

## **New Forest National Park Local Plan 2016 – 2036**

### **Examination Statement – New Forest National Park Authority**

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#### **Matter 10 Housing Site Allocations**

***Issue - Whether the proposed site allocations are justified, effective and consistent with national policy?***

***The following questions apply to each of the allocated housing sites:***

- ***Policy SP22 - Land at Whartons Lane, Ashurst***
- ***Policy SP23 - Land at the former Lyndhurst Park Hotel, Lyndhurst***
- ***Policy SP24 - Land south of Church Lane, Sway***
- ***Policy SP25 - Land adjacent to the former Fawley Power Station***
- ***Policy SP26 - Land at Calshot Village***

The National Park Authority has prepared a separate statement for each of the proposed housing site allocations listed, setting out the responses to the eight questions listed below for each site.

## Policy SP22: Land at Whartons Lane, Ashurst

### 10.1 *What is the background to the site allocation? How was it identified and which options were considered?*

1. Land at Whartons Lane, Ashurst was identified as having development potential through the review of the defined village boundary of Ashurst (CD116). The site relates well to the village boundary; is adjacent to existing residential properties; is close to amenities including the local schools and recreation ground; and is contained by mature trees meaning there would be no wider landscape impacts on the National Park. The site is not covered by any particular built or natural environment designations and is located entirely within Flood Zone 1 for fluvial flooding.
2. The site was also put forward by the current landowner through the 'Call for Sites' process that formed part of the Local Plan review. The landowner confirmed that the site is in single ownership and is available for development and has reaffirmed this in their hearing statement (respondent reference 44).
3. The site amounts to circa 2.5 hectares, although the developable area is less than this when the root protection areas for the trees covered by Tree Preservation Areas that fringe the site are factored in (see map below).



*Land at Whartons Lane, Ashurst – Tree Preservation Orders in dark green*

4. Given the self-contained nature of the site, allied to the identified local housing need arising within the National Park and the parish, the logical decision was to allocate the whole of the site. The alternative option of sub-dividing the site was not considered to be realistic and would not have delivered the benefits of significant on-site affordable housing provision and consistency of design. Likewise, the decision was taken that simply amending the settlement boundary of Ashurst to incorporate the land would mean that the benefits of on-site affordable housing provision, consistency of design and contributions to local community infrastructure needs may not have been realised.

10.2 *What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?*

1. The site is proposed for allocation in the Submission draft Local Plan (January 2018). There are no extant planning permissions on the land (including no extant outline permissions). The Authority has met with the landowner and their representatives on a number of occasions during the course of the Local Plan review process to discuss pre-application matters. At these meetings the Authority's advice was to enable the Local Plan-making process to fully run its course to determine the principle of development on the site, before more detailed discussions could take place on a future planning application.

10.3 *How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?*

1. As outlined above in response to question 10.1, the site area amounts to circa 2.5 hectares. However, the periphery of the site includes a significant number of mature trees (with many covered by Tree Preservation Orders) and consequently the developable area is reduced by the canopy spread and root protection areas associated with the trees. These trees are also an attractive feature of the site and its setting and the Authority would wish to see this setting protected as part of a future development. With the root protection areas for the trees extending for up to 15 metres into the site, the developable area is reduced from 2.5 hectares to around 2 hectares.
2. In determining the potential dwelling capacity, the Authority has factored in the site's location on the edge of the village of Ashurst (population circa 2,100 people). The residential areas surrounding the site are typically characterised by lower density, large properties. Whartons Close for example, comprises large detached properties built at just under 10 dwellings to the hectare. Whartons Lane is also made up of predominantly detached properties and averages less than 20 dwellings to the hectare.
3. The Authority has also had regard to national planning policy on development densities, making efficient use of land and the local housing need in the area which is for smaller properties. National policy highlights the need to optimise the use of the finite housing land resource and the fact that new development may be built at higher densities than the prevailing character of established residential areas.
4. Policy SP22 balances these site specific factors and proposes the development of around 60 dwellings on the site. This equates to circa 30 dwellings to the hectare. This proposed density reflects the site's location on the edge of the village, close to residential areas of lower density housing, while also recognising the need to make efficient use of land and the fact that the dwellings proposed will be smaller (less than 100 square metres) than the majority of the surrounding area.

5. In terms of necessary infrastructure:
- (i) The landowner has prepared a Transport Report (based on 60 dwellings) which concludes that the location of the site in relation to both the local pedestrian and cycle network and the existing public transport infrastructure presents a good opportunity to promote sustainable travel. The report also confirms that the Whartons Lane / A35 junction capacity modelling demonstrates that the junction would operate well within capacity in all scenarios. This report has been shared with Hampshire County Council.
  - (ii) The site lies within the catchment of Foxhills Infant and Junior Schools. Hampshire County Council have confirmed that primary school places in the Ashurst and Totton area are currently under pressure (there is capacity in secondary school provision). The County Council have therefore advised that a financial contribution towards primary education is likely to be required from development at the Whartons Lane site and this information has been shared with the landowner.
  - (iii) Southern Water has undertaken an assessment of the existing capacity of their infrastructure in the area which concluded that connection to the sewerage network should be made at the nearest point of adequate capacity. The policy wording proposed by Southern Water is reflected in criteria (f) of draft Policy SP22.

**10.4 *What are the potential adverse impacts of the allocation and how could these be mitigated?***

1. The potential adverse impacts identified by the Authority and/or in consultation responses include: (i) impacts on the highway network; (ii) impacts on school places; (iii) impacts on the character of the area; and (iv) flood risk. In addition, concerns have been raised regarding the impact of residential development on the protected habitats of the New Forest. In response the draft Local Plan requires any future residential development on the site to contribute towards habitat mitigation measures for the New Forest and Solent Natura 2000 sites (the site lies within 5.6km of the Solent habitats).
2. As outlined above in the Authority's response to Q10.3, a Transport Report has been prepared that demonstrates that the site relates well to existing transport infrastructure and the main A35 / Whartons Lane junction would operate well within capacity. The Authority's response to Q10.3 also confirms that subject to financial contributions towards education provision in the wider area, the impacts on local school places are acceptable.
3. Concerns have been raised regarding the impact of the allocation on the character of the area. Draft Policy SP22 proposes a development of 30 dwellings to the hectare in recognition of the site's edge-of-village location and the national policy emphasis on making efficient use of land. Criteria (d) requires measures to be put in place to protect the trees subject to Tree Preservation Orders that contribute to the character of the area.

4. In terms of flood risk, the Strategic Flood Risk Assessment SFRA (CD82) indicates that there are no significant watercourses or drainage structures on site. No concerns have been raised by the Environment Agency regarding the proposed allocation and the site is not at risk from fluvial flooding, with 100% of the site situated in Flood Zone 1. A small part at the western area of the site (covering 2% of the site area) is at risk of surface water flooding, with a topographic low by Whartons Lane retaining surface water during pluvial flood events. The SFRA notes that surface water runoff to Whartons Lane, Whartons Close, Lakewood Road and surrounding areas should be considered, as no watercourse drains the site, and this is reflected in the Schedule of Proposed Main Modifications (reference MAIN-05).

10.5 *What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?*

1. The main infrastructure requirements relate to highways; education; and public open space provision. No fundamental constraints have been identified that prevent the site coming forward. Initial transport work indicates that the site would be most appropriately served via one point of vehicular access onto Whartons Lane. The potential allocation site would therefore be served via a simple bellmouth access, with a 6 metre wide access road. The access road would be flanked by footways on either side to link into the existing pedestrian footway on the eastern side of Whartons Lane. At this stage it is not anticipated that further highway works would be required as part of a residential development on the site, although this would be confirmed at the pre-application stage. The viability assessment undertaken on the draft Local Plan (CD107) factored in an additional £150,000 to cover site opening up costs alongside the other policy requirements.

2. As outlined in the Authority's response to Q10.3, Hampshire County Council has advised that a financial contribution towards primary education is likely to be required from development at the Whartons Lane site and this information have been shared with the landowner. The Hampshire County Council's '*Developers' Contributions towards Children's Services Facilities*' document<sup>1</sup> has been shared with the landowner and indicates the likely scale of contribution sought towards primary education from new development.

3. With regard to public open space provision, the proposed housing allocation is located directly opposite the Whartons Lane Recreation Ground. The adopted Ashurst Village Design Statement (2013)<sup>2</sup> states that developer contributions in the parish towards public open space should be put towards enhancing the existing Whartons Lane recreation ground and its features. Consequently criteria (e) of Policy SP22 requires financial contributions to enhance the adjacent Whartons Lane Recreation Ground and help meet the recreational needs of the new development. The exact financial contribution required would be confirmed at the pre-application stage.

