

Application No: 22/00498 Full Application

Site: Land East of New Inn Road, Bartley SO40 2LR

Proposal: 10no. new dwellings; relocated vehicular and pedestrian access: associated parking and landscaping (AMENDED PLANS)

Applicant: English Rural Housing Association

Case Officer: Carly Cochrane

Parish: Copythorne Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view
Rural Exception Site

2. POLICIES

Development Plan Designations

Tree Preservation Order

Principal Development Plan Policies

- DP2 General development principles
- DP18 Design principles
- SP3 Major development in the National Park
- SP4 Spatial strategy
- SP5 Nature conservation sites of international importance
- SP6 The natural environment
- SP7 Landscape character
- SP15 Tranquillity
- SP17 Local distinctiveness
- SP19 New residential development in the National Park
- SP21 The size of new dwellings
- SP28 Rural exceptions sites
- SP38 Infrastructure provision and developer contributions

NPPF

- Sec 5 - Delivering a sufficient supply of homes
- Sec 15 - Conserving and enhancing the natural environment

Supplementary Planning Documents

- Design Guide SPD
- Development Standards SPD

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Copythorne Parish Council: Recommend refusal for the following reasons:

- SP28: Do not believe the conditions have been met. Several other large scale affordable housing developments have recently been approved in neighbouring parishes/towns (Ashurst, Netley Marsh/Totton) with greater links to local services, public transport etc.
- Highways issues: The Parish Council know what actually happens on the ground. Already the volume and activities of traffic at school drop off/collections time are unsafe, especially for children.
- Design: Building height in relation to neighbouring properties. Proposed buildings will be overlooked. Plots 3 to 6 in particular are too high.
- Flooding: Suggested SUDS drainage system not proven. Ground water monitoring has not been undertaken. Documents recently shared by the application to HCC as LLFA have not been updated to the NFNPA Planning Portal or shared with the Parish Council.
- Sewerage: Existing infrastructure is poor.
- Local distinctiveness: The proposals put forward by the developer for the site are the opposite of what is around it.
- Public transport: Lack of local services. Buses only run on two days of the week.
- Parking: Considered to be inadequate for the development and likely to spill out to an already busy road.

5. CONSULTEES

Archaeologist: No objections, no proposed conditions.

Building Design & Conservation Area Officer: Support subject to conditions

Planning Policy Officer: Considers that the proposal would meet the requirements of Policy SP28 and would address an identified local need.

Tree Officer: Support subject to conditions

Landscape Officer: No comment provided.

Hampshire County Council Access Development: No response received.

Hampshire Country Council Children's Services: No additional primary or secondary school places needed to fulfil anticipated need arising from the proposed development.

Hampshire County Council Flood and Water Team: Objection raised to the initially proposed method of surface water management. No objection raised to the alternative method submitted, subject to condition.

Hampshire County Council Highways: No objection subject to condition

Natural England: Further information required. Update to be provided to Members at Planning Committee.

New Forest District Council Housing: Provision of new rural affordable housing to rent is welcomed and will meet a local need.

Southern Water: No objection subject to recommended condition.

6. REPRESENTATIONS

86 letters of representation have been received from 43 representees, and some representees have submitted multiple comments. Of these 43 representees, two are in support of the application; 40 object and one makes comments to seek clarification. The material planning considerations raised are summarised, as follows:

Support:

- Development is much needed, built to enable local people or with link to the village to apply for one, and supports the younger generation who are unable to rent or buy locally due to high costs

Objection:

Flooding/surface water run-off/drainage

- Concern that development on the land would exacerbate levels of surface water run off and displace it onto other properties, where there is already a flooding issue.
- Concern that the surveys carried out were not done at the appropriate times of year and therefore do not accurately reflect the flooding issues and levels of waterlogging.
- Concern with regard to impacts on nitrate and phosphate pollution
- Existing ground instability.
- Current drainage infrastructure cannot cope with the proposed new dwellings.

Highway safety/Parking/Transport links

- New Inn Road suffers congestion, cars parked along the verges and high vehicle speeds. At times when cars are parked along the road, there is limited visibility.
- Public transport links in Bartley are very poor and therefore car ownership is a necessity.
- Development will create a dangerous junction.
- New Inn Road is also used by lots of cyclists and horse riders.

