flood Zones 2 and 3.

### Background and Description of Development

- 11.5 Approximately 150 years ago artificial drainage modifications were made through Pondhead Inclosure, Parkhill Lawn and Denny Inclosure to improve ground conditions for forestry and grazing, specifically through the creation of a watercourse to link in with Matley Bog and the straightening and deepening of channels and creation of spoil banks. This has subsequently resulted in erosion within the riverine woodland habitat in Denny

Inclosure and there is limited seasonal inundation and inconsistent interaction with the floodplain. As a result the riverine woodland habitat is adversely affected. At Parkhill Lawn the artificial channel line was not dug into the lowest point in the floodplain and an eroding channel with vast spoil heaps has developed and water overtops the channel, standing on the lawn for long periods of time. The western side channel is deep and wide with eroding banksides and large spoil heaps colonised by trees and scrub, creating a hazard to stock. The eastern channel is deeply incised.

- 11.6 The SSSI within the site is currently classed by Natural England as being in unfavourable recovering condition due to the effects of artificial drainage. The assessment of 'recovering' is made due to the units inclusion within the Forest Design Plan and wetland restoration programme.
- 11.7 Legal requirements relating to the habitats designation, protection and management are set out in the Conservation of Habitats and Species Regulations 2010. The Forestry Commission has a legal responsibility under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights Way Act 2000 and the Natural Environment and Rural Communities Act 2006) to restore and maintain SAC and SSSI designated land and features where the habitat has been assessed by Natural England as being in unfavourable condition.
- 11.8 This application is for wetland restoration at Pondhead and is one of a phased programme of works designed to prevent further erosion and drying out of the mire systems and reconnect the watercourse with the adjacent floodplain and restore, enhance and improve the condition of the internationally important SSSI and SAC habitats of the New Forest. This application is the fourth of five restoration projects, which have been/will be the subject of planning applications during 2014/2015/2016.
- 11.9 The main aim is to restore the connectivity between the watercourse and the adjoining potential, riparian zone. The main effect of the works will be to increase water levels, at least seasonally, particularly in the lowermost parts of the catchment where works will be undertaken in the vicinity of Pondhead, Parkhill Lawn and Holmhill Passage.
- 11.10 This application is a resubmission of that withdrawn in March 2015. The previous application was withdrawn to enable the applicants to consider in detail the public representations, to provide additional information on flood risk and biodiversity and to correct the application boundary outline. Further detail has also been set out on the proposed works to the eastern and western side channels. The applicants set out that since the withdrawal of the previous application they have carefully considered the concerns that were raised by local residents and have undertaken

further consultation with stakeholders.

- 11.11 The works proposed as part of this application include:
- Excavation/restoration of natural meanders to direct water flow back to its original course (including vegetation translocation);
  - Bed level raising and channel narrowing using hoggin and/or gravel rejects;
  - Installation of clay plugs to divert water flow into restored meanders;
  - Complete infill of redundant drainage channel using hoggin (including vegetation reinstatement);
  - Link the top of the western side channel to the eastern side channel using an open channel incorporating a gravel stock crossing;
  - Relocation of one wooden bridge over the line of the restored meander route and;
  - Construction of a gravel stock crossing
- 11.12 The proposed scheme will replace 250m of artificial drain with 315m of restored meander across Parkhill Lawn. In addition, 175m of the western side channel will be filled and replaced with a shallow overflow floodplain channel. The bed level of the eastern side channel will be raised for a total length of 50m to blend it into the raised bed level at the confluence with the main channel. Within Denny Inclosure, 73m of meander will be restored, 40m of drain will be filled and 424m of channel will have its bed raised.
- 11.13 The width of the restored channel will vary from 1-5m at the top of the bank and 1-4m within the channel itself. Depth will vary from between 20-75cm. The width of the shallow floodplain channel will be approximately 1-2m and the depth will vary between 10 and 50cm. The gravel stock crossing will be a maximum of 5m in width. Works are expected to take approximately five weeks (weather dependant) on Mondays to Fridays only.
- 11.14 Following the previously withdrawn application, the gravel stock crossing has been moved to allow it to be higher than would be possible than the original location to reduce the amount of bed level raising required and amendments have been made to reduce the amount of bed level raising required on the eastern side channel to 50m from the confluence with the main channel. Flood modelling work has also been carried out to further consider the effects of the works on nearby properties and further information has been provided in relation to ecological sites and species.
- 11.15 The proposed works initially included the installation of a culvert pipe to link the top of the western side channel to the Eastern side channel. Amended plans were received to linked the eastern side drain with an open channel incorporating a stock crossing as opposed to a piped culvert. The applicant advised that following

discussions between the Forestry Commission, the Verderers and Hampshire County Council it was decided to amend this as the culverting of watercourses is contrary to Environment Agency policy and would increase the risk of blockages. With regard to biodiversity, the applicant has advised that it is considered that there will be no change in the effects recorded in the Biodiversity Statement as a result and as such the Biodiversity Statement has not been amended. With regard to flood risk, the applicant advises that it is considered that the open channel will not change the effects identified within the submitted Flood Risk Assessment and as such, the submitted FRA has not been amended.