<sup>1</sup> See <https://www.hants.gov.uk/educationandlearning/schoolplacesplan>

<sup>2</sup> See [http://www.newforestnpa.gov.uk/app/uploads/2018/03/Adopted\\_VDS\\_June\\_2013.pdf](http://www.newforestnpa.gov.uk/app/uploads/2018/03/Adopted_VDS_June_2013.pdf)

10.6 *Are the specific policy requirements justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?*

1. Draft Policy SP22 contains six specific policy requirements (labelled a – e). In addition, in response to representations received at the Regulation 19 consultation stage, the Authority’s Schedule of Proposed Main Modifications proposes an additional criterion related to surface water flood risk (MAIN-05).
2. Criterion (a) and (b) require 50% of the dwellings on the site to be affordable housing; and all of the dwellings to be limited to 100 square metres. This reflects the requirement of draft policies SP27 and SP21. Given that not all of the proposed housing site allocations are able to meet these Plan-targets, the Authority considers it justified to include them within Policy SP22. This is supported by the viability evidence that demonstrates the policy requirements are deliverable. Criterion (c) requires the site to be developed in a comprehensive manner to ensure the delivery of affordable housing, a consistent design approach, and the full package of contributions.
3. Criterion (d) and (e) relate to the protection of the trees that border the site; and contributions towards open space provision/enhancements. Given the extent of the trees subject to Tree Preservation Orders (TPOs) around the site the inclusion of criterion (d) is considered justified. Likewise, given the scale of the development proposed and the immediate proximity of the recreation ground, criterion (e) has been included to provide clarity. A contribution is justified against the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the policy wording indicates how the requirement for open space provision can be met in this development.
4. As outlined in the Authority’s response to Q10.3, Southern Water has undertaken an assessment of the existing capacity of their infrastructure in the area which concluded that connection to the sewerage network should be made at the nearest point of adequate capacity. The policy wording proposed by Southern Water is reflected in criteria (f) of draft Policy SP25 and is considered justified in accordance with the views of an important consultee.

10.7 *Is the development proposed viable and deliverable within the plan period?*

1. The landowner (respondent reference 44) has stated in both their representations on the Regulation 19 Submission draft Local Plan and in their Examination hearing statement that development is deliverable and has demonstrated their commitment to bringing the site forward through the commissioning of various assessments to support their proposals. The landowner’s representations on the Submission draft Local Plan (respondent reference 44) states that they support the principle of allocating the land for housing development and confirm that the landowner is committed to ensuring its early development should the allocation be confirmed.

2. The Submission draft Local Plan was subject to a whole-Plan viability assessment (CD107). The assessment tested the viability of the draft policy requirement for 50% on-site affordable housing and the proposed restriction on dwelling sizes to 100 square metres (typically a 3-bed home).
3. In relation to draft policy SP22, the viability modelling factored in an additional £150,000 to cover site opening up costs (i.e. road access, offsite utilities and drainage etc) alongside the other policy requirements. The viability modelling concluded that policy-compliant development on the site in accordance with Policy SP22 is viable, with development coming in above the benchmark land value of £2 million per hectare. On this basis the Authority considers the proposed development to be viable.

**10.8 *What is the expected timescale and rate of development and is this realistic?***

1. The Authority has held informal pre-applications discussions with the landowner and their representatives since the site was first identified in the Consultation draft Local Plan of Autumn 2016. The landowner has confirmed in their hearing statement that the site is available and developable and has indicated that there are no major issues preventing the site coming forward.
2. Should the proposed allocation be endorsed through the Examination process, Policy SP22 would become part of the statutory development plan for the area. As set out in the Authority's Housing Trajectory, given the availability of the site and the landowner's willingness to bring the site forward quickly, it is anticipated that the site would be developed over the 2020/21 – 2021/22 period, with circa 30 dwellings completed each year.

***Policy SP23: Land at the former Lyndhurst Park Hotel***

***10.1 What is the background to the site allocation? How was it identified and which options were considered?***

1. Land at the former Lyndhurst Park Hotel was identified as having redevelopment potential through the Authority's review of the defined village boundary of Lyndhurst (CD116). The hotel closed in late 2014 and has been vacant since.
2. The site of the former Lyndhurst Park Hotel was also put forward by the landowner as a proposed amendment to the defined village boundary of Lyndhurst through the Authority's Regulation 18 consultation in October 2015.
3. Consideration was given to amending the defined village boundary of Lyndhurst to include the site. However, given the site-specific challenges that the future redevelopment of the site would be required to respect (set out in paragraph 7.24 of the Submission draft Local Plan), the Authority concluded that a specific policy allocation would provide greater certainty and clarity over the future of the site and the planning matters to be considered.

***10.2 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?***

1. Planning permission was refused for the redevelopment of the site for 74 age restricted residential units and 12 holiday lets in February 2017 (application reference 16/01000).
2. Planning permission was refused for the redevelopment of the site for 75 age restricted residential units and 15 affordable dwellings in December 2017 (application reference 17/00732). An appeal has been lodged against this decision and a public inquiry is due to be held in January 2019.

***10.3 How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?***

1. The site of the former Lyndhurst Park Hotel amounts to 1.6 hectares in total. This includes the extensive grounds to the rear of the site, the tennis courts and many mature trees. The footprint of the former hotel building and the surrounding car parking is approximately 0.5 hectares.
2. Given the extensive Tree Preservation Orders covering the site (see map included in response to Q10.3 below), it is clear that the developable area is significant smaller than the full 1.6 hectares of the site. Focusing on the existing developed, brownfield part of the site (circa 0.5 hectares), the



Authority recognises that the site could accommodate a relatively high density of development given the existing 3 – 4 storey building on site.

3. Policy SP23 indicates that the site could accommodate around 50 dwellings, which equates to circa 100 dwellings to the hectare if redevelopment is limited to the existing footprint of the former hotel site. This indicative development density is comparable to other brownfield developments close to Lyndhurst High Street (e.g. the redevelopment of 2/2A Gosport Lane Lyndhurst, application reference 09/94299 for 26 residential units equates to circa 100 dwellings to the hectare).
4. There are concerns that accommodating significantly more development on the site could impact on the character of the Lyndhurst Conservation Area and the protected trees that form an important transition from the village centre to the adjacent Open Forest.

#### 10.4 What are the potential adverse impacts of the allocation and how could these be mitigated?

1. Paragraph 7.24 of the Submission draft Local Plan sets out the site specific constraints and potential impacts of development relevant to the site allocation. These include the site's proximity to the New Forest Natura 2000 designations; the built heritage considerations (including the site's location within the Lyndhurst Conservation Area and Historic England's position on the demolition of the hotel); and the significant number of Tree Preservation Orders covering the site (see below).



Land at the former Lyndhurst Park Hotel – Tree Preservation Orders in green

2. Policy SP23 and the supporting text addresses each of these constraints and sets out how adverse impacts can be overcome. Criterion (b) – (c) for example, ensure that the redevelopment of the site conserves and enhances the Conservation Area and the heritage assets on the site; and criterion (d) refers to the trees on the site.

3. The site is located immediately adjacent to the New Forest Special Area of Conservation, Special Protection Area and Ramsar site. Criterion (j) to Policy SP23 states that development proposals must incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats. This wording has been inserted into Policy SP23 following the Habitats Regulations Assessment of the Local Plan and Natural England has raised no objections to the proposed allocation or the draft policy wording.

*10.5 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?*

1. Hampshire County Council has advised that a financial contribution towards primary education is likely to be required from development at the former Lyndhurst Park Hotel site. Hampshire County Council's 'Developers' Contributions towards Children's Services Facilities' document<sup>3</sup> indicates the likely scale of contribution sought towards primary education from new development. If the site comes forward for age-restricted development, no contribution towards education provision would be required.
2. As part of the consultation on the draft Local Plan in Autumn 2016 (CD171), Southern Water advised that additional text should be added to draft Policy SP22 to ensure future development proposals ensure future access to the existing water supply infrastructure for maintenance and upsizing purposes. This wording is reflected in criterion (i) of draft Policy SP23.

*10.6 Are the specific policy requirements justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?*

1. Paragraph 7.24 of the Submission draft Local Plan outlines the range of factors that the future redevelopment of the site would be required to address. These are in turn reflected in the specific policy requirements in Policy SP24.
2. For example, criterion (b) requires the retention of the historic elements of the existing hotel building, with a detailed heritage assessment required to justify any proposals which harmed their retention. This specific policy requirement reflects national policy and the representations received from Historic England on the Submission draft Local Plan which state that they, "...welcome and support criteria b) and c) of Policy SP23 as providing protection for heritage assets in line with the NPPF."
3. Criterion (e) states that adequate parking provision must be made on-site. This specific policy requirement is justified on the basis of the site's proximity to the A35. Hampshire County Council made representations stating that given the access to the site would be via the A35 and the fact that it sits adjacent to the Lyndhurst Air Quality Management Area, the County Council

<sup>3</sup> See <https://www.hants.gov.uk/educationandlearning/schoolplacesplan>

would like to see a Transport Assessment required. This is reflected in the Schedule of Proposed Main Modifications to Policy SP23 (MAIN-06).

4. Criteria (h) states that proposals for C2 use must be accompanied by a legal agreement requiring the occupancy to be limited to those with a local connection. This ensures consistency with draft Policy SP20 and with national policy and guidance which confirms that development in National Parks should be focused on meeting local needs, rather than catering for external demand. It also reflects the Authority's statutory duty to foster the socio-economic well-being of communities within the National Park.
5. Criterion (j) requires development proposals to incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats. This specific policy requirement reflects the conclusions of the HRA of the Local Plan and is justified by national planning policy and statute. The final bullet point of paragraph 7.24 provides further detail on how this requirement can be achieved.

