PPS25 Sequential and Exception Tests for the New Forest District (outside the New Forest National Park) Sites and Development Management Development Plan Document
1.0 Introduction

1.1 The Council commissioned a Strategic Flood Risk Assessment which was published in October 2007 and formed part of the supporting evidence to the Council’s Core Strategy which was adopted in October 2009. The SFRA indicates that substantial areas of the Plan Area are at risk of tidal and fluvial flooding. Section 6.6 of the Core Strategy provides the flood risk context for the Plan Area (see Appendix 1).

1.2 Policy CS6 of the Core Strategy addresses flood risk. In accordance with the PPS25 sequential test, CS6 directs development away from areas at risk of flooding. Development in flood risk areas within the defined settlements may be permitted where it involves previously developed land and would provide regeneration benefits and could be developed in accordance with the PPS25 exception test requirements.

1.3 The Sites and Development Management DPD will implement the policies of the Core Strategy. Policies CS10, CS11, CS12 and CS18 of the Core Strategy provide the basis for new housing and employment allocations within or adjoining the Plan Area’s defined settlements (Appendix 2).

1.4 This report forms part of the evidence-base for the Council’s Sites and Development Management DPD. It sets out the PPS25 Sequential Tests for sites considered for allocation within the Sites and Development Management DPD. The assessments have been carried out within the Sustainability Appraisal which has been produced as part of the plan preparation process.

2.0 Sequential Test

2.1 Annex D of PPS25 sets out the Sequential Test and states that the priority is to locate new development in areas of lowest flood risk, Flood Zone 1, and only if there are no reasonably available sites should locations be considered in Flood Zone 2 and then in Flood Zone 3, applying the Exception Test. Figure 4.1 of the Practice Guide which accompanies PPS25 sets out how the sequential test should be applied in Local Development Documents (see Appendix 3).

2.2 In line with the advice, the sequential test has been incorporated within the Council’s Sustainability Appraisal process (SA) to assess alternative development sites. Flood risk is one of the critical criteria against which all sites put forward were assessed. Sites where a positive answer could not be given to the criteria below were not progressed further within the SA process.

<table>
<thead>
<tr>
<th>SA Critical Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>The scale and location of the site is likely to comply with the spatial strategy</td>
</tr>
<tr>
<td>The site is within, or adjacent to, the existing settlement boundary (residential sites only)</td>
</tr>
<tr>
<td>The site passes the (PPS25) sequential test with regard to flood risk and, where appropriate, the exception test</td>
</tr>
<tr>
<td>The site is not at risk of coastal erosion</td>
</tr>
<tr>
<td>The site is not a nationally or internationally designated conservation site</td>
</tr>
<tr>
<td>For sites within defined Hazard Zones, the proposal would comply with HSE requirements</td>
</tr>
<tr>
<td>Development of the site would not lead to the unjustified loss of an existing or proposed employment site</td>
</tr>
</tbody>
</table>

2.3 In applying the sequential test, any site which lies outside Flood Zone 1 (taking into account climate change), and which does not pass the sequential test and exception test (where appropriate) was not assessed further.
2.4 The Council's Core Strategy recognises that development within areas at risk of flooding may be necessary on previously developed land within settlements where this would provide regeneration benefits (Policy CS6). This approach accords with PPS25 and in such circumstances the Exception Test should be applied.

2.5 A total of 296 sites were assessed. A total of six sites were not considered further in the process because they did not pass the critical criterion relating to flood risk. These sites are listed below.