- 11.16 During the course of the application a third party request was made to the Secretary of State (SoS) to screen the proposals for an Environmental Impact Assessment on the matter of whether or not the development proposed is 'EIA development' within the meaning of the 2011 Regulations. This was made under Section 4(8) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (S.I. 2011/1824) as amended (S.I.2015/660) ("the 2011 Regulations") for the SoS's screening direction. The SoS determined that the proposal is not likely to have significant effects on the environment and therefore is not 'EIA development' within the meaning of the 2011 Regulations. An EIA is therefore not required for this application.

#### Issues for consideration

- 11.17 The main issues for consideration with this application are:
- Requirements of the proposed works for the conservation and protection of biodiversity and ecology
  - Impacts upon the special qualities, character, amenity and landscape setting of the site and wider National Park
  - Impacts upon public access and amenity
  - Impacts upon grazing and commoning
  - Impacts upon flooding
  - Impacts upon archaeology and heritage assets
  - Impacts upon highway safety and access

#### Legislation and Policy Considerations

- 11.18 The proposal is considered to comply with relevant legislation such as the Environment Act (1995), the Countryside and Rights of Way Act (2006) and the Natural and Rural Communities' Act (2006)

#### National Planning Practice Guidance (2014)

- 11.19 The Guidance confirms that legislation places a duty on Authorities to have regard to the purpose of conserving biodiversity. Authorities should therefore seek opportunities to work collaboratively with other partners to develop and deliver a

strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area.

11.20 Biodiversity enhancement should be led by a local understanding of ecological networks, and should seek to include:

- 11.21
- Habitat restoration, recreation and expansion
  - Improved links between existing sites
  - Buffering of existing important sites
  - New biodiversity features within development
  - Securing management for long term enhancement

National Planning Policy Framework (2012)

11.22 Section 11 - Conserving and Enhancing the Natural Environment  
Para 109 confirms that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and geological conservation interests and soils. Para.115 confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

Authorities should promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection of priority species populations and aim to prevent harm to geological conservation interests (Para 117).

11.23 Paragraph 118 sets out that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.

New Forest National Park Core Strategy and Development Management Policies DPD (2010)

11.24 Strategic Objective 1 of the Core Strategy is to *'Protect and enhance the natural environment of the National Park, including the natural beauty of the landscape and the range of habitats and species'*. Strategic Objective 2 is to *'Conserve and enhance the wealth of individual characteristics that contribute to the local distinctiveness of the built environment of the New Forest'*.

11.25 The relevant specific policy to this application is Policy CP2. It is considered that the scheme would protect, maintain and enhance this important site and the features of the natural environment and therefore complies with this policy. This is discussed in more detail below. In addition it is considered that the proposal respects the natural environment, landscape character and biodiversity that comply with Policy DP1 (b).

## New Forest Wetland Management Plan 2006-2016

- 11.26 Seeks to *'ensure the continued long term sustainability and integrated management of water-courses and wetland habitats'* which *'will prevent further decline of SAC habitats and bring them into favourable condition'*.
- 11.27 The other relevant policies are discussed in relation to the other material considerations set out below.

### **Planning Assessment**

#### Biodiversity and Ecology

- 11.28 SPA's SAC's and Ramsar Sites enjoy the highest level of statutory and government policy protection to maintain and restore any nature conservation interest. Core Strategy Policy CP1 seeks to protect the integrity of internationally important sites of nature conservation. CP2 seeks to protect, maintain and enhance nationally, regionally and locally important sites and features of the natural environment, including habitats and species of biodiversity importance, geological features and the water environment.
- 11.29 An Extended Phase 1 Habitat Survey, National Vegetation Classification Survey, Fungi and Lichen Survey, Protected Species Survey and River Habitat Survey have been undertaken to determine the effect the proposed works will have on habitats and species within the site. The findings have been submitted with the application in the Biodiversity Statement.
- 11.30 Paragraph 3.5 of the Biodiversity Statement submitted with this application sets out that *'while SSSI Units 386 and 387 are in 'Unfavourable Recovering' condition, the recovering part of this condition assessment is related to the plans presented within this application to restore the natural hydrology of the area. Natural England has noted that, if these restoration works are refused, both SSSI units would be classified as Unfavourable Declining, due to the ongoing effects of the artificial drainage'*.