- Traffic count survey was undertaken just after schools reopened in March 2021 and after school drop off time, and therefore does not accurately document the situation.
- Majority of community uses are on northern side of Southampton Road, and the crossing here is hazardous.
- Submitted Transport Statement includes errors in its detail.

SP28 and Policy

- Proposal does not meet or comply with the policy requirements- there is insufficient public transport.
- Contrary to the NPPF.

Design

- Concerns in respect of ground levels and the provision of flat surfaces for access.
- Concerns in respect of bin-carry distances.
- Dwellings bear no resemblance to the local area and appear out of keeping.
- No 1-bed units proposed.
- Overdevelopment of the site and area.
- Adverse impact upon the visual amenity of the area.
- There are no other flats in Bartley and the provision of them is out of keeping.
- Layout does not respect patterns of development in the area.

Neighbouring amenity

- Concerns with regard privacy and overlooking.

Affordable Housing

- Already have 'quota' of affordable housing in Bartley- query why are other areas not being considered.
- Number and nature of units proposed does not relate to the NFDC figures.
- Housing needs survey is out of date.

Other

- There remains an access to the rest of the agricultural land. Concerns over a future phase 2 as the applicant has an option on the remainder of the land.
- Concerns with regard impact on wildlife
- Severe pressure on pasture land in Copythorne

A letter of representation has also been received from Hampshire Swifts, with the request that at least 10 integral swift bricks are installed in accordance with best practice.

7. RELEVANT HISTORY

No relevant planning history.

8. ASSESSMENT

Introduction

- 8.1 The application site is located to the eastern side of New Inn Road and comprises a parcel of agricultural land measuring approximately 0.3 hectares and which is currently used for the grazing and keeping of livestock. The site is part of a wider parcel of agricultural land, which adjoins The Haywain Public House in the north, and further agricultural land to the east. The site immediately adjoins the boundaries of residential properties at Oakfield Road to the south, and to the west and across New Inn Road are further residential properties arranged in a linear form and spanning the length of New Inn Road. The site is not within a conservation area, and it is approximately 350 metres to the New Forest SSSI and the New Forest's international nature conservation designations. There is a Tree Preservation Order (TPO/0007/20) which protects seven individual Oak trees and a group of five Oak trees, located along the west, south and eastern site boundaries. Access into the site is currently within the south western corner, adjacent to the residential property of Oakfield House, and a grass verge and ditch with the aforementioned TPO Oak trees border the western site boundary.

Proposed Development

- 8.2 This application seeks permission for the erection of ten affordable dwellings, with six two storey houses and four apartments arranged with two units (two storey houses) facing New Inn Road, and two staggered 'L' shaped blocks of four dwellings each, laid out to mirror one another and create a central courtyard. The units would have a floorspace of between 64 square metres and 93 square metres in accordance with Policy SP21. Each unit would have its own private garden area with small outbuilding and bin store, and two parking spaces per unit have been allocated (in accordance with Annex 2 of the Local Plan); some of the spaces are under covered car ports. Three visitor spaces have also been allocated. A five-bar gate is to be provided adjacent to the northern boundary in order to allow access for the owners into the agricultural land not subject of this application. An area measuring approximately 300 square metres between this gate and the entrance to the site would be planted as a species rich meadow. Gardens along the southern and western part of the site would be enclosed by 1.8 metre high hit and miss timber fencing, with a green 'buffer' between the fence and the site boundaries. Gardens along the northern boundary would be enclosed by a 1.2 metre high post and chainlink fence, again set back from the site boundary with a 0.9 metre high stockproof fence along the site boundary.