<table>
<thead>
<tr>
<th>Site Ref.</th>
<th>Site Name</th>
<th>Flood Zone</th>
<th>PDL Status</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOT-BU-17A</td>
<td>Land west of Brokenford Lane, Totton</td>
<td>3b</td>
<td>Brownfield</td>
<td>This brownfield site is unlikely to contribute to regeneration as it could only accommodate water-compatible uses.</td>
</tr>
<tr>
<td>NMIL-10</td>
<td>Former Brickyard, West of Lower Ashley Road, New Milton</td>
<td>3b</td>
<td>Greenfield</td>
<td>Site has been restored to agricultural use and is therefore a greenfield site.</td>
</tr>
<tr>
<td>NMIL-BU-27</td>
<td>Opposite Inglewood Drive, Caird Avenue, New Milton</td>
<td>2/3</td>
<td>Greenfield</td>
<td></td>
</tr>
<tr>
<td>RING-06</td>
<td>Land Adj. Toad Cottage, Gorley Road, Ringwood</td>
<td>3b</td>
<td>Greenfield</td>
<td></td>
</tr>
<tr>
<td>FORD-08</td>
<td>Polebarn Farm, Bowerwood Road, Fordingbridge</td>
<td>3b</td>
<td>Greenfield</td>
<td></td>
</tr>
<tr>
<td>FORD-CD-22</td>
<td>North of Southampton Road, Fordingbridge</td>
<td>2</td>
<td>Greenfield</td>
<td></td>
</tr>
</tbody>
</table>

2.6 The following previously developed sites within the settlements which are located either all or in part within flood risk areas were identified as having the potential to provide regeneration benefits and should be considered further within the SA process.

<table>
<thead>
<tr>
<th>Site Ref.</th>
<th>Site Name</th>
<th>Flood Zone</th>
<th>Existing Uses</th>
<th>Proposed Uses and Flood Vulnerability</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOT-BU-16</td>
<td>Eling Wharf, Eling Lane, Totton</td>
<td>1/2/3</td>
<td>Storage / open storage</td>
<td>General employment (less vulnerable) Housing (more vulnerable)</td>
<td>Major site adjoining Totton Town Centre. Redevelopment for more intensive uses would provide regeneration benefits and address current contamination issues.</td>
</tr>
<tr>
<td>TOT-BU-17B</td>
<td>Land east of Brokenford Lane, Totton</td>
<td>2/1</td>
<td>Site cleared (previously general employment)</td>
<td>Housing (more vulnerable)</td>
<td>Site has planning permission for housing.</td>
</tr>
<tr>
<td>TOT-BU-17C</td>
<td>Land east of Brokenford Lane / South of Jackie Wigg Gardens, Totton</td>
<td>2/1</td>
<td>General employment</td>
<td>Housing (more vulnerable)</td>
<td>Longstanding allocation aimed at resolving environmental issues.</td>
</tr>
<tr>
<td>TOT-BU-19</td>
<td>Railway Sidings and Coal Yard, Junction Road,</td>
<td>1/2</td>
<td>Rail and open storage</td>
<td>Retail (less vulnerable) Office (less vulnerable)</td>
<td>Site within Totton Town Centre which could provide</td>
</tr>
<tr>
<td>Site Code</td>
<td>Description</td>
<td>Location</td>
<td>Site Code</td>
<td>Description</td>
<td>Location</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------</td>
<td>----------</td>
<td>-----------</td>
<td>-------------</td>
<td>----------</td>
</tr>
<tr>
<td>TOT18.5</td>
<td>Land north of Commercial Road, Totton</td>
<td>1/2/3</td>
<td>Town Centre Opportunity Site</td>
<td>Retail, leisure, offices (less vulnerable)</td>
<td>Site identified for potential redevelopment for town centre uses.</td>
</tr>
<tr>
<td>TOT18.9</td>
<td>Land at Junction Road and Rumbridge Street, Totton</td>
<td>1/2</td>
<td>Town Centre Opportunity Site</td>
<td>Retail, offices (less vulnerable)</td>
<td>Site identified for potential redevelopment for town centre uses.</td>
</tr>
<tr>
<td>TOT18.11</td>
<td>Land south of High Street, Totton</td>
<td>1/2</td>
<td>Town Centre Opportunity Site</td>
<td>Offices (less vulnerable)</td>
<td>Site identified for potential redevelopment for town centre uses.</td>
</tr>
<tr>
<td>TOT18.14</td>
<td>26 Rumbridge Street, Totton</td>
<td>2/1</td>
<td>Town Centre Opportunity Site</td>
<td>Offices (less vulnerable)</td>
<td>Site identified for potential redevelopment for town centre uses.</td>
</tr>
<tr>
<td>MAR-BU-07</td>
<td>Land off Mulberry Road, Marchwood</td>
<td>1/2</td>
<td>Grassed area formerly MoD housing</td>
<td>Housing (more vulnerable)</td>
<td>Main body of the site is in Flood Zone 1, but Flood Zone 2 partially encroaches on, and Zones 2 and 3 adjoin the north and south-west of the site which could affect access to the site (see note **).</td>
</tr>
<tr>
<td>MAR-BU-CD-10</td>
<td>Marchwood Industrial Park, Marchwood</td>
<td>1/2/3</td>
<td>General employment</td>
<td>General employment (less vulnerable)</td>
<td>Various permissions for employment uses.</td>
</tr>
<tr>
<td>MAR-BU-CD-11</td>
<td>Cracknore Industrial Estate, Marchwood</td>
<td>1/2/3</td>
<td>General employment</td>
<td>General employment (less vulnerable)</td>
<td>Various permissions for employment uses.</td>
</tr>
<tr>
<td>MAR7</td>
<td>Marchwood Military Port</td>
<td>1/2/3</td>
<td>Military Port</td>
<td>Wharf related facilities (water-compatible development) General employment (less vulnerable) Housing (more vulnerable)</td>
<td>Should land within the current military port become available then some limited redevelopment could take place. The area identified lies mostly within FZ1 with a small area within FZ2.</td>
</tr>
<tr>
<td>HYD4.2</td>
<td>Pier Head buildings, Hythe</td>
<td>3/2</td>
<td>Town centre commercial</td>
<td>Retail, office, community, leisure (less vulnerable)</td>
<td>Site identified for potential redevelopment for town centre uses.</td>
</tr>
<tr>
<td>HYD8.1</td>
<td>Land adjacent to New Road Car Park, Hythe</td>
<td>1/3</td>
<td>Area of grass and trees</td>
<td>Railway station</td>
<td>Site identified for potential railway station. A small part of the site lies within FZ3.</td>
</tr>
<tr>
<td>LYM-BU-CD-25</td>
<td>Riverside (former Webbs factory site), Bridge Road, Lymington</td>
<td>3</td>
<td>Former factory, site now cleared</td>
<td>Housing (more vulnerable) Leisure (less vulnerable)</td>
<td>Large site adjoining Lymington Town Centre with planning permission.</td>
</tr>
<tr>
<td>LYM7</td>
<td>Ampress Park, Southampton Road, Lymington</td>
<td>1/2/3</td>
<td>Former industrial site, cleared and part redeveloped</td>
<td>General employment (less vulnerable)</td>
<td>Large industrial estate with some undeveloped plots remaining.</td>
</tr>
</tbody>
</table>