*10.7 Is the development proposed viable and deliverable within the plan period?*

1. The Submission draft Local Plan was subject to a whole-Plan viability assessment (CD107). The assessment tested the viability of the draft policy requirement for 50% on-site affordable housing and the proposed restriction on dwelling sizes to 100 square metres (typically a 3-bed home).
2. The viability assessment of draft Policy SP23 factored in an additional £400,000 site clearance costs. Draft Policy SP23 was modelled under two scenarios: (i) a development of 50 flats; and (ii) a development of 50-unit extra care units. The viability assessment concluded that Policy SP23 was not financially viable with the policy requirement of 50% affordable housing for the 50-unit flatted development. The assessment concluding that 30% affordable housing would be viable for the 50-unit extra care development.
3. The conclusion of the Whole-Pan viability assessment has informed the wording in criterion (f) of draft Policy SP24. The policy recognises that due to the site specific factors for this brownfield site, the target of 50% affordable housing may not be achievable and therefore viability will be demonstrated through an open book approach.
4. In terms of deliverability, the NPPG confirms a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period. The site of the former Lyndhurst Park Hotel is in single ownership and the landowner has a clear desire to develop the site, as illustrated by the applications submitted in 2016 and 2017. Policy SP23 sets out the key criteria to be considered and is informed by a viability assessment. The development proposed is therefore considered to be deliverable.

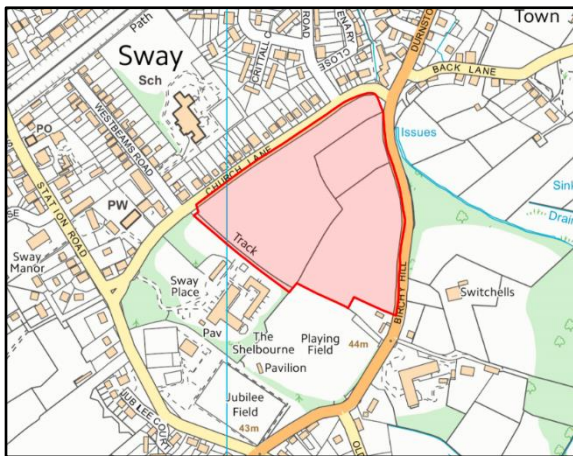
*10.8 What is the expected timescale and rate of development and is this realistic?*

1. Should the proposed allocation be endorsed through the Examination process, Policy SP23 would become part of the statutory development plan for the area. As set out in the Authority's Housing Trajectory, given the availability of the site and the landowner's willingness to bring the site forward, it is anticipated that the site would be developed over the 2021/22 period.

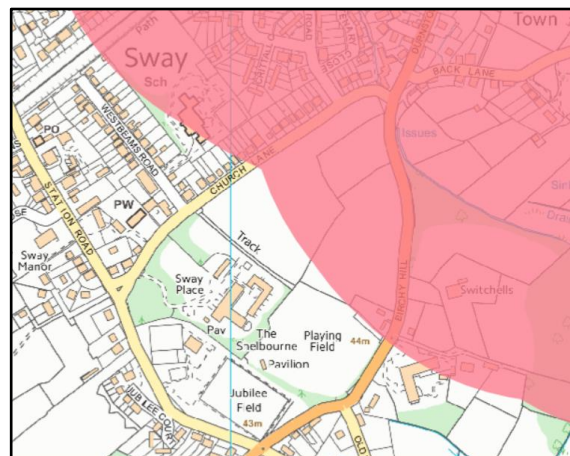
## **Policy SP24: Land south of Church Lane, Sway**

### **10.1 What is the background to the site allocation? How was it identified and which options were considered?**

1. Land south of Church Lane, Sway was originally submitted by the landowners through the 'Call for Sites' process that formed part of the Local Plan review. The landowners have confirmed that the site is available for development.
2. The Authority considers that the site relates well to the existing village boundary; is adjacent to existing residential properties; is within walking distance of local amenities including the school, services within the village centre and train station; and is well contained by mature trees. The proposed housing site is not covered by any particular built or natural environment designations and is located entirely within Flood Zone 1 for fluvial flooding.
3. The Authority's Consultation Draft Local Plan (Autumn 2016, CD171) invited representations on the potential allocation of all of the land to the south of Church Lane (see map, below left). The area consulted on amounted to around 5 hectares and the proposals included 90 dwellings and public open space. Following updated advice from Natural England in early 2017 regarding housing allocations within 400 metres of the New Forest Protection Area, the proposals for land to the south of Church Lane were revised to avoid housing within this buffer zone (illustrated in red on the map, below right).



Consultation draft Local Plan (October 2016)



New Forest SPA 400 metre buffer zone, Sway

4. Policy SP24 in the Submission draft Local Plan therefore proposes the allocation of circa 1.1 hectares of land for residential development on the part of the site outside the SPA 400 metre zone, with a further 1 hectare of informal greenspace provision for the local community (located within the 400m zone).

### **10.2 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?**

1. The site is proposed for allocation for housing and open space provision within the Submission draft Local Plan (January 2018). The Authority has met

and corresponded with the landowners and their representatives on a number of occasions during the course of the Local Plan review process to discuss matters. There are no extant planning permissions on the land (including no extant outline permissions).

*10.3 How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?*

1. The site area of the proposed housing element of draft Policy SP24 amounts to circa 1.1 hectares. The policy wording (as set out in the Schedule of Proposed Main Modifications – MAIN-13) refers to a site capacity of around 40 dwellings and this equates to 36 dwellings to the hectare.
2. In determining the dwelling capacity and density for the purposes of Policy SP24, regard was given to: (i) the site's location on the edge of a village of 2,700 people in a National Park; (ii) the emphasis in national planning policy on making efficient use of the finite land resource in areas with identified housing needs; and (iii) the proposals for a significant area of informal greenspace immediately adjacent to the proposed housing site allocation.
3. The figure of 36 dwellings to the hectare is slightly higher than the previous national indicative minimum density figure of 30 dwellings to the hectare; and higher than the density of the predominantly detached existing dwellings facing Church Lane. This reflects the need to make efficient use of land; the fact that the dwellings proposed in Policy SP24 will be limited to 100 square metres; and the proximity of the proposed greenspace provision which will provide recreational space for the residents of the new development as well as the wider community.
4. It is the figure of 40 dwellings that has informed the initial transport modelling work; indicative site layout and consultation with service and infrastructure providers and the local education authority.

*10.4 What are the potential adverse impacts of the allocation and how could these be mitigated?*

1. The potential adverse impacts of the allocation include: (i) impacts on protected habitats; (ii) landscape character; and (iii) impact on the local highways network.
2. As outlined in response to Q10.1, in 2017 the proposals for the site were revised to remove proposed housing from within the 400 metres of the New Forest Special Protection Area (SPA). This was due to concerns regarding potential urban edge impacts on the protected habitats from housing site allocations. Consequently the dwelling capacity of the site was reduced from 90 dwellings to 40 dwellings and criterion (d) of draft Policy SP24 is clear that residential development will not be supported within this zone. The use of land

within the 400 metres buffer zone for informal greenspace provision will also assist in mitigating recreational pressures on the protected habitats.

3. Land to the south of Church Lane, Sway lies within the 'Sway Pasture and Residential Settlements Landscape Character Area'. The key landscape features include the ancient field patterns enclosed by hedgerows and oaks. The guidelines in the Authority's Landscape Character Assessment (2015, CD44) include ensuring new development is integrated into its landscape setting. To mitigate the impacts of the proposed allocation at Church Lane and to support the aims of the Landscape Character Assessment, the majority of the trees that border the proposed site allocation are covered by Tree Preservation Orders to protect the field boundaries. Criteria (e) requires measures to be put in place to protect the trees subject to Tree Preservation Orders that make an important contribution to the character of the area.
4. An initial highways report has been prepared to assess the capacity of Church Lane to provide access to the site. The report confirms the proposed development set out in Policy SP24 should not give rise to a level of additional traffic such as to affect highway safety. Recommendations are made regarding the visibility splays that should be achieved from any proposed access point and provision made for pedestrians entering and leaving the development. It is anticipated that the local road network and surrounding junctions could accommodate the additional traffic generated, which equates to approximately 20 movements in the morning and evening peaks.

*10.5 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?*

1. The main infrastructure requirements relate to highways and public open space provision. An initial transport assessment indicates the most suitable type of access would be a simple priority junction measuring 5.5 metres in width to accommodate two vehicles accessing/ egressing the site, or a large vehicle and car being able to pass along the site access road. It is also anticipated that a pedestrian crossing of Church Lane should be provided to allow pedestrians to cross into the village centre and local school. At this stage it is not anticipated that further highway works would be required as part of a residential development on the site, although this would be confirmed at the pre-application stage.
2. Hampshire County Council has advised the Authority that the primary school provision within Sway has capacity to accommodate the education needs arising from this development, due to the fact that the school currently accepts children from out of catchment. Consequently a financial contribution towards primary education is unlikely to be required for the allocation at Church Lane.
3. With regard to public open space provision, draft Policy SP24 includes the provision of a 1 hectare of public open space on site in the form of accessible natural greenspace. The viability modelling of the proposed site allocation concluded that policy-compliant development on land to the south of Church

Lane, Sway produces a value well above the benchmark land value and this indicates viability headroom to deliver other planning obligations, such as the greenspace provision. The provision of 1 hectare of greenspace as part of the Policy SP24 allocation can be viably delivered.