Policy Background

- 8.3 The National Planning Policy Framework (NPPF) (2023) states “in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.” This is consistent with the National Parks Circular (2010), which is cross-referenced in both the NPPF and also the National Planning Practice Guidance (NPPG) resource on ‘landscape’. Paragraphs 78 and 79 of the Circular state “The expectation is that new housing [in National Parks] will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services. The Government expects the [National Park] Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term.”
- 8.4 The evidence base for the New Forest National Park Local Plan review identified a significant affordable housing need arising from the communities within the National Park. The delivery of affordable housing on rural exception sites plays a key role in meeting these identified needs in the New Forest National Park outside of the four 'defined villages'. A rural exception site policy exists in many areas of the country and has been in place for decades in the New Forest to provide housing for people with a local connection to the relevant parish. Policy SP19 (New residential development in the National Park) of the Local Plan makes provision for an additional 800 net new dwellings in the New Forest National Park between 2016 – 2036. An important element of this new housing provision (making up half the total planned provision) is ‘windfall sites’, comprising land not otherwise allocated for housing. Windfall site development in the National Park includes rural exception sites and over 30 dwellings have been completed on such sites in Brockenhurst, Bransgore, Breamore and Pilley since the National Park was designated in 2005.
- 8.5 As aforementioned, the NPPF confirms that in rural areas, authorities should plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites. Outside the defined villages of the National Park and the housing site allocations, rural exception sites can provide an important source of affordable housing to meet local needs on land that would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have a connection to the area. Whilst the NPPF may allow for small numbers of full market homes upon a rural exception site, the viability assessment which formed part of the Local Plan evidence base concluded that open market housing on rural exception sites is not necessary to make them deliverable within the context of the National Park. However, the evidence does highlight that a degree of flexibility may be required on the tenure of affordable housing on rural exceptions sites to ensure they are viable, and the Local Plan therefore supports an element of shared ownership/intermediate ownership affordable housing (25%) alongside affordable rented housing (75%). This application reflects the strategic policy position set out in the adopted Local Plan.

8.6 Policy SP28 therefore permits small-scale rural exception sites, in locations in or adjoining villages (not only defined villages) to meet the identified needs of local people in these areas, where 100% of the housing is affordable. Proposals for such exception sites should meet the following criteria, and therefore:

- a) Meet a particular local need that cannot be accommodated in any other way;
- b) Be subject to a planning obligation under Section 106 of the Town and Country Planning Act (1990) to ensure that the dwellings provide for low-cost housing for local needs in perpetuity;
- c) Be capable of management by an appropriate body, for example a Registered Provider, the Authority, or a community land trust or similar accredited local organisation; and
- d) Be located where there are appropriate local services (e.g. shops, schools and public transport).

In addition, Policy SP21 (The size of new dwellings) limits new dwellings to a maximum total internal habitable floor area of 100 square metres.

Preapplication advice

8.7 Preapplication advice was sought in respect of this development in 2021, which led to the TPO being served to ensure that the amenity trees were protected. The conclusions given were that the location of the proposed development regarding proximity and access to local services in Copythorne was considered suitable in principle and that there is evidence of a local housing need, and that access, design, trees and impacts upon ecology and nitrates would need addressing as part of any future application.

Site selection

8.8 As aforementioned, the evidence base for the Local Plan review indicated a significant affordable housing need arising within the National Park. This local need amounted to circa 71 affordable dwellings per annum, far in excess of the scale of development planned for in the Local Plan. This indicates a significant unmet affordable housing need arising from within existing communities.

8.9 The Copythorne parish housing needs survey from 2014 recommended the development of 10-15 affordable dwellings to address local needs arising. Following this housing needs survey, approximately 30 sites within the Parish were considered, of which eight had scope for development. Amongst these eight sites, 'site 5a' was considered by Authority Officers as a potentially suitable site for a small affordable housing development, 'subject to appropriate access being sought'. It was also noted that 'the site lies in close proximity to facilities and is unlikely to have a detrimental impact on other adjoining residential development'. 'Site 5a' site is the application site.

8.10 In terms of alternative options for meeting local affordable housing needs, it should be noted that there are no housing site allocations in the parish of Copythorne. As none of the settlements in the Parish, which has a total

population of approximately 2,750, have defined settlement boundaries (i.e. they are not one of the defined villages as per Policy SP4) no net new dwellings, including affordable dwellings, have been completed in the Parish for over 15 years. The last housing development of any scale in the Parish was at Rockram Close, which was granted permission in 2004 before the National Park was designated. Local housing needs arising in Copythorne will not be directly addressed by development in neighbouring areas such as the housing site allocations at Ashurst and Lyndhurst, where the new affordable housing to be provided will have a local connection to those parishes in the first instance; or on land outside the National Park (e.g. land north of Totton in New Forest District), where the affordable housing provided will not be covered by a local connections criteria and will instead be available for people in priority housing need across the whole of New Forest district. It is therefore clear that rural exception site development is the best way to address local housing needs in Copythorne and the only route that ensures local housing needs arising in the parish are met through new development.