#### Habitats:

- 11.31 The Biodiversity Statement sets out that *'slowing the movement of water through the catchment will have a positive impact on SSSI units 386 (Parkhill Lawn) and 387 (Matley Bog), where the artificial drainage is currently causing increased erosion within the Inclosure woodland. The restoration proposals will increase the level of interaction between the stream and its floodplain....the implementation of the proposals should allow the SSSI units to be move toward being assessed as being in a favourable condition'*. The positive effects will be in the reduction in erosion of the wet

heath and particularly the mire habitats. This will lead to increased stabilisation and reduce the possibility of collapse in the future. The works are not considered to pose any threat to the favourable condition of the Beaulieu River SSSI Units 562.

- 11.32 Natural England have raised no objection to the scheme and consider that *'the restoration works are necessary for European site management' and 'necessary for the management of the European site interest features for nature conservation purposes, enabling the maintenance or restoration of those features and contributing to the achievement of the site's Conservation Objectives'*. Natural England state that *'the works can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 61 of the Habitats Regulations 2010, as amended'*. In addition, the NPA Ecologist has raised no concerns with regard to the scheme in this respect.

#### Protected Species

- 11.33 Concerns about impacts upon kingfisher were raised by representees under the initial application. The Biodiversity Statement sets out that the survey work identified a kingfisher nest burrow in the bank of the eastern side channel that crosses Parkhill Lawn, which indicates recent use of the stretch of the watercourse by kingfisher. It has been confirmed as being an active nesting site for the past two years. Works will be managed to minimise overlap with the bird breeding season. No works are proposed within 50m of the recorded kingfisher nest location and this site should continue to provide suitable kingfisher nesting habitat.
- 11.34 Paragraph 4.16 of the Biodiversity Statement submitted with this application sets out that *'the proposals are not predicted to have notable effects on any protected species or notable species, with the possible exception of kingfisher'*. Paragraph 4.29 goes on to say that *'if an active kingfisher nest is present when works are proposed then works will be supervised by a suitably qualified and licence surveyor. As a guide it is recommended that no works should occur within 50m of an active kingfisher nest. However if the activity beyond 50m of the nest is noted to alter the behaviour of the birds then works in these areas will be delayed until the nest is no longer active. The kingfisher nest tunnel that has been recorded is not within 50m of any proposed works. However kingfisher will not generally reuse tunnels year after year and the precise location of any future kingfisher nesting tunnels should be taken into account when planning this work'*.
- 11.35 The Environment Agency has undertaken a fish walk over survey and a programme of mitigation has been agreed by them with the applicant. Details of this are included in the Biodiversity Statement at Appendix 8. Restoration works will be undertaken outside the

fish running season, and therefore there are no predicted effects on fish during the course of the on-site restoration work. If required mitigation measures will be implemented as agreed with the Environment Agency.

- 11.36 It is considered unlikely that any reptiles present across the site will be disturbed or killed. The timing of the works means that reptile species are likely to be active (and therefore able to move) and less vulnerable to site work disturbance and direct impacts. If required mitigation measures will be implemented.
- 11.37 Trees supporting significant lichen assemblages have been retained during enabling felling works.
- 11.38 Concerns have been raised in the letters of representation regarding impacts upon several species. The application does not result in any objection based on Natural England's Standing Advice on Protected Species.

#### Mitigation

- 11.39 The information provided in the Biodiversity Statement includes details from field studies and surveys, the outcomes of which address the impacts upon animal species, bird species, raptors, reptiles, plant species, fungi and lichen. It considered that this information is acceptable to demonstrate that adverse impacts upon protected species will be minimal and that mitigation proposed is acceptable.
- 11.40 The NPA Ecologist has no objection with the proposals as set out and supports the proposals subject to the development being in accordance with the mitigation and avoidance measures proposed in the supporting Construction Environmental Management Plan and Biodiversity Statement unless otherwise agreed.. The delivery of the measures proposed within the application and the CEMP in particular will be appropriate to provide the mitigation necessary to ensure the conservation status of populations of protected species are not adversely affected and no direct harm occurs.
- 11.41 The proposals deliver restoration that is appropriate to manage and maintain biodiversity interests within Pondhead, including those of the SSSI. The proposals and the overall scheme of restoration assist the delivery of objectives of the Government's Planning Practice Guidance, the National Planning Policy Framework, the National Park Management Plan and the National Park Statutory Duties. Policies CP1 and CP2 are also therefore complied with.