*Note** Most of this site lies in Flood Zone 1 where development is acceptable. Areas of the site which do lie within flood risk can be avoided. However, flood risk adjoins the site to the north and west which could mean that access to and from the site is affected during flood events, although the extent of the flood risk shown on the flood maps, together with the topography of the area would suggest that the depth of water during a flood event would not hinder access to the site. A detailed Flood Risk Assessment will need to demonstrate that safe access can be provided in order for the site to be developed.

2.7 All sites involve previously developed land within or adjoining Totton, Marchwood, Hythe and Lymington. Several already have planning permission, but, because these permissions have not been fully implemented or there is scope for further redevelopment, new policies are required to guide development proposals. Their identification for redevelopment has the potential to provide significant regeneration benefits. The Council’s Core Strategy Policy CS6 states that, subject to the application of the sequential test, development which provides for regeneration benefits may be permitted on such sites.

3.0 **Sequential test of sites identified within flood risk areas**

3.1 This section applies the sequential test to the areas identified above. The sequential test should investigate whether development within Flood Zones 2 and 3 can be alternatively located in Flood Zone 1. Only if no suitable alternatives are available, should development in Flood Zone 2 be considered and only if no suitable sites are available in Flood Zone 2 should development in Flood Zone 3 be considered, both subject to satisfying the Exception Test where necessary for the type of development proposed.