Mix and Tenure

- 8.11 The proposed mix of dwellings is as follows:
- 4 x 2 bedroom/4 person houses, 79sqm
 - 2 x 3 bedroom/5 person houses, 93sqm
 - 4 x 2 bedroom/3 person flats, 64sqm
- 8.12 The proposed development would provide ten affordable rented units, which although does not meet the whole of the identified need as per the housing needs survey, would represent a significant contribution to addressing this need. The tenure of the units would be subject to the rural local connection requirements of the New Forest District Council's (NFDC) Housing Allocations Policy. This gives priority to those with a local connection to the parish, followed by those with a local connection to neighbouring parishes. This means of allocation is reflected in Policy SP28 and Annex 3 of the adopted Local Plan and would also be controlled by the legal agreement.

Management

- 8.13 The application has been submitted by, and the units would be owned and managed by, English Rural, who are one of the leading rural affordable housing providers in the country and who have been in operation for over 30 years. English Rural manage over 1,250 existing affordable properties in the country and are an existing member of NFDC's Homeseach partnership as well as being one of NFDC's preferred affordable housing providers. English Rural are therefore an 'appropriate body' for the purposes of considering this application and meeting the policy requirements.

Local services

- 8.14 With the exception of the defined villages, and when compared with other villages and communities within the National Park, the Bartley and Cadnam area has a reasonable range of local services. There is a local

post office and Fourways store in Bartley. Close to the application site is the Haywain public house, Bartley junior school, the Spar local store, pharmacy, garden centre, village hall and other local conveniences. The A336 Southampton Road is served by public transport. Within the context of the wider National Park then, this is a reasonable range of local services and notably, a greater range available than at sites in communities such as Breamore and Pilley where rural exception sites have previously been supported. Arguably, the location is one of the most appropriate when considering access to and availability of appropriate local services which provide the necessary amenities for day to day living.

- 8.15 To summarise, the proposal is considered to satisfy all requirements of Policy SP28 and is therefore policy compliant in this respect.

Design

- 8.16 With ten proposed units upon a 0.3 hectare site, the overall development density equates to circa 30 dwellings per hectare. This is not considered to be inappropriately high, with national planning policy encouraging the efficient use of land and densities of greater than 50 dwelling per hectare in areas with good accessibility to public transport. Plot sizes, particularly in relation to the two 3 bedroom/5 person houses which have been designed as a semi-detached pair, are not significantly dissimilar to those with the local area. The layout and grain of development found at New Inn Road and surrounding roads, such as Oakfield Road, New Inn Lane and Abbotsford, and within the wider area, along Shepherds Road, Shepherds Close and Pundle Green, is relatively compact, and the proposed development would not appear so different in its layout and density such that it would be considered incongruous.
- 8.17 The ground levels within the site slope east to west, and rather than building the land up so that the dwellings sit upon the same ground level, the dwellings are staggered to reflect the levels; this also provides opportunity to reduce the visual impact of the development as there would be limited artificial ground raising.
- 8.18 There is wide variety in the design, scale and materials of dwellings within the locality, and few are considered to be of a traditional 'Forest' design or be of any architectural merit; those dwellings which do appear to be of some historic interest have had their traditional features eroded through the use of modern materials and the addition of large extensions. There are no listed buildings or non-designated heritage assets within the immediate area, and therefore there is no set character and appearance to the area. The proposed dwellings would be simple in their appearance, with limited fenestration, and the blocks would feature diminishing ridgelines so as to distinguish between units and reduce massing. The proposed materials palette and configuration has been subject to some negotiation, and resultantly is comprised of a mix of brick, with horizontally hung stained timber cladding to the majority of the first floors, slate roofs and dark grey windows and doors. Whilst, as identified, there is variety within the materials used in the local area, cues have been taken from the local vernacular in respect of the use of brick and slate.

These materials, along with the natural timber cladding, are supported within the adopted Design Guide SPD. To replicate the housing style within the immediate locality would be neither desirable, for reasons stated, or viable. The overall design of the proposed units is considered to be appropriate, and would contribute to the character and appearance of the area. Overall, it is not considered that the proposal would result in any harmful impact upon the visual amenity of the area.