#### Amenity and Landscape Setting of the Wider National Park

- 11.42 The restoration of the wetlands habitat will help to increase

connectivity of the network of green infrastructure and natural habitats within and beyond the New Forest National Park. The works are also likely to enable to wildlife and habitats within the site to adapt to future climate change through the safeguarding and restoration/regularisation of the natural wetlands habitat and flooding of the watercourse. As such the application is in accordance with Policies CP3, CP4 and DP2. The NPA Landscape Officer has raised no objection to the application and comments that the restoration proposals will be beneficial for the landscape character of the area, giving long term improvements to both nature conservation and landscape quality.

- 11.43 It is considered that the impact upon the visual amenity of the site and the wider landscape will be limited due to the nature of the works and the landscape and topography of the locality surrounding the site. A number of trees have already been felled within the site and some additional trees may require felling to facilitate the works and access in accordance with a felling licence. Work will be undertaken during summer and early autumn months when water flows are low and ground damage can be minimised. Low ground pressure tracked excavators, rubber tracked dumpers and bog mats will be used to reflect ground conditions. Works will be postponed if the ground is too wet until conditions are suitable to minimise damage to habitats. The application is in accordance with Policies CP3, CP4, DP1 and DP2.
- 11.44 The proposed scheme will involve clearing out remnant meanders and creating new meanders, which will require the removal and temporary storage of vegetation. The stored vegetation will be used to top-dress the redundant drains once filled in. No other soft landscaping or planting is proposed as part of the scheme. Spoil banks will be removed and material used for infill, where possible. Materials proposed will be appropriate to the character and setting of the National Park. Hoggins, gravel rejects, clay and heather bales will be imported for the purposes of raising the bed level of the watercourse, diverting the watercourse and infilling the redundant channels. The proposals accord with Policy DP1.
- 11.45 The site will continue to function as Open Forest, accessible to the public and commoners stock. Public Right of Way 5 will not be affected as a result of the scheme and the site will remain open to public access at all times. As such public amenity and access will remain largely unaffected once the works are complete.
- 11.46 There are several residential properties in the surrounding area. Undertaking the restoration works will result in localised and limited noise, dust and vibration. This will be minimised through the implementation of the submitted Construction Environmental Management Plan, alongside measures for water pollution prevention. This can be secured by condition and will comply with Policy CP1. Stockpiles will not interact with residential properties.

As such there will be no significant or material adverse impacts upon any residential properties within the vicinity in these respects once works are complete. An Ordinary Watercourse Consent will be required from Hampshire County Council since the works will be taking place in a water environment, and information needs to be provided that there will not be a detrimental effect on flood risk.

### Flooding

- 11.47 As set out in the accompanying Planning Statement, the Environment Agency floodplain map shows that the site lies within Flood Zone 2 and 3. A Flood Risk Assessment (FRA) has been prepared in support of this application to demonstrate how flooding within and outside the site will be affected by the proposed scheme. This has been supported by a flood modelling exercise which was undertaken following concerns raised in the original application.
- 11.48 The FRA suggests that 'there will be a minimal impact on flood levels and where any does occur this will be localised. This is in line with the overall objective of the proposed scheme which seeks to reconnect the watercourse with the adjacent floodplain and thus restore the mire habitat through more regularised seasonal flooding'.
- 11.49 The information submitted also sets out that the proposed scheme will result in a reduction of flood risk downstream because of greater connectivity with the floodplain upstream and the restored meanders will store more water than the existing artificial straightened channel. The combination of a longer channel length and increased connection with the floodplain will result in a slower flood response downstream compared to the existing channel.
- 11.50 It is noted that concerns have been raised in representations received regarding residential and commercial properties within the surrounding area regarding impacts upon flooding as a result of the proposals. The information submitted with this application sets out that there are no properties or buildings at risk from flooding as a result of the proposals, nor will the scheme impede flood flow routes or result in a net loss of flood plan storage. The information sets out that there will be no significant change in the rate of water flowing onto and out of the scheme reach during low flow conditions.
- 11.51 The concerns raised in the representations received regarding the flood modelling data and FRA are noted. The Environment Agency has been consulted as part of the application and have raised no objection. No further comments were made following reconsultation regarding the amended plans to replace the piped culvert with the open channel, with the EA advising that they are satisfied with the proposed plans.