**Can development be allocated in Flood Zone 1?**

3.2 The following alternative sites were considered in Flood Zone 1 in and around Totton (for housing and employment), Marchwood (for housing) and Lymington (for housing). No alternatives to the Marchwood and Lymington employment sites were considered in detail because the Council’s Core Strategy does not provide for new employment land allocations in Marchwood and Lymington beyond the existing industrial estates which have planning permission. Also, although alternative sites were considered in Hythe for housing, no alternatives were considered for the Hythe town centre and railway sites as their potential development cannot be provided elsewhere. The full results of the appraisal of these sites can be viewed in the Sustainability Appraisal.
<table>
<thead>
<tr>
<th>Site Ref.</th>
<th>Site Name</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOT-01A</td>
<td>Land at Brookes Hill (north)</td>
<td>Not progressed beyond initial assessment because scale / location contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-01B</td>
<td>Land at Brookes Hill (south)</td>
<td>Not progressed beyond initial assessment because scale / location contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-01C</td>
<td>North of Cooks Lane</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-01D</td>
<td>Laurel Bank Farm</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-03</td>
<td>Little Testwood Farm</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-04</td>
<td>Loperwood Farm</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-05</td>
<td>Loperwood</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-07</td>
<td>Cockleydown Copse (west)</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-08</td>
<td>Cockleydown Copse (east)</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-09</td>
<td>Adjoining 65 Main Road</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-10</td>
<td>Durley Farm</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-11</td>
<td>75-79 Main Road</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-12</td>
<td>Sunnyfields Farm</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-13</td>
<td>Off Marchwood Bypass</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-15</td>
<td>South of Jacobs Gutter Lane</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-21</td>
<td>Off Hunters Crescent</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-41</td>
<td>Shelley Nurseries</td>
<td>Not progressed beyond initial assessment because scale / location contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-42</td>
<td>Wade Park Farm</td>
<td>Not progressed beyond initial assessment because scale / location contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-43</td>
<td>Testwood House</td>
<td>Not progressed beyond initial assessment because contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-BU-06</td>
<td>Off Oleander Drive</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-18</td>
<td>North of Commercial Road</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-20</td>
<td>Adjoining Testbourne Road</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-26</td>
<td>Off Blackwater Drive</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-28</td>
<td>Shelley Road Green</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-31</td>
<td>Spicers Hill Depot</td>
<td>Not progressed beyond initial assessment because contrary to Core Strategy.</td>
</tr>
<tr>
<td>TOT-BU-35</td>
<td>Ashley Crescent Green</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-38</td>
<td>12-16 Eling Lane</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-40</td>
<td>45-49 Salisbury Road &amp; 1 &amp; 3 Oakmount Avenue</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>TOT-BU-44</td>
<td>Car Sales Site High Street</td>
<td>Included in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>MAR-01</td>
<td>Corks Farm</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
<tr>
<td>MAR-02</td>
<td>Tavells Farm</td>
<td>Not progressed beyond initial assessment because scale / location contrary to Core Strategy.</td>
</tr>
<tr>
<td>MAR-02A</td>
<td>Tavells Farm</td>
<td>Assessed in detail, but not considered suitable for inclusion in S&amp;DM Consultation Document.</td>
</tr>
</tbody>
</table>
### MAR-02B Tavells Farm
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### MAR-03 Parks Farm
- Included in S&DM Consultation Document.

### MAR-04 Land adjoining Hythe Road (north)
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### MAR-05 Land south of Hythe Road
- Included in S&DM Consultation Document.

### MAR-06 Land between Cracknore Hard Lane and Normandy Way
- Included in S&DM Consultation Document.

### MAR-BU-08 Land from ‘Bermuda’ to ‘Norland’
- Not progressed beyond initial assessment because contrary to Core Strategy.

### MAR-09 Pumpfield Farm
- Not progressed beyond initial assessment because contrary to Core Strategy.

### LYM-01 Pinetops Nurseries, Ramley Road, Lymington
- Included in S&DM Consultation Document.

### LYM-02 Land adjoining Pinetops, Ramley Road, Lymington
- Included in S&DM Consultation Document.

### LYM-03 Land east of Yaldhurst Lane, Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-04 Land north of Alexandra Road, Lymington
- Included in S&DM Consultation Document.