*10.6 Are the specific policy requirements justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?*

1. The specific policy requirements set out in draft Policy SP24 reflect the site specific factors that must be considered in developing the site. Criterion (d) for example, confirms that residential development will not be supported within the 400 metres buffer zone around the New Forest SPA. This is justified and consistent with the conclusions of the Habitats Regulations Assessment of the draft Local Plan and is supported by Natural England.
2. Criterion (a) and (b) require 50% of the dwellings on the site to be affordable housing; and all of the dwellings to be limited to 100 square metres. This reflects the requirement of draft policy SP27 and SP21. Given that not all of the proposed housing site allocations are able to meet these Plan-targets, the Authority considers it justified to include them within Policy SP22. This is supported by the viability evidence that demonstrates the policy requirements are deliverable. Criterion (c) requires the site to be developed in a comprehensive manner to ensure the full delivery of affordable housing, a consistent design approach across the site and the full package of contributions being delivered.
3. A number of the other specific policy requirements are included following representations made by statutory and other consultees. Criterion (f) for example, requires adequate visibility splays and safe access on foot to the village centre and is included following representations from Hampshire County Council. Criterion (h) requires development proposals to provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider. This has been inserted following representations by Southern Water and is considered justified.

*10.7 Is the development proposed viable and deliverable within the plan period?*

1. The landowners have confirmed that the site is available, in single ownership and can be developed in a comprehensive manner. The landowners have also demonstrated their commitment to bringing the site forward through the commissioning of various assessments to support their proposals. The landowner's representations on the Submission draft Local Plan (respondent reference 150) state that they support the principle of the allocation as set out in policy SP24 and confirm that the site is available and deliverable for development within the plan period.



2. The Submission draft Local Plan was subject to a whole-Plan viability assessment (CD107). The assessment tested the viability of the draft policy requirement for 50% on-site affordable housing and the proposed restriction on dwelling sizes to 100 square metres (typically a 3-bed home).
3. In relation to draft policy SP24, the viability modelling concluded that the proposals for 40 dwellings produced the highest value above the benchmark land value per hectare of any of the proposed housing site allocations in the National Park. Paragraph 3.30 of the viability assessment highlights that some of the more straightforward case studies assessed (including the proposed allocation at Church Lane, Sway) achieved high residual values and this indicates, "...some *viability headroom should further obligations be required from these sites.*" Consequently the provision of 1 hectare of informal greenspace as part of the Policy SP24 allocation can viably be delivered.
4. In conclusion, the viability modelling concluded that policy-compliant development (50% affordable housing; a limit on the size of the dwellings) on land to the south of Church Lane, Sway, combined with provision of 1 hectare of new greenspace provision, is economically viable and deliverable.

*10.8 What is the expected timescale and rate of development and is this realistic?*

1. Should the proposed allocation be endorsed through the Examination process, Policy SP24 would become part of the statutory development plan. As set out in the Authority's Housing Trajectory, given the availability of the site and the landowners' confirmed willingness to bring the site forward, it is anticipated that the site would be developed over the 2022 – 2024 period.
2. The representations received on behalf of the landowners on the Submission draft Local Plan confirm that the site is available, in single ownership and can be developed in a comprehensive manner.

**Policy SP25: Land adjacent to the former Fawley Power Station**

**10.1 What is the background to the site allocation? How was it identified and which options were considered?**

1. The Authority received a number of 'Call for Sites' submissions from Fawley Waterside Ltd relating to land around the former Power Station site. In their consultation response to the Authority's (non-statutory) consultation draft Local Plan (October 2016), New Forest District Council also encouraged the Authority to investigate opportunities on land in the vicinity of the former Fawley Power Station site that could be brought forward through cross-boundary co-operation to help meet identified local housing needs.
2. The Authority has subsequently considered the proposals for the former Fawley Power Station site against the major development tests set out in paragraph 116 of the NPPF (2012). This assessment is set out in more detail in CD118 and the Authority's response to Question 10.9. In summary, based on the proposals within the draft Masterplan for the site and liaison with Fawley Waterside Ltd and New Forest District Council, it was concluded that the redevelopment of the site can meet the major development tests.
3. Paragraph 116 of the NPPF requires consideration to be given to the cost of, and scope for, developing elsewhere outside the protected National Park landscape. To inform this consideration, the Authority and New Forest District Council jointly commissioned a viability assessment to determine the level of development required to viably support the core regeneration cost of the site and to inform the decision as to whether land within the National Park was necessary to support the viability of the wider Power Station redevelopment. The viability work concluded that some development in the National Park was required to achieve a viable scheme.
4. The viability assessment work modelled a range of development options and these are set out in CD117. This included an assessment of the scale of development required if no land in the National Park were to be developed for housing to make the development viable; and how many 'policy-compliant' dwellings (i.e. 50% affordable, limit of a maximum of 100 square metres) would be required in the National Park to make the development viable.
5. Given the conclusions of the viability work and the assessment of the proposals against the major development tests in the NPPF, in summer 2017 the Authority held a 6-week public consultation on a number of potential alternative housing sites, including land adjacent to the former Power Station site. The Authority held a drop-in session at Calshot village (close to the site) to enable the local community to find out more about the proposals. The feedback received in summer 2017 informed draft Policy SP25 in the Submission draft Local Plan. The area of land identified in draft Policy SP25 represents a relatively small part of the overall site areas outlined in the original 'Call for Sites' submissions received from Fawley Waterside Ltd. CD118 sets out the Authority's assessment of the proposed allocation against the requirements of paragraph 116 of the NPPF (2012).

*10.2 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?*

1. The site is proposed for allocation for housing within the Submission draft Local Plan (January 2018). There are no extant planning permissions on the land (including no extant outline permissions).
2. The Authority has met regularly with the site owners (Fawley Waterside Ltd), New Forest District Council (as the planning authority for the brownfield element of the site), Hampshire County Council (as the education, highways and lead local flood (surface water) authority) and a range of statutory consultees over the last 2 years to discuss the proposals for the site. Fawley Waterside has held public exhibitions in 2017 and summer 2018 on their emerging proposals for the site and prepared a range of assessments including an Environment Impact Assessment Scoping Report and detailed landscape, flood risk, nature conservation and master planning studies.
3. It is understood that an outline planning application for the comprehensive redevelopment of the site is likely to be ready for submission to New Forest District Council and the Authority in late 2018.

*10.3 How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?*

1. As outlined above in response to Q10.1, the site area and dwelling capacities set out in draft Policy SP25 have been informed by the viability assessment of the various development scenarios for the redevelopment of the former Power Station site that were tested in summer 2017. The viability modelling concluded that a balance was required between the quantum of development within the National Park (and therefore the direct land take); and the policy requirements relating to affordable housing and the size of the new dwellings. In addition, the proposed allocation of land within the National Park (Policy SP25) forms part of a larger proposed allocation in the New Forest District Council Submission draft Local Plan (draft Policy SS4). The National Park element of the wider allocation enables the provision of some larger housing in the 'Southern Village' to complement the higher density, generally smaller units proposed for the brownfield element of the site.
2. Draft Policy SP25, therefore, proposes the development of around 120 dwellings on an 8 hectare site within the National Park. As well as the viability evidence that informed the proposed allocation, regard was also given to the loss of the locally designated nature conservation site (a designated SINC). The proposed allocation in draft Policy SP25 would result in the loss of around 8 hectares of designation SINC habitats – comprising 15% of the total area of the Tom Tiddler's SINC habitat. The SINC land proposed for development is acid grassland which can be re-provided close to the site as part of the wider ecological enhancement strategy, as required by criterion (d) of the policy.

3. In conclusion, the site area and development density proposed has been informed by evidence and the need to support the viability of the wider Power Station redevelopment. Consideration has also been given to the character of the housing proposed within the National Park and its role in complementing the 1,380 dwellings proposed for the brownfield part of the site in the draft New Forest District Local Plan. This has been balanced with the need to minimise the loss of the designated SINC habitat. These planning considerations justify a slightly more flexible approach to the size of new dwellings supported in draft Policy SP25 than on other proposed allocations.