- 11.52 As such, it is considered that the proposed scheme complies with Policies DP2 and DP4.

#### Archaeology and Heritage Assets

- 11.53 An Archaeological Desk Based Assessment has been submitted with the application and identifies features which may be affected by the proposed works and which will require protection. An Archaeological Written Scheme of Investigation (WSI) has been submitted, which sets out the proposed mitigation strategy to protect the identified features.
- 11.54 The representations setting out that the ancient line of the stream is as existing across Parkhill Lawn are noted. The points raising concerns the proposals would result in moving the line of the existing watercourse and that this appears to be the ancient stream line across Parkhill Lawn are also noted. The applicant has set out that the line of the watercourse is likely to be medieval, however the precise line of it from this period is uncertain. The mitigation strategy set out in the Archaeological Written Scheme of Investigation takes into account the potential to encounter the medieval line of the watercourse during construction and a watching brief will be undertaken to ensure no unacceptable adverse impacts arise from the development with regard to the potential line of the medieval watercourse.
- 11.55 The NPA Archaeologist raises no concern over the proposals. Archaeological work through a watching brief and through a targeted excavation of where works will potentially impact on the line of the Park Pale would be appropriate. It is therefore recommended that the area of the Park Pale is excavated in advance of works to recover environmental and other archaeological data. The current WSI will need to be modified to meet this requirement.
- 11.56 In conclusion it is considered that the proposed scheme is unlikely to have an adverse impact on the archaeological assets within the site, subject to appropriate conditions. The application therefore complies with Policies DP1, CP7 and DP6 in this respect.

#### Highway Safety and Access

- 11.57 The application is accompanied by a Construction Traffic Management Plan, which sets out the routes construction vehicles will use to travel to and from the site and considers impacts on the local road network. Three materials stockpile locations are proposed, and can be seen on Drawings 003 & 004.
- 11.58 Construction vehicles will turn off the A1 at the Stoney Cross junction. Access to the site will be from two points off the B3056 Beaulieu Road (the main one being at the existing gateway entrance to Matley Inclosure to the north east of the site to be

used by all HGV's and the delivery point for all construction plant and clay/hoggin/gravel) and one from Beechen Lane. The main entrance is currently used as an existing stockpile and as such is already subject to the use of HGV's. Access to the forest road network for smaller vehicles will be via an existing access at Pondhead Farm and an existing access onto Beechen Lane (a residential cul-de-sac).

- 11.59 The forest roads within the site are 3m wide gravel tracks and are regularly used by HGV's for felling and timber extraction operations so are identified as suitable for use by the number and types of HGV's for the proposed works. Materials will be stockpiled at specific locations within the site.
- 11.60 The proposed scheme will require approximately 10 large HGV's to access the site per day, creating 20 two way movements daily (10 deliveries) to transport materials during the five week construction period. Works will be carried out by excavators and covered tipper/dumper trucks (three of each type of these will be transported to site by low loaders). The main stockpile location at Matley Inclosure will receive all of the tipper lorry deliveries. Heather bales will be transported by smaller delivery vehicles from stockpiles within the New forest, approximately 6 deliveries.
- 11.61 The Highways Authority (Highways England) has raised no objection to the proposals. Correspondence with Hampshire County Council Highways raises no objection to the proposals subject to pre and post construction surveys of the highway for which HCC is the Highway Authority (as set out in as set out in Section 3.6 of page 6 of 9 of the Construction Traffic Management Plan). Given that if granted the Construction Traffic Management Plan will form part of the approved documents HCC Highways consider that this does not require a condition to ensure compliance.

### Conclusion

- 11.62 It has been demonstrated that the proposal accords with the relevant legislation and planning policies and that the proposed works are critical to the restoration of the SSSI site and wetlands habitat at Pondhead. The proposal would not lead to direct or indirect adverse effects on the integrity of the SSSI, SAC, SPA, Ramsar sites, protected species or archaeology features and heritage assets due to mitigation measures proposed.
- 11.63 The wider character and setting and the special qualities of the New Forest National Park will be preserved and enhanced and public amenity and access will remain largely unaffected once the works are complete. Access arrangements are acceptable and no adverse impact will occur to highway safety. The application is therefore recommended for approval.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