### LYM-05 Land at Buckland Manor (south), Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-06 Land north of Milford Road, Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-07A Land south of Milford Road, Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-08 Land adjacent to Saddlers Lane, Lymington
- Not progressed beyond initial assessment because contrary to Core Strategy.

### LYM-09 Land off Pennington Lane, Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-10 Land Adjacent to Ridgeway Lane, Lymington
- Assessed in detail, but not considered suitable for inclusion in S&DM Consultation Document.

### LYM-BU-11 Land at Queen Katherine's Road/Grove Road, Lymington
- Included in S&DM Consultation Document.

### LYM-BU-14 Linden House, Lymington
- Included in S&DM Consultation Document.

### LYM-15 Land at Gordeleton Pit, Sway Road, Lymington
- Not progressed beyond initial assessment because contrary to Core Strategy.

### LYM-BU-17 Fox Pond Depot/Former Garage Site, Lymington
- Included in S&DM Consultation Document.

### LYM-BU-19 The Post Office, High Street, Lymington
- Included in S&DM Consultation Document.

### LYM-BU-20 Land south of Ampress Lane, north of Buckland Gardens, Lymington
- Included in S&DM Consultation Document.

### LYM-22 Land at Buckland Manor (north), Lymington
- Not progressed beyond initial assessment because contrary to Core Strategy.

### LYM-BU-CD-23 The Sportsmans Arms, The Square, Pennington
- Not progressed beyond initial assessment because contrary to Core Strategy.

### 3.3 The outcome of this process is that whilst some development needs can be accommodated on sites in Flood Zone 1, some sites are not considered suitable alternatives and those that are do not provide for all development requirements in Totton, Marchwood and Lymington. Additional land is required for housing and employment development and no suitable sites are available in Flood Zone 1. Furthermore, locating the development which could take place on regeneration sites on alternative greenfield sites in Flood Zone 1 would not provide regeneration
benefits and would be contrary to the Council's Core Strategy which seeks to make the best use of previously developed land within existing towns and villages.

**Can development be allocated within Flood Zone 2?**

3.4 All the identified regeneration sites are substantially located within Flood Zone 2 where, according to Table D.3 of PPS25, more vulnerable uses such as housing can be appropriate development (Appendix 4). Some areas of Eling Wharf, Totton also fall within Flood Zone 3 and Riverside, Lymington falls entirely within Flood Zone 3.

**4.0 The Exception Test**

4.1 PPS25 recognises that, following the Sequential Test, it is not always possible to locate development in areas of low flood risk and that some development may need to take place in Flood Zones 2 and 3 where there would be wider sustainability benefits. In these circumstances the Exception Test should be applied.

4.2 According to Table D3 in Annex D of PPS25, an Exception Test is required for ‘highly vulnerable’ uses in Flood Zone 2 and for ‘essential infrastructure’ and ‘more vulnerable’ uses within Flood Zone 3. Eling Wharf, Totton includes some areas within Flood Zone 3 where housing might be proposed and Riverside, Lymington includes substantial amounts of housing. On this basis the Exception Test should be applied to Eling Wharf and Riverside.

**5.0 Applying the Exception Test**

**Eling Wharf, Totton**

5.1 Eling Wharf has been subject to Sustainability Appraisal as part of the Sites and Development Management DPD process and was consulted on with the DPD at the beginning of 2011. At the same time, a draft Development Brief for Eling Wharf was published by the site owners. The following assessment sets out the appraisal of Eling Wharf in the Council's Sustainability Appraisal, but develops this where possible having regard to the draft Development Brief proposals.