Impact upon neighbouring amenity

- 8.19 The application site and units closest to the southern boundary would back onto properties at Oakfield Road, notably Oakfield House and number 14 Oakfield Road. The relationship of these properties with the proposed units are side/side in respect of Oakfield House (although the dwelling has its front door facing Oakfield Road, it is clear that the dwelling was originally constructed within its front elevation facing New Inn Road, and therefore the fenestration layout upon the side (northern) elevation is typical of a side elevation) and Plot 2, and back/back in respect of 14 Oakfield Road and Plots 3 and 4. The plans show separation distances of approximately 20 metres between the respective existing and proposed dwellings. The ridge heights of the proposed new dwellings would measure approximately 8.4 metres, which is similar to the dwellings proposed at the allocated site at Whartons Lane. Fenestration upon the southern elevations of the dwelling in the block and the semi-detached dwelling is limited, particularly at first floor level, with four openings in total and one rooflight, and the plans are annotated to show that the first floor windows upon this elevation would be obscure glazed.
- 8.20 In respect of back to back separation distances for two storey dwellings, 20 metres is widely accepted as being sufficient to protect residential amenity. Similar or lesser back to back distances can be found between properties at New Inn Lane and Abbotsford, and New Inn Lane and Oakfield Road. As aforementioned, there would be limited fenestration upon the elevations facing the existing dwellings at Oakfield Road. Consideration must also be given to the amenity of future occupiers; 14 Oakfield Road comprises dormer windows within the roof and currently enjoys views of the agricultural land. It is therefore considered reasonable to suggest that there would be a degree of overlooking into the new rear gardens of the units, and that this impact is likely to be greater than the overlooking of existing properties by the new units. Further, the existing vegetation along the boundary would be retained, and additional tree planting is proposed along this boundary to provide additional screening.
- 8.21 It is accepted that the outlook currently experienced by the occupiers of properties at Oakfield Road would alter as a result of the development. The southern block of units would measure a total width of approximately 25 metres and align with the plot of 14 Oakfield Road; this is therefore the dwelling most impacted by the proposed development. The garden area serving this property is to the side and east of the dwelling, and therefore not directly aligned with the proposed new units. However, due to the separation distances, it is not considered that the proposed

development would result in a significantly harmful overbearing impact. Similarly, and in combination with the location of the properties at Oakfield Road to the south of the development site, it is not considered there would be any adverse impact in respect of overshadowing or direct loss of light.

- 8.22 Likewise, it is not considered that the layout or design of the units would give rise to amenity impacts for the future occupiers of the dwellings within the development.

Trees

- 8.23 Trees along the boundaries of the site are protected by a TPO, and some trees not included within the TPO are proposed to be removed. It is not considered that the proposal would directly impact upon or result in the protected trees being compromised, however, the proposal is accompanied by a landscaping plan, the details of which, along with Tree Protection Measures, can reasonably be conditioned. There is no objection from the Authority's Tree Officer.

Open space provision

- 8.24 On-site public open space provision in new developments is typically sought when a meaningful area of open space (as distinct from private amenity space) can be provided against the policy requirements. A quantitative figure of circa 0.2 hectares for central open space is the smallest area many planning authorities accept as meaningful in terms of providing some public open space functions. Areas smaller than this are considered too small to be usable and become a burden to maintain. This application generates a public open space requirement of 0.08 hectares (850m²), which is well below the minimum quantitative figure that planning authorities typically seek and is too small to offer the necessary open space functions. However, in order to seek contributions from developers towards the improvement of existing open space or the provision of new open space there needs to be up-to-date evidence of either a quantitative or qualitative deficiency of open space. Outside of sites within the defined villages, there is no existing up to date evidence of open space provision and deficiencies which would enable the Authority to seek contributions towards open space in this instance. Therefore, when considered against the legal tests for seeking contributions, it is not justified in this instance.