**10.4 What are the potential adverse impacts of the allocation and how could these be mitigated?**

1. The main potential adverse impacts identified relate to: (i) the landscape impact of development on the National Park; (ii) potential impacts on the protected habitats adjacent to the proposed site allocation; and (iii) additional pressure on local infrastructure (principally highways and education).
2. In terms of landscape impacts, the proposed allocation of land within the National Park should be viewed as part of the wider proposals for the site. The existing Power Station buildings and structures, including the 200 metre high chimney, have a detrimental visual and landscape impact on the surrounding National Park landscape. The New Forest National Park Landscape Character Assessment (2015, CD44) states that, “...*characteristic long views are disrupted in the east by the dominance of the chimney at Fawley Power Station...the close proximity of industry, such as Fawley Power Station, detracts from the otherwise peaceful and tranquil feel of the landscape.*” (page 70). In addition, the New Forest National Park Tranquil Area Mapping Report (2015, CD91) records the industrial area around the former Power Station as being one of the most highly disturbed areas in the Park and one that, “... *remains a visual disturbance to the landscape.*” (p34). Policy SP25 responds to this by requiring development to demonstrate clear net positive public benefits in relation to the landscape and setting of the National Park. As set out in the Statement of Common Ground (September 2018, CD174) signed by Fawley Waterside Ltd, the Authority, New Forest District Council and Natural England, the redevelopment of the site provides the opportunity to positively remove the harmful visual and landscape impact caused by the existing structures, which is in the public interest and in line with the major development test set out in paragraph 116 of the NPPF (2012).
3. There are a range of international, national and local designated nature conservation sites adjacent to the site. Draft Policy SP25 has been informed by a Habitats Regulations Assessment and the policy requires clear net positive public benefits to be demonstrated in relation to habitat enhancements to ensure net gains in biodiversity. The draft policy also requires Suitable Alternative Natural Greenspace (SANG) proposals to deliver significant benefits for the landscape character, biodiversity and internationally designated sites of the New Forest, alongside details of how the SANG areas will be managed suitably in perpetuity, to be agreed with

Natural England. The Statement of Common Ground (September 2018, CD174) relating to Policy SP25 and landscape & nature conservation matters<sup>4</sup> confirms that the redevelopment of the Power Station site provides the opportunity to deliver significant wildlife and biodiversity enhancements to offset any harm.

4. In terms of local infrastructure, draft Policy SP25 supports appropriate infrastructure and community facilities to support the redevelopment where these cannot reasonably be achieved outside the National Park. Hampshire County Council has yet to confirm whether a new school will be required as part of the development, but given the HSE safety zones around the adjacent oil refinery site precluding school development outside the National Park, draft Policy SP25 enables new education provision within the National Park.
5. The Authority is also working with New Forest District Council (who have proposed the allocation of circa 1,380 dwellings on the brownfield part of the site in their Submission draft Local Plan) and Hampshire County Council on highways matters. Hampshire County Council's Interim Waterside Transport Strategy (CD177) recommends junction improvements in the short to medium term to accommodate the planned levels of growth. Fawley Waterside Ltd have identified a series of junction improvements between the site and the Dibden roundabout and these have been agreed in principle with Hampshire County Council. Draft policy SP25 supports the use of land within the National Park for supporting infrastructure (including highways) where they cannot be reasonably be achieved within the District Council area.

*10.5 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?*

1. The main infrastructure requirements associated with the allocation relate to: (i) habitat mitigation measures; (ii) education provision; and (iii) highways infrastructure. It should be emphasised that these infrastructure requirements are part of the wider requirements and costs generated by the proposals for the comprehensive redevelopment of the site contained within the Authority's and District Council Submission draft Local Plans. These wider costs include the demolition of the existing Power Station buildings; the works required to address flood risk on the site; and the adaptation of the existing dock and basement areas.
2. The allocation at the former Fawley Power Station is required to provide accessible natural greenspace to the standard of 8 hectares per 1,000 people as a key part of the habitat mitigation package. Fawley Waterside have developed detailed plans for the new areas of SANG that amount to circa 35 – 40 hectares which would ensure a level of greenspace provision above the 30 hectare minimum required for a development of 1,500 dwellings. The Statement of Common Ground on landscape & nature conservation matters signed by the Authority, Natural England, Fawley Waterside and New Forest

<sup>4</sup> Signed by the National Park Authority, Natural England, New Forest District Council and Fawley Waterside Ltd (September 2018)

District Council provides more detail (CD174). The viability assessment factored in £3 million for SANG provision and other forms of mitigation (e.g. wardening, education and interpretation) are also likely to be required.

3. In terms of education provision, the Submission draft Local Plan supports provision of a new school within the National Park to serve the development and the village of Calshot if required. Given the restrictions on new school development within the various HSE zones around Fawley Refinery, it is necessary for any future school to serve the development to be located within the National Park. Currently there is capacity within secondary education to accommodate the 1,500 dwellings proposed. In addition, a development of 1,500 homes would typically yield around 450 primary age children and this would usually be sufficient for a new school to be constructed. The viability assessment undertaken for the Fawley site factored in the construction of a new primary school at a cost of £6 million. At this stage Hampshire County Council has yet to confirm that a new school would definitely be needed, due to the proposed form of the residential development at Fawley. If a new school is not required, a financial contribution towards existing education provision is likely to be required and Hampshire County Council have been in regular liaison with the two local planning authorities for the site and Fawley Waterside Ltd regarding the financial contribution that could be sought.
4. In terms of highway infrastructure, Hampshire County Council has published their Interim Transport Strategy for the Waterside (2017) (CD177) which proposes highway capacity improvements on the A326 links and junctions. The draft masterplan for the site identifies potential junction improvements to the B3053 / A326 comprising the widening of junction entries and new signals.

*10.6 Are the specific policy requirements justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?*

1. The criteria set out in draft Policy SP25 reflect the site's location within a nationally protected landscape; and the need for development to ensure the impacts on the National Park from major development are moderated.
2. National policy contained within paragraph 116 of the NPPF (2012) confirms that major development in National Parks should only be supported in exceptional circumstances. Consequently the requirement in draft Policy SP25 for development to deliver an exceptionally high standard of design across the whole of the Power Station site, with clear net positive public benefits being demonstrated, is considered to be fully justified.
3. In response to representation received, the policy also broadly quantifies the amount of Suitable Accessible Natural Greenspace (SANG) provision that will be required. As SANGs will form an important part of the package of mitigation measures to ensure compliance with the Habitats Regulations, the draft policy wording is considered to be justified. Similarly, the wording in the paragraph is based on the conclusions of the Habitats Regulations Assessment (HRA) and is again justified when considered against the legal requirements.

4. The policy requirements for affordable housing and the size of new dwellings - criterion (a) and (b) - have been informed by the viability assessment undertaken (CD117) and so are justified by available evidence. The Authority has proposed an amendment to criterion (b) to provide greater clarity and this is set out in the Schedule of Proposed Minor Modifications (MIN-35).
5. The final part of the draft policy states that to ensure redevelopment is brought forward in a coordinated manner and fully mitigates its impacts, a master plan and supporting technical assessments for the entire Fawley Power Station site redevelopment must be prepared. They should be submitted as part of a redevelopment planning application and this provides clear and effective guidance on the future redevelopment of the site.

*10.7 Is the development proposed viable and deliverable within the plan period?*

1. The proposed allocations contained within both the Authority's and New Forest District Council's Submission draft Local Plans have been informed by a jointly commissioned viability assessment (CD117). The viability modelling concludes that development within the National Park is required in order to achieve a viable scheme for the redevelopment of the Power Station site. CD117 indicates that a requirement for all 120 dwellings in the National Park to be fully policy-compliant in terms of dwelling size and 50% affordable housing provision, would result in the overall scheme having negative viability and draft Policy SP25 recognises this in the policy requirements.
2. In addition to the Plan-making process, a significant amount of work has been undertaken on various background studies and assessments (including an Environmental Impact Assessment) to support the proposed development. Fawley Waterside Ltd has developed a draft Masterplan for the site and this process has engaged a range of statutory consultees. Statements of Common Ground have been signed by relevant parties (including Natural England and the Environment Agency) as part of the Authority's Local Plan review process on landscape & nature conservation and flood risk (CD173 and CD174). In terms of deliverability, the landownership in the area around the former Power Station means the significant requirement for new greenspace provision and nature conservation mitigation can be delivered.
3. The site owners (Fawley Waterside Ltd) have also held public exhibitions in 2017 and 2018 to share their emerging proposals for the site. A wide range of statutory consultees have been engaged in the emerging plans for the site, including Hampshire County Council, Natural England and the Environment Agency. Fawley Waterside's representations on the Authority's Submission draft Local Plan support the proposed allocation in draft Policy SP25 and confirm that the development proposed is deliverable.

*10.8 What is the expected timescale and rate of development and is this realistic?*

1. As set out in the Authority's Housing Trajectory, dwelling completions are expected to come forwards towards the middle of the Plan period onwards).

The detailed phasing plan of the proposed redevelopment of the former Power Station site has yet to be finalised, but given the lead-in time for an application of this scale and complexity the development will be taking place over a number of years. The best available information from Fawley Waterside indicates development will be completed within the Plan-period.