**a) Would the development provide wider sustainability benefits to the community that outweigh flood risk?**

<table>
<thead>
<tr>
<th>SA Objective</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Provide a safe and secure environment</td>
<td>Parts of the site, to the east and in the centre, are at risk of flooding. A detailed Flood Risk Assessment will be required to demonstrate that the site can be developed safely. The site already has a safe access, but the opportunity to re-open an access to the site from the A35 is highlighted as an opportunity within the draft Development Brief. This could provide environmental improvements to High Street which currently takes the heavy traffic accessing the site. Appropriate 'Secure by Design' principles can be secured as part of the development of the site.</td>
</tr>
<tr>
<td>2. Improve health and well being</td>
<td>The site could be connected to adjacent footpaths and cycle routes at the Totton Bypass and along Eling Lane. The draft Development Brief shows potential pedestrian and cycle access points and routes through the site to the waterfront including a link to the Town Centre.</td>
</tr>
</tbody>
</table>
The site adjoins the Town Centre so there would be easy pedestrian and cycle access to services, facilities and public transport. The draft Development Brief proposes an enhanced green edge along Eling Lane and provision of open spaces within the site as well as public access to the waterfront. The proposed redevelopment would be compatible with adjoining land uses and should integrate with existing development along Eling Lane.

### 3. Make sustainable provision to meet housing needs and requirements

Some housing will be considered in order to enable a financially viable scheme. The draft Development Brief includes the provision of housing as part of a mixed use redevelopment.

### 4. Meet educational, leisure and cultural needs of the community and visitors

The site is 2.5km from the nearest leisure facilities at Totton Health and Leisure Centre. Community facilities are available nearby in Eling and Totton Town Centre. A doctor’s surgery is proposed for the site as part of the draft Development Brief.

### 5. Meet local community needs for essential utilities and transport infrastructure having regard to environmental constraints

The site has normal infrastructure requirements. The environmental impacts of new infrastructure provision are unknown at this stage. The draft Development Brief provides for improved footpath and cycle links.

### 6. Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity while making full use of the District’s assets

The site is in a sustainable location adjoining Totton Town Centre with good access to the highway network, public transport, other services and facilities. There are likely to be significant benefits to the local economy and employment market as well as benefits to existing local businesses and the community in the area if the site is redeveloped. The increased business density, commercial activity and residential properties are likely to increase demand for services in the locality. This could help regenerate the town centre.

The draft Development Brief proposes a mixed use development including B1, B2 and B8 employment development, other commercial uses, 150 dwellings and a care home. Given that the site is currently used mainly for B8 warehousing and open storage, the proposed uses would significantly increase the employment density on the site and provide opportunities for higher value employment.

### 7. Maintain and enhance the vitality and viability of town centres

This site adjoins Totton Town Centre. There is the potential for a significant positive impact if this site is redeveloped.

### 8. Promote sustainable tourism

No impact.

### 9. Maintain and enhance local, national and international nature conservation interests

This site adjoins the Solent and Southampton Water SPA / SAC / Ramsar / SSSI. There is therefore potential for significant impacts on biodiversity. The site will be subject to Appropriate Assessment under the Habitats Regulations. The site is currently leaching contaminants into Southampton Water and so the remediation of the contamination would have significant biodiversity benefits.

### 10. Maintain, enhance and create high quality landscape, townscape and seascape

Redevelopment of this site is likely to result in significant improvements to the character and setting of Totton and Eling. There is scope to significantly improve views of the site from the A35 Totton Bypass which is effectively a gateway to the town and from the Eling Conservation Area which includes part of the southern end of the site and extends southwards to Eling Village. The site cannot be viewed from the New Forest National Park.

### 11. Prevent pollution, and maintain and enhance the quality of air, water and soil

Due to the proximity of the Solent and Southampton Water SPA/SAC/SSSI/Ramsar, there could be a negative impact resulting from light pollution which will need to be
addressed. Redevelopment of the site and remediation of contamination will result in significant positive impact on the SPA and on groundwater quality. Drainage of surface water from the site could be problematic especially if tide-locking occurs. A detailed Flood Risk Assessment will need to address this and other flood prevention issues.

12. Encourage sustainable use of resources
This is previously developed land which, given the location, could be used more efficiently and intensively. It is unknown what proposals there might be for the incorporation of renewable energy generation or for the use of recycled materials, although Core Strategy Policy CS4 seeks such provision to be made.

13. Minimise factors contributing to climate change
Given the location of the site, adjoining the town centre, many services and facilities are within walking/cycling distance. Some additional community facilities are proposed as part of the development and the provision of an employment-led mixed use development will provide employment opportunities for the local community, reducing the need to travel.