Highways

- 8.25 Significant concern has been raised in relation to highway safety and the additional pressures on the localised highway network arising as a result of the proposed development. It has been evidenced through representations that New Inn Road experiences high volumes of traffic at particular times of the day which coincide with the drop off and collection times at Bartley Junior School, with on-road parking resulting in reduced space left available for traffic passing through. This is clearly an existing issue which is beyond the control of the applicant and the Authority; the entirety of New Inn Road is unrestricted and therefore parking on the

highway is not prohibited. New Inn Road is a 30mph single carriageway road and it also has a continuous footway provision along its entirety. The proposal includes the creation of a footpath to the north of its access, which would then connect to a pedestrian crossing. Access into the site would be via an existing agricultural access, which would be widened to approximately 10 metres and provide a 5.5 metre wide internal road. The Highway Authority have considered Personal Injury Accidents (PIA) data obtained from Hampshire Constabulary and identified four accidents within the vicinity for a period between 2016-2021. The number of forecasted trips generated by the proposed development would be approximately five additional trips between the A.M and P.M peak periods, with an additional 45 daily trips. The level of trips generated is considered acceptable, and it is also not considered that this level of additional trips would exacerbate existing accidents patterns. The visibility splays proposed are also considered appropriate. It is noted that outside of the identified peak periods, New Inn Road is not considered to be subject to significant or heavy volumes of traffic. Overall, it is not considered that the proposal would result in any significant or significantly exacerbated impacts in respect of highway safety. National planning policy confirms, "...development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe..." - paragraph 11, NPPF, 2023. The consultation response from the statutory highways authority confirms this is not the case with this application.

- 8.26 In respect of the layout and parking provision within the site, swept paths have been provided which are considered acceptable. Two parking spaces per unit would be provided, and whilst not explicit, the small outbuildings within the gardens would provide cycle storage. It is therefore considered that the proposed development would meet the required standards set out in Annex 2 of the Local Plan (2019).

Surface water run off/flooding

- 8.27 Significant concern has also been raised in respect of surface water run off and the impacts in respect of flooding already experienced at properties within the area. The applicant's initial proposal in respect of surface water drainage was not supported by the Lead Local Flood Authority (LLFA) as there was insufficient evidence available to ascertain the effectiveness of the proposed system, and it was considered that there were alternative methods for managing surface water run-off available to the applicant that would appropriately address the matter. As such, further survey work was conducted and an existing field ditch, falling within the application site, was identified. Resultantly, the drainage strategy was revised to make use of this ditch, into which surface water run-off already drains to due to the topography, and the concerns of the LLFA have been overcome. Ordinary watercourse consent will be required in order to connect to the ditch, and a condition in relation to the long term maintenance arrangements for the surface water drainage system has been recommended.

Mitigation of recreational impacts

8.28 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any new residential and visitor accommodation throughout the National Park having a likely significant in combination effect on the New Forest SPA and SAC sites. Consequently, mitigation is required for all proposals of these types of development for their recreational impacts on these New Forest designated sites. In addition, development within 5.6km of the Solent coastal designations is required to address increased recreational impacts and there is an established strategic mitigation scheme in place (Bird Aware Solent). In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's adopted Mitigation Strategy (2020) and the established Bird Aware Solent mitigation scheme or mitigation to at least an equivalent effect. An appropriate condition would be attached to satisfy this requirement. There are established recreation mitigation schemes in place for both the New Forest and Solent designated sites that are supported by Natural England that contributions would be directed towards.

Nutrient Impacts

8.29 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application. The applicant has provided a nutrient budget which has been assessed. Natural England have queried the occupancy rate used and have incorrectly identified the New Forest District Council occupancy rate which is based on development within New Forest district - a separate local planning authority with a different demographic and development profile. The National Park Authority applies the occupancy figure recommended in Natural England guidance and methodology, which is based on Census data. It is this figure that has been correctly used by the applicant within the nutrient budget.

8.30 The application site is within the Bartley Water sub-catchment of the Solent. For nutrient mitigation purposes the impacts of new development in this area of the New Forest National Park can be off-set in the wider Test & Itchen catchment, as per Natural England's guidance. The National Park Authority has an overarching legal agreement in place with Eastleigh Borough Council to enable development in this area of the National Park to access available nitrate credits from the Eastleigh

Borough Council mitigation sites in the Test & Itchen catchment. The Borough Council's schemes have available capacity and it is envisaged the applicant will purchase credits from this approved scheme. This will be secured by an appropriately worded planning condition.

- 8.31 Natural England has been consulted further, and an update will be provided at the committee meeting. Subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are considered to be met.