2. In advance of this, an outline planning application is expected to be ready for submission in late 2018.



**Policy SP26: Land at Calshot Village**

**10.1 What is the background to the site allocation? How was it identified and which options were considered?**

1. New Forest District Council submitted a number of sites in Calshot village through the Authority's 'Call for Sites' exercise as part of the Local Plan review process. Planning permission was granted by the Authority in December 2016 for a burial ground and associated development on land adjacent to the Church Hall (application reference 16/00599).
2. Linked to the emerging proposals for the comprehensive redevelopment of the former Fawley Power Station site (Calshot lies less than 1 kilometre from the site), in 2017 New Forest District Council informed the Authority of their willingness to bring the site forward for a mixed-use development, including an element of housing. The aim is to enhance the village of Calshot; diversify the housing stock; and ensure the village benefits from the significant new employment and infrastructure provision proposed as part of the comprehensive redevelopment of the adjacent former Power Station site.
3. The site is not covered by any built or natural environment designations and is entirely located within Flood Zone 1. There is also some local support for development in the village to diversify the housing stock. The Authority therefore identified land adjacent to St George's Church Hall, Calshot in the public consultation document on potential alternative housing sites published in summer 2017. The Authority held a six week consultation on these sites and this included a drop-in session at Calshot village (close to the site) to enable people to find out more. The feedback received informed Policy SP26 in the Submission draft Local Plan.
4. The site identified in draft Policy SP26 is in the ownership of a single public body. The policy has been drafted to provide a degree of flexibility on the composition of the site, to enable New Forest District Council to meet the need for burial ground in the Waterside, while also providing additional housing within Calshot village. The District Council has confirmed the site is available, suitable and deliverable.

**10.2 What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?**

1. Planning permission was granted in July 1987 to convert St George's Church into a community centre with associated access and car parking.
2. Planning permission was granted by the Authority in December 2016 for a burial ground and associated development on land adjacent to St George's Church Hall, Calshot (application ref. 16/00599). A number of the conditions linked to this permission have been discharged and

construction work has commenced. There are no permissions, or outline permissions in place, for any other form of development on the site.

**10.3** *How were the site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence having regard to any constraints and the provision of necessary infrastructure?*

1. As outlined above, planning permission was granted in December 2016 to change the use of the land identified in draft Policy SP26 to a burial ground. This permission has not been fully implemented and in 2017 the landowner (New Forest District Council) indicated their desire to deliver an element of housing alongside a reduced area of burial ground.
2. Policy SP26 has been prepared with the whole of the site identified to provide flexibility on the final composition of the site. This enables the mix of residential development and burial land to be planned appropriately, while also factoring in the protected trees on the site. On the basis of discussions with the landowner, draft Policy SP26 refers to the development of around 30 dwellings and it is anticipated these would be developed on an area of circa 1 hectare within the allocation red line. The figure of 30 dwellings on a 1 hectare site has been used in the viability modelling (CD107).
3. The site is relatively constraint free, being located within Flood Zone 1 and not covered by any built or natural environment designations. Draft Policy SP26 recognises the trees on the site subject to a Tree Preservation Order (dated January 2018). The proposed development of around 30 dwellings has not raised any objections from infrastructure providers and the site will also benefit from the major infrastructure provision (including access improvements and greenspace provision) associated with the proposed redevelopment of the adjacent former Fawley Power Station site.



*Tree Preservation Orders (dark green) – land at St George's Church Hall, Calshot*

*10.4 What are the potential adverse impacts of the allocation and how could these be mitigated?*

1. The potential adverse impacts of the proposed allocation relate to: (i) impacts on protected habitats; (ii) impacts on the mature trees on the site; and (iii) increased pressure on local infrastructure.
2. The site lies within 5.6 kilometres of the Solent Natura 2000 sites, as identified through the work of the Solent Recreation Mitigation Partnership. Consequently avoidance and mitigation measures will be sought from residential development in accordance with Policy SP5.
3. The permission granted for the change of use to a burial ground in 2016 protected the mature trees that are a feature of the site. Following the landowner's revised proposals to include an element of residential use, the Authority issued a Tree Preservation Order in January 2018 to ensure that any future residential use (which has greater potential impacts on trees than the previously consented burial ground) retains the trees. The Tree Preservation Order protects the 23 lime trees at the centre of the site; the 6 oak trees at the southern boundary; and a number of individual trees. The protected trees are referred to in draft Policy SP26.
4. The proposals in draft Policy SP26 are linked to the proposals for the comprehensive redevelopment of the former Fawley Power Station site, located less than 1 kilometre away. Consequently consideration of the impacts on local infrastructure (including greenspace, education and highways) from the proposed 1,500 home redevelopment of the former Power Station has also factored in the proposed 30 dwellings at Calshot village. The Submission draft Local Plan supports the provision of a new primary school close to Calshot village should the Education Authority (Hampshire County Council) conclude that the developments at Fawley and Calshot generate the need for additional school provision.

*10.5 What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?*

1. The site lies within the 5.6 kilometre buffer from the Solent Natura 2000 sites and therefore avoidance and mitigation measures will be sought. The financial contributions sought are set out [here](#), with a new 3-bed dwelling being required to contribute £637 towards a package of measures. Development at Calshot would also be required to contribute towards mitigation measures for the New Forest Natura 2000 sites.
2. With regard to public open space provision, the exact financial contribution required would be confirmed at the pre-application stage and the Authority currently seeks £3,505 per new 3-bed dwelling towards off-site public open space works. A future financial contribution towards public open space, sport and recreation provision would be spent within the locality of the development.

3. In relation to education, Hampshire County Council has yet to confirm if a new school will be required to serve the proposed allocations at Fawley and Calshot. This is primarily due to the proposed form of the 1,500 dwelling residential development at Fawley. If a new school is not required, a financial contribution towards the expansion of existing education provision may be required if there is insufficient capacity in existing schools to accommodate needs arising from the development. This would be assessed at the time of application.

*10.6 Are the specific policy requirements justified and consistent with national policy? Do they provide clear and effective guidance on constraints and suitable mitigation?*

1. Criterion (a) and (b) of the policy requirements seek 50% of the dwellings on the site to be affordable housing; and all of the dwellings to be limited to 100 square metres. This reflects the requirements of draft policy SP27 and SP21 which aim to deliver affordable housing for local people in the National Park; and to ensure new provision meets the identified need for smaller properties, thereby helping to diversify the housing stock in the National Park. Given that not all of the proposed housing site allocations are able to meet these Plan-targets, the Authority considers it justified to include them within Policy SP26. This is supported by the viability evidence that demonstrates the policy requirements are deliverable – set out in more detail in CD107.
2. Criterion (d) relates to protecting the trees on the site that are subject to a Tree Preservation Order (TPO). These trees are a key feature of the site and the TPO was put in place in January 2018 to ensure any future residential development retains them. Criterion (d) is therefore considered justified.
3. Criterion (e) refers to the enhancement of St George’s Hall for the benefit of the Calshot community (which may include a sympathetic replacement). This specific policy requirement has been included following feedback from local residents as part of the consultation undertaken in summer 2017 on the potential allocation of the site. The Authority has a duty under Section 62(2) of the Environment Act 1995 to foster the economic and social well-being of local communities within the National Park. In doing this, the Act states the Authority should co-operate with local authorities whose functions include the promotion of economic or social development within the National Park. In this case, the hall is in the same public ownership as the proposed development site (New Forest District Council) and development of the adjacent land provides an opportunity to deliver a wider social benefit for Calshot alongside new housing provision.
4. Southern Water has advised that text should be included in draft Policy SP26 to ensure development proposals safeguard future access to the existing water supply infrastructure for maintenance and upsizing purposes. This wording is reflected in criterion (f) of draft Policy SP26.

*10.7 Is the development proposed viable and deliverable within the plan period?*

1. The representations received from New Forest District Council in summer 2017 and on the Submission draft Local Plan (respondent reference 45) confirm their support for the proposed allocation in draft Policy SP26 for housing and burial ground use. The site is considered to be available and deliverable for development within the plan period.
2. The Submission draft Local Plan was subject to a whole-Plan viability assessment (CD107). The assessment tested the viability of the draft policy requirements for 50% on-site affordable housing and the restriction on dwelling sizes to 100 square metres (typically a 3-bed home).
3. In relation to draft policy SP26, the viability modelling concluded that the proposal for 30 dwellings on the site (case study reference CS8 in the viability report) produced a strong residual land value, well above the benchmark land value of £2 million per hectare. CD107 also includes a sensitivity analysis (Figure 3.7) which demonstrates that the proposed allocation remains viable even with an increase in build costs and a decrease in future house prices. Paragraph 3.30 of the viability assessment highlights that some of the more straightforward case studies assessed (including the proposed allocation at Calshot Village) achieved high residual values and this indicates, “...some viability headroom should further obligations be required from these sites.”
4. In conclusion, the viability modelling concluded that policy-compliant development (50% affordable housing; a limit on the size of the dwellings) on land at Calshot is economically viable and deliverable. This conclusion is supported by the landowner, New Forest District Council, who have confirmed that the site is available, suitable and deliverable.

*10.8 What is the expected timescale and rate of development and is this realistic?*

1. Should the proposed allocation be endorsed through the Examination process, Policy SP26 would become part of the statutory development plan. As set out in the Authority’s Housing Trajectory, given the availability of the site and the landowners’ confirmed willingness to bring the site forward, it is anticipated that the site would be developed over the 2020/21 period.
2. The representations received from the District Council in summer 2017 and on the Submission draft Local Plan confirm the site is available. Indicative layout plans have been prepared that illustrate that the proposed quantum of residential development, alongside new burial ground, can be delivered while protecting the mature trees on the site.