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**b) Is the site on previously developed land which is suitable and available for development, and can be developed during the plan period?**

5.2 The site is previously developed. The landowner has said the site will be available during the plan period and a draft Development Brief has been produced and consulted on. Redevelopment of the site will need to address some challenging issues such as flood risk and contamination which will influence how the site can be delivered. The need to address contamination is providing impetus to the process of redeveloping the site.

5.3 Paragraph D12 of PPS25 states that in applying the Exception Test to site allocations, the local planning authority should include policies to ensure that the developer’s Flood Risk Assessment satisfies criterion c) of the Test.

5.4 The PPS25 Practice Guide states that under part c) of the Exception Test it is the developer’s responsibility to prepare a comprehensive flood risk management strategy to ensure that the site is safe. This should include: flood defences; access and egress; operation and maintenance; design of development to reduce flood risk; flood awareness, warning and evacuation; and funding arrangements.

5.5 The Council has not agreed the detail of how the site should be developed. The Council’s policy for this site (Appendix 5) includes the requirement for a Flood Risk Assessment if vulnerable uses are proposed within flood risk areas. This should detail any necessary flood protection and control measures. In general, a sequential approach should be taken towards the location of development within the site so that the more vulnerable uses are directed towards areas of lower flood risk. In particular,
no housing should be developed in Flood Zone 3 unless flood prevention and resilience measures are agreed to the satisfaction of the Environment Agency.

5.6 The site owner’s draft Development Brief proposes to locate a care home and most of the housing on the western part of the site adjoining Eling Lane. The location of these highly and more vulnerable uses in Flood Zone 1 would comply with PPS25. However, some housing is also proposed in the south of the site which is in Flood Zone 3. The draft Development Brief proposes to raise the coping level in key areas and undertake other flood prevention measures.

**Riverside, Lymington**

a) *Would the development provide wider sustainability benefits to the community that outweigh flood risk?*

<table>
<thead>
<tr>
<th>SA Objective</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>14. Provide a safe and secure environment</td>
<td>This site lies within Flood Zone 3 and so there is a substantial risk of flooding. The site has extant planning permission for the construction of 308 dwellings, a care home and some commercial uses. Infrastructure required to defend the site, manage flood risk, provide safe access and egress, and mitigate the impacts of flooding elsewhere have all been negotiated to the satisfaction of the Environment Agency. A new application has been submitted for the development of 168 dwellings, commercial and leisure floor space.</td>
</tr>
<tr>
<td>15. Improve health and well being</td>
<td>The site could be connected to adjacent footpaths and cycle routes. Development will be required to provide for public access to the waterfront including a link to the adjacent Town Centre. The site adjoins the Town Centre so there would be easy pedestrian access to services, facilities and public transport once a bridge over the railway is provided as part of the development. Development will be required to provide for public open spaces within the development as well as access and enhancements to the waterfront. The development would be compatible and integrate with neighbouring development.</td>
</tr>
<tr>
<td>16. Make sustainable provision to meet housing needs and requirements</td>
<td>The current permissions provide for the development of 308 dwellings as well as some commercial development and a care home. This includes 93 affordable dwellings. The site will contribute significantly towards meeting housing needs in the Lymington area. The new application would provide for fewer dwellings.</td>
</tr>
<tr>
<td>17. Meet educational, leisure and cultural needs of the community and visitors</td>
<td>Community and leisure facilities are available within a reasonable distance of the site. Schools have sufficient capacity. The site will provide for visitor access to the waterfront as well as commercial uses attractive to visitors.</td>
</tr>
<tr>
<td>18. Meet local community needs for essential utilities and transport infrastructure having regard to environmental constraints</td>
<td>The site has substantial infrastructure requirements relating to flood defence, mitigation and management. The environmental impacts of new infrastructure provision have been assessed as part of the extant planning permission.</td>
</tr>
<tr>
<td>19. Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity while</td>
<td>Although primarily a residential redevelopment, commercial, leisure and other uses would also be required in order to attract visitors to the river frontage. The extant planning permission provides for the construction of small starter</td>
</tr>
<tr>
<td>20. Maintain and enhance the vitality and viability of town centres</td>
<td>The site is not within the town centre, but adjoins it. The provision of additional housing adjoining the town centre will support town centre facilities.</td>
</tr>
<tr>
<td>21. Promote sustainable tourism</td>
<td>The proposal will not impact on tourism although the provision of a quality development including a riverside walk would complement the town's visitor offer.</td>
</tr>
<tr>
<td>22. Maintain and enhance local, national and international nature conservation interests</td>
<td>The site is within 400m of the SAC/SPA/SSSI and is adjacent to the Lymington Mudflats SINC. There is potential for significant impacts on these designations. However, Natural England are unlikely to object to proposals provided mitigation measures are secured.</td>
</tr>
<tr>
<td>23. Maintain, enhance and create high quality landscape, townscape and seascape</td>
<td>The site is currently derelict, and its development is likely to have positive impacts on the setting of the adjacent National Park, the adjacent Lymington Conservation Area and associated listed buildings, and on the local townscape and landscape.</td>
</tr>
<tr>
<td>24. Prevent pollution, and maintain and enhance the quality of air, water and soil</td>
<td>The site may be contaminated and this will need to be dealt with as part of any development. Redevelopment of the site and remediation of contamination will result in significant positive impact on the SPA and on groundwater quality. Drainage of surface water from the site could be problematic especially if tide-locking occurs. A detailed Flood Risk Assessment will need to address this and other flood prevention issues.</td>
</tr>
<tr>
<td>25. Encourage sustainable use of resources</td>
<td>This is previously developed land which, could be used more efficiently and intensively. It is unknown what proposals there might be for the incorporation of renewable energy generation or for the use of recycled materials, although Core Strategy Policy CS4 seeks such provision to be made (the extant permission dates from prior to the adoption of the Core Strategy).</td>
</tr>
<tr>
<td>26. Minimise factors contributing to climate change</td>
<td>The location of the site, adjoining the town centre, means that services and facilities are within walking/cycling distance. Development should provide some employment opportunities on the site. Large employment estates are available in the vicinity providing opportunities to work locally reducing the need to travel for residents of the development.</td>
</tr>
</tbody>
</table>