Biodiversity Net Gain

- 8.32 Policy SP6 requires opportunities to enhance ecological assets to be maximised and the Environment Act received royal assent in November 2021 with biodiversity gain objectives and will become mandatory later this autumn. The applicant has used the DEFRA 3.1 metric to assess the proposals. This metric provides a way of measuring and accounting for biodiversity losses and gains from development. It has been applied to the existing and proposed habitats on the site. The calculation shows a total net habitat gain of 0.25 habitat units and 0.22 hedgerow units, which equates to a 12.59% increase for habitat units and 74.87% increase for hedgerow units and as such, the net gain for biodiversity requirements have been met. These measures would be secured by condition and results in the required biodiversity net gain objectives being delivered on-site as part of the development.

Other

- 8.33 Hampshire County Council, as the local education authority, has confirmed that the development would generate a total of three additional primary age children. The site would be served by Copythorne Infant and Bartley Junior Schools, and although both schools are at capacity, they are forecasting surplus places and consequently, no additional primary school places will be needed to cater for the forecasted additional pupils. Hounslowdown Secondary School also serves the site; this school does not fill from within its catchment area and therefore no additional secondary school places will be needed.
- 8.34 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

Conclusion

- 8.35 The proposal provides the opportunity to meet an identified local housing need, within an appropriate location in respect of access to local facilities and amenities, and without resulting in any significant harm to either the character and appearance of the area, neighbouring amenity, highways or trees. Both national and local planning policy places a strong emphasis on the delivery of affordable housing in National Parks for local people in housing need and this proposal has been brought forward by an established provider of rural exception sites. Appropriately worded

conditions can secure the necessary mitigation measures in respect of recreational impacts and nitrates, and it is therefore recommended that permission is granted, subject to a Section 106 legal agreement.

9. RECOMMENDATION

Subject to the prior completion of a section 106 agreement the Executive Director of Strategy & Planning be authorised to grant planning permission subject to the following conditions:

Condition(s)

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

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

2. Development shall only be carried out in accordance with drawing nos:

2842-APLB-XX-00-DR-A-1000 Rev P02, 2842-APLB-XX-00-DR-A-1002 Rev P02, 2842-APLB-XX-00-DR-A-1105 Rev P17, 2842-APLB-XX-00-DR-A-1107 Rev P04, 2842-APLB-XX-00-DR-A-2000 Rev P07, 2842-APLB-XX-01-DR-A-2001 Rev P07, 2842-APLB-XX-02-DR-A-2002 Rev P05, 2842-APLB-CT-00-DR-A-2100 Rev P07, 2842-APLB-XX-XX-DR-A-3010 Rev P05, 2842-APLB-XX-XX-DR-A-3011 Rev P05, 2842-APLB-XX-XX-DR-A-3012 Rev P06, 2842-APLB-XX-XX-DR-A-3013 Rev P06, 14390_S1, 20254-01a, 20254-01b, LP01.

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

3. The ten residential units hereby approved shall be used solely for the purposes of affordable housing for rent as defined in Annex 2 of the National Planning Policy Framework (2023).

Reason: The dwellings are only justified on the basis that it is necessary to provide housing to meet a locally identified need within the settlement of Copythorne, in accordance with Policy SP28 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

7. All hard and soft landscape works shall be carried out in accordance with the approved details, plan no. LP01. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019), the Authority's Habitat Mitigation Scheme and the SRMP.

9. Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the Ecological Impact Assessment (November 2022) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

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

Reason: To ensure the dwellings remains of a size which is appropriate to their location within the countryside, to ensure an acceptable appearance of the development, and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

11. The outbuildings the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

12. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

13. No first floor windows other than those hereby approved shall be inserted into the units unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

14. No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees and hedges on the site (as identified for protection in the approved plans), have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be carried-out in full prior to any activity taking place and shall remain in-situ for the duration of the development.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

15. The development hereby permitted shall not be occupied until:

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

- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved

in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

The development shall be carried out in accordance with and subject to the above details.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy SP5 of the adopted New Forest National Park Local Plan (2016 - 2036).

16. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the National Park Authority. The approved statement shall include scaled drawings illustrating the provision for –

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas.

Works shall only take place in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Policy DP2 of the New Forest National Park Local Plan 2016-2036 (August 2019).