## ***Land adjacent to the former Fawley Power Station - Policy SP25***

### **10.9 Does the proposed development meet the major development test for National Parks?**

1. As set out in the signed Statement of Common Ground (September 2018, CD174) on landscape matters, the main parties involved (the Authority, the landowner, Natural England and New Forest District Council) agree that the proposed allocation of land adjacent to the former Power Station site for 120 dwellings (and other associated infrastructure) constitutes major development within the National Park. Consequently, national policy in paragraph 116 of the NPPF (2012) must be considered to decide whether exceptional circumstances exist to support the allocation when considered against the identified criteria.
2. The Authority has submitted a Core Document (CD118) setting out its assessment of the proposals for the site against the major development test in paragraph 116 of the NPPF. The contents of this more detailed assessment are not repeated here in detail, but the overall conclusion is that in the Authority's opinion the proposals for the redevelopment of the former Fawley Power Station site, including a small area of adjoining land within the National Park, can be justified when considered against the NPPF major development test. This is based on the following factors:
  - The redevelopment of the site would replace the large-scale industrial structures with a more appropriate built form for a National Park. This would reduce the landscape and visual impacts of the site on the surrounding National Park landscape. The Statement of Common Ground (September 2018, CD174) signed by the Authority, Natural England, Fawley Waterside Ltd and New Forest District Council on landscape matters confirms that the redevelopment of the site can deliver significant landscape-scale enhancements (paragraph 116, exceptional circumstances).
  - The site would make a major contribution towards meeting identified housing needs in both the National Park and New Forest District and would comprise the largest housing site allocation in each of the Local Plans. The proposed allocations in the respective National Park Authority and New Forest District Council Submission draft Local Plans amount to 1,500 new dwellings, which equates to circa 13% of the combined Objectively Assessed Housing Need figure for housing (CD105) in the combined New Forest area (paragraph 116, need for the development).
  - The proposals for the site would deliver significant public benefits in terms of landscape and habitat enhancements, economic benefits and access improvements. Viability work (CD117) concluded that these public benefits that would be delivered through the redevelopment of the brownfield former Power Station site require the development of some adjacent land within the National Park (paragraph 116, need for the development).
  - Parts of the former Power Station site are located within the Health & Safety Executive's (HSE's) exclusion zones. Consequently, development at the

north of the site is restricted and it is also necessary for a future school to be located outside the relevant HSE zones and therefore within the National Park (paragraph 116, scope for developing outside the designated area).

- The redevelopment of the site has the potential to create circa 2,000 jobs across a range of sectors, including the marine sector given the site's location on Southampton Water. This would benefit the wider regional economy as well as the local Waterside and New Forest area, in accordance with the Authority's socio-economic duty (paragraph 116, impact on the local economy).
  - The landownership in the area enables the delivery of significant landscape, habitat and access improvements to moderate the impacts of development. Proposals for the site include provision of over 30 hectares of greenspace and habitat enhancements to the remaining area of the Site of Importance for Nature Conservation. The Statement of Common Ground (September 2018, CD174) on Policy SP25 and landscape & nature conservation matters confirms that the redevelopment of the Power Station site provides the opportunity to deliver significant wildlife and biodiversity enhancements to offset any harm (paragraph 116, moderating any detrimental impacts on the environment, landscape and recreational opportunities).
3. The Authority has therefore concluded that there are exceptional circumstances to justify the proposed major development in the National Park (Policy SP25) to enable the redevelopment of the brownfield former Fawley Power Station site to a mixed use community of 1,500 homes and 2,000 jobs. Policy SP25 has been prepared in liaison and co-operation with New Forest District Council – the planning authority for the majority of the site – and is clear that development within the National Park will only be supported as part of a comprehensive redevelopment of the wider former Power Station site. The policy requires the redevelopment of the site to deliver net environmental gains for landscape, habitats and biodiversity. There is an opportunity to enhance these elements of the National Park, which would go beyond the requirement in paragraph 116 of the NPPF to 'moderate' the impacts of development on the National Park.

**10.10 How has the effect on international and national nature conservation designations been taken into account? Does the Policy provide an effective framework to ensure appropriate mitigation? What is the Authority's response to concerns raised by Natural England and RSPB?**

1. The Authority's Submission draft Local Plan has been the subject of a Habitats Regulations Assessment (HRA) which considered all of the proposed planning policies and allocations. Alongside the conclusions of the HRA (CD15), Policy SP25 has also been informed by the representations received from Natural England during the Local Plan review process.
2. The HRA concluded that reliance can be placed on the mitigation schemes prepared for the New Forest and Solent habitats to mitigate potential recreation pressure from development within the New Forest National Park, including Policy SP25. Consequently the HRA finds that likely significant effects due to

recreation pressure can be ruled out either alone or in combination. The site does not lie within 400 metres of the New Forest SPA and therefore potential urban edge effects have been screened out.

3. Secondly, the HRA concluded that in order to provide the necessary level of certainty that the loss of habitat associated with draft Policy SP25 will not result in adverse effects, additional policy wording should be added to include a requirement to undertake site-specific bird surveys to confirm the status of SPA/Ramsar species at the site, particularly merlin, hen harrier and Dartford warbler. This is included in the wording of Policy SP25.
4. Policy SP25 clearly sets out the indicative quantum of Suitable Alternative Natural Greenspace (SANGs) that must be provided; as well as guidance on their management. The policy also sets out the requirements for mitigating the loss of the designated Site of Importance for Nature Conservation (SINC) habitat. This wording is subject to a proposed main modification (MAIN-08) and is discussed in more detail on the Authority's response to Q10.12.
5. Natural England's representations on the Submission draft Local Plan welcomed the wording of Policy SP25 and also made reference to including a need to mitigate any impacts to SPA bird interests caused through increased recreational use of the local marine environment. The Authority considers impacts on the SPA are adequately covered through the draft Local Plan policies on protecting the natural environment (e.g. Policy SP5).
6. The RSPB's representations on the Submission draft Local Plan state that: (i) a robust package of bespoke SANGs, access management and wardening will be essential to mitigate potential impacts; (ii) specific reference should be made to the need for SANGs to be provided in line with the agreed area (minimum 8ha/1,000 population) and quality standards; and (iii) in addition to on-site access management, the development must also make a contribution to the strategic SPA wardening schemes, such as the Solent Recreation Mitigation Partnership (SRMP). Finally, the RSPB suggested in respect of the SINC that criterion d) in Policy SP25 should be amended to require the enhancement of the biodiversity value of the remaining habitat and the compensatory provision of the lost habitat of equivalent or higher quality.
7. In response to the RSPB's representations, the Authority has included within the Schedule of Proposed Main Modifications an amendment to criterion (d) of Policy SP25 in line with the RSPB's suggested wording (MAIN-08). Policy SP25 includes specific wording setting out the quantum of new SANG provision required. In terms of a contribution towards habitat mitigation schemes (such as the SRMP), this would be covered by other policies within the Submission draft Local Plan. Policy SP5 and its supporting text confirms that contributions will be sought towards the SRMP from residential developments within 5.6 kilometres of the protected habitats and this requirement has not been duplicated in other proposed housing site allocation policies. It should be also be noted that applicants are not obliged to contribute towards the SRMP mitigation scheme if bespoke mitigation measures are delivered as part of the development to the satisfaction of the Authority (which may be the case with the Fawley site).



**10.11 *Are the proposals to provide at least 30 hectares of Suitable Alternative Natural Greenspace (SANG) realistic, appropriate and consistent with national policy? Where would the SANG be provided?***

1. The proposed allocation at the former Fawley Power Station is required to provide accessible natural greenspace to the minimum standard of 8 hectares per 1,000 people. This is the figure set out within the District Council's draft Local Plan and is supported by Natural England. It is a requirement that other strategic development sites in the New Forest are providing and the site of the former Fawley Power Station is covered by the same requirement given its proximity to a range of protected habitats.
2. In line with national policy and legislation, the principal aim of SANGs is to reduce pressures on the protected habitats of the New Forest and Solent coastline. New SANG provision forms part of the package of mitigation measures designed to ensure no adverse impact on the integrity of the Natura 2000 sites. Over the course of the last 2 years, the Authority and New Forest District Council have been working with Fawley Waterside and Natural England to discuss SANG provision. Given the constrained nature of the brownfield former Fawley Power Station site, it is accepted that the SANG provision will be predominantly within the National Park. More detail is set out in the Statement of Common Ground on Policy SP25 and landscape & nature conservation issues (CD174), as well as the Fawley Waterside Access & Nature Conservation Plan (CD176).
3. As outlined in the Authority's response to question 10.9, the landownership in the area surrounding the former Power Station site enables the delivery of significant habitat and recreational improvements to mitigate the impacts of proposed development. The Fawley Waterside team have developed detailed plans for the new areas of SANG and these are set out in Fawley Waterside Access & Nature Conservation Plan (CD176). The proposed SANG areas amount to circa 35 - 40 hectares of land and this exceeds the minimum SANG area required for 1,500 dwellings.