- 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 works shall be carried out in accordance with the details as set out in the submitted Construction Environmental Management Plan and Biodiversity Statement Prepared by LUC dated April 2015, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To safeguard protected species and habitats in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 A) No demolition/development shall take place/commence until a programme of archaeological work including a revised 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:

1.The programme and methodology of site investigation and recording

2.The programme for post investigation assessment

3.Provision to be made for analysis of the site investigation and recording

4.Provision to be made for publication and dissemination of the analysis and records of the site investigation

5.Provision to be made for archive deposition of the analysis and records of the site investigation

6.Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

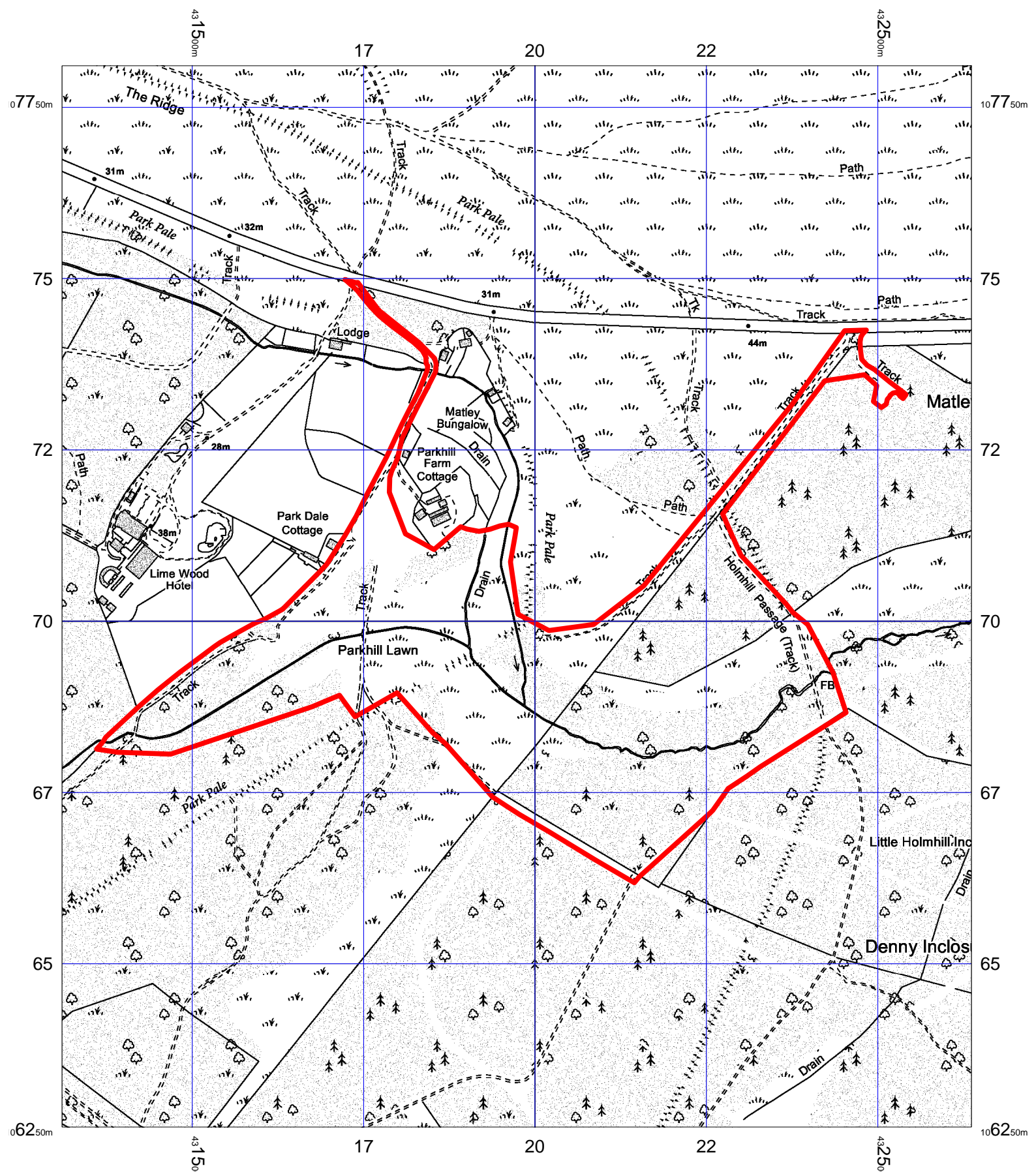
C) These conditions will not be discharged until the programme set out in the revised Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition

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 DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

**Informative(s):**

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



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