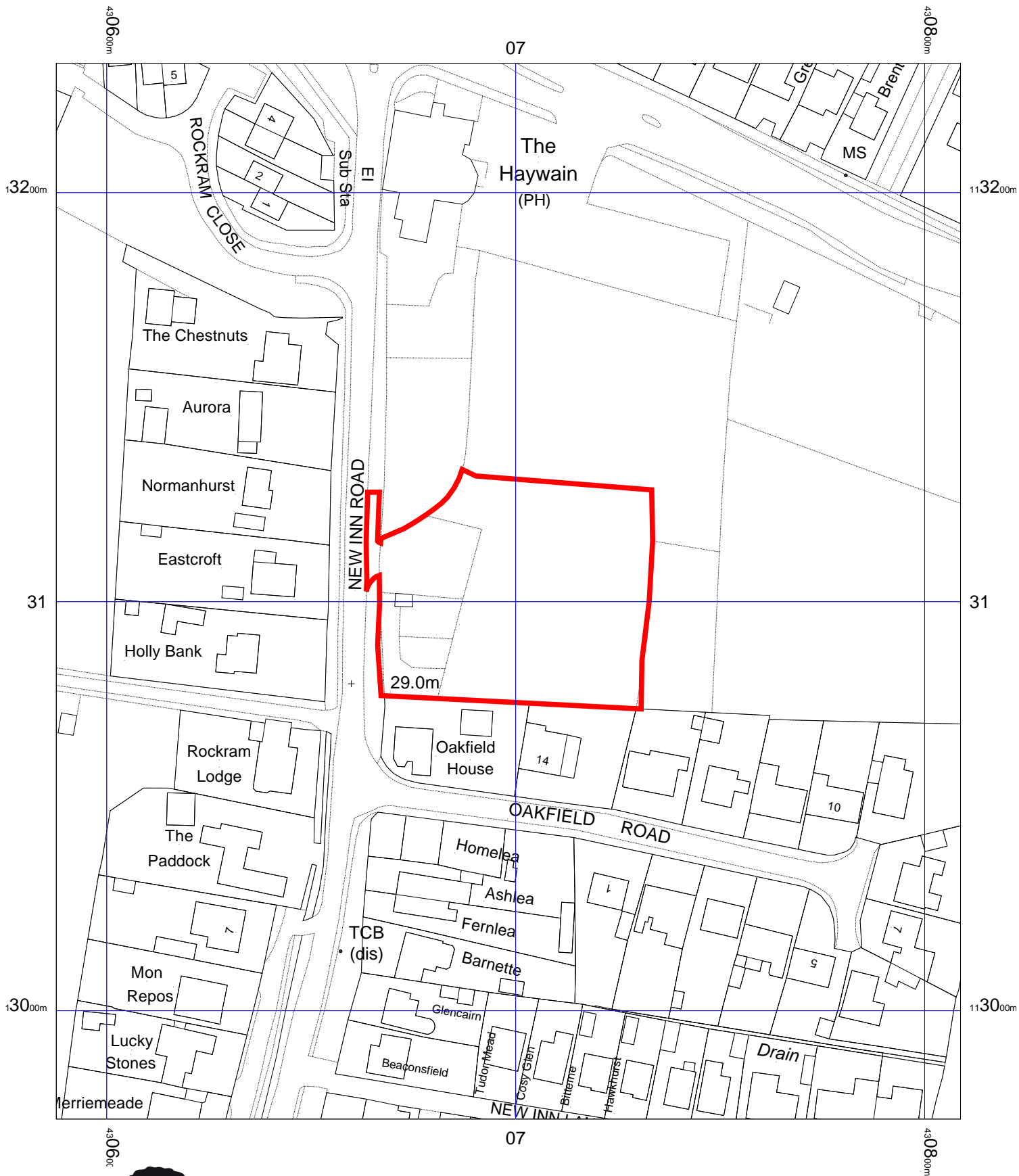
17. The drainage system shall be constructed in accordance with the 'Addendum to Drainage Report' dated 09 June 2023. Any changes

to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

18. All dwellings to be provided shall comprise dwellings of maximum total internal habitable floor space of 100 square metres.

Reason: To meet the identified local housing need for smaller dwellings and to accord with Policy SP21 of the New Forest National Park Local Plan 2016-36 (August 2019)



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