**10.12 *How has the effect on the Site of Importance for Nature Conservation been taken into account?***

1. Land south of the former Power Station - known as Tom Tiddler's - is a locally valued wildlife site. Sites of Importance for Nature Conservation (SINCs) make up around 9% of the land area of Hampshire and complement the higher order national and international nature conservation designations. In accordance with the hierarchy of protection afforded to nature conservation sites, draft Policy SP6 in the Submission draft Local Plan confirms that development adversely affecting SINCs should be refused unless it has been demonstrated that suitable measures for mitigating or compensating adverse effects will be provided; or there are overriding reasons which outweigh the harm.
2. The extent of the SINC land proposed to be developed as part of the wider redevelopment of the former Fawley Power Station site has been informed by the viability assessment of the potential development options / scenarios for the

site; as well as the extent of ecological mitigation and enhancement that can be delivered. The proposed allocation for housing set out in Policy SP25 would result in the loss of around 15% of the total area of the Tom Tiddler's SINC habitat. The SINC land proposed for development is acid grassland which is proposed to be re-provided close to the site as part of the wider ecological enhancement strategy.

3. In accordance with the requirements of draft Policy SP6, Policy SP25 includes appropriate policy coverage of this habitat loss. As set out in the Authority's Schedule of Proposed Main Modifications (MAIN-08), criterion (d) states that any loss of the designated SINC must be kept to an essential minimum, be compensated through the enhancement of the biodiversity value of the remaining habitat and the compensatory provision of alternative habitats of equivalent or higher value to achieve a net gain for biodiversity.
4. The emerging proposals for the site include compensatory provision for the loss of the SINC habitats. The biodiversity enhancement plan for the site involves the re-excavation of part of the original SINC intertidal area to create a saline lagoon with fringing saltmarsh and coastal grassland. The creation of a saline lagoon and grazing marsh will support habitats for coastal birds and other wildlife. The Statement of Common Ground (September 2018, CD174)) on Policy SP25 and landscape & nature conservation matters confirms that the redevelopment of the Power Station site provides the opportunity to deliver significant wildlife and biodiversity enhancements to offset any harm.
5. In conclusion, the impacts of the proposed housing land allocation in draft Policy SP25 in the designated SINC have been fully factored into the Submission draft Local Plan and the emerging proposals for the site. Based on the viability assessment of various development scenarios, the comprehensive redevelopment of the former Fawley Power Station site requires some development within the National Park. Where SINC habitat would be lost, criteria (d) of draft Policy SP25 requires the enhancement of the remaining designated SINC and the compensatory provision of alternative habitats. This accords with the general approach to SINC's set out in draft Policy SP6.

**10.13 How is the site affected by flood risk? How has this been taken into account in allocating the site? How have the sequential and, if necessary, exception tests been applied? What is the Authority's response to the Environment Agency's concerns? How have these been addressed?**

1. As set out in the New Forest Strategic Flood Risk Assessment (SFRA) (CD82 and 83), parts of the proposed housing allocation within the National Park are at risk from tidal flooding. In its existing form, 44% of the proposed housing site within the National Park is located in Flood Zone 1; with 9% of the site in Flood Zone 2; 19% in Flood Zone 3a; and 29% in Flood Zone 3b. Under the requirements of national policy, housing is classed as a 'more vulnerable' use and is considered appropriate in Flood Zones 1 and 2, subject to application of the sequential approach. The Sequential Test ensures that development is not allocated or permitted where there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

2. In accordance with paragraph 101 of the NPPF (2012), a Sequential Test has been undertaken of potential development sites identified within the National Park through the Authority's 'Call for Sites' exercise. The 'Fawley Waterside - Sequential Test (New Forest National Park Area)' report by WSP (2018, CD175) sequentially tested and ranked potential development sites using the latest available SFRA flood mapping, complemented by the Environment Agency's Risk of Flooding from Surface Water Flooding (planning maps).
3. This Sequential Test resulted in land to the south of the former Power Station site being placed 152nd out of 164 sites assessed within the National Park. Of the 151 sites ranked above the site identified in draft Policy SP25, none are considered capable of providing the type, size and scale of development proposed at the former Power Station site. Therefore, the Sequential Test report concludes there are no alternative reasonably available, viable sites appropriate for the proposed development with a lower probability of flooding than the site of the former Power Station and adjacent land within the National Park.
4. Paragraph 102 of the NPPF (2012) states that if, following application of the Sequential Test, it is not possible for the development proposed to be located in zones with a lower probability of flooding, the Exception Test can be applied. For the Exception Test to be passed it must be demonstrated that (i) the development provides wider sustainability benefits to the community that outweigh flood risk; and (ii) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime. Both elements of the Exception Test have to be passed for development to be allocated.
5. Taking the first part of the Exception test, it is clear that the comprehensive redevelopment of the former Power Station site for circa 1,500 new dwellings, the creation of 2,000 new jobs, and the provision new areas of greenspace and enhanced habitat will result in significant sustainability benefits for the area. The proposed allocation provides the opportunity to replace the Power Station buildings with a mixed use community that is more compatible with the character of the New Forest, alongside measures to manage the surrounding landscape and habitats. The redevelopment would deliver a range of social, economic and environmental benefits that are considered to outweigh flood risk.
6. In terms of the second part of the Exception Test, the Authority has proposed additional wording to draft Policy SP25 relating to a site-specific flood risk assessment and this wording is set out in the Schedule of Proposed Main Modifications (MAIN-09). It should also be noted that the emerging plans for the site propose to raise the site to provide a development platform above the predicted coastal flood level such that all development on site will be located in Flood Risk Zone 1. This will assist in meeting the second part of the exception test in ensuring the development will be safe for its lifetime. This reflects the representations made by the Environment Agency at the Regulation 19 stages and ensures, in accordance with national planning policy, both the Sequential and Exception Tests are met. This is reflected in the Statement of Common Ground (September 2018, CD173) signed by the Authority, the Environment Agency, Fawley Waterside and New Forest District Council which confirms that the signatories consider that both the Sequential and Exception Test have been met in relation to the proposed allocation in Policy SP25 of the Local Plan.

**10.14 Is the requirement for at least 50% of the dwellings to be smaller dwellings (less than 100m<sup>2</sup>) justified?**

1. As set out in the Authority's response to Matter 7 (Questions 7.3 and 7.4), evidence demonstrates that the existing housing stock in the New Forest National Park is heavily skewed towards larger properties. Conversely, the majority of the local housing need arising from within the National Park is for smaller properties (typically 1 – 3 bed properties). Therefore, in line with the approach taken in other recently adopted National Park development plans, the Submission draft Local Plan seeks to limit the maximum size of new dwellings in the National Park to 100 square metres (draft Policy SP21).
2. The Authority recognises that the proposed site allocation on land adjacent to the former Fawley Power Station (draft Policy SP25) differs from other proposed Local Plan site allocations. Unlike the other proposals, it is not adjoining an existing established community (with an established housing mix) but is instead part of a much larger planned new community. Consequently the circumstances regarding the planning policy approach to dwelling sizes are slightly different. The National Park element of the former Power Station site (Policy SP25) makes up a relatively small proportion of the wider redevelopment proposals. The proposed housing allocation in the National Park aims to support the proposed 1,380 dwelling development on the brownfield part of the site, which will be focused more towards higher density units. The provision of some larger residential units within the National Park is therefore considered appropriate.
3. As part of the Local Plan-preparation process, a viability appraisal for the wider former Fawley Power Station site was undertaken in 2017 (CD117). This assessed a range of potential development scenarios through a two stage process. Scenario 1b in stage 2 of the process assessed the viability of the proposals with 120 'policy-compliant' dwellings within the National Park – i.e. all the dwellings would be limited to less than 100 square metres and 50% affordable housing would be provided. Scenario 1c in Stage 2 of the process tested the amount of policy-compliant dwellings would be required within the National Park to bring the overall development into positive viability.
4. The conclusions of the viability appraisal were that:
  - A requirement for all 120 dwellings in the National Park to be fully policy compliant in terms of dwelling size and 50% affordable housing provision results in the overall scheme having a negative viability of over £52 million.
  - 305 dwellings would be required in the National Park if the policy requirements limiting the size of new dwellings to 100 square metres and 50% affordable housing were to be met in full.
  - The main conclusion of the viability testing undertaken in 2017 was that some development within the National Park is required to achieve a viable scheme. This could be in the form of 120 larger market houses or an increased number of smaller homes of which 50% are affordable.

5. In conclusion, the proposed policy requirement in draft Policy SP25 for at least 50% of the dwellings delivered on land adjacent to the former Power Station site and within the National Park to be smaller dwellings is considered to be justified. The delivery of smaller dwellings within the National Park to diversify the existing dwelling stock is an important objective of the Local Plan. However, the Authority recognises that the redevelopment of the former Fawley Power Station site is unique and the viability evidence indicates the policy requirement cannot be met in full. Policy SP25 therefore seeks to ensure smaller units are provided as part of the development within the National Park, while recognising that site specific factors mean some flexibility in the approach taken on the majority of the other proposed Local Plan housing site allocations.