**b) Is the site on previously developed land which is suitable and available for development, and can be developed during the plan period?**

5.7 The site is previously developed and is owned by a major housing developer. The current planning permission has been started, although a new application has now been submitted for a different scheme. It is reasonable to expect the site to be developed during the plan period.

**c) A Flood Risk Assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.**

5.8 A sequential approach towards the location of development within this site cannot be followed because the whole site lies within Flood Zone 3. However, flood prevention and resilience measures have previously been agreed as part of the extant planning permission. The new application under consideration has provided a detailed Flood
Risk Assessment. Flood mitigation measures will need to be agreed to the satisfaction of the Environment Agency.

6.0 Conclusion

6.1 The PPS25 Sequential Test has been integrated with the Council’s Sustainability Appraisal which has informed the preparation of the Sites and Development Management DPD.

6.2 Greenfield sites which are at risk of flooding were screened out of the site selection process early on. A number of previously developed sites were also identified in flood risk areas. In line with PPS25, alternative locations were considered to see if development needs could be accommodated in Flood Zone 1. Not all development needs could be accommodated in Flood Zone 1 and so sites within Flood Zone 2 were considered. Most of the identified previously developed sites fall within Flood Zone 2 where development requirements for housing and employment can be met, without the need to apply the Exception Test. However, Eling Wharf, Totton includes areas within Flood Zones 1, 2 and 3, and Riverside, Lymington lies entirely within Flood Zone 3. In accordance with PPS25, where there is the potential for ‘more vulnerable’ uses to be developed in Flood Zone 3 the Exception Test should be applied.

6.3 The Council’s Sustainability Appraisal of Eling Wharf and Riverside has demonstrated that the redevelopment of these sites would provide significant environmental, economic and social benefits. They would also help meet Core Strategy objectives, contributing especially towards the ‘Housing’, ‘Economy’ and ‘Towns, villages and built environment quality’ objectives of the Plan (as well as others).

6.4 Addressing flood risk will be key to ensuring that these sites can be developed safely and that these benefits can be realised. The proposed policy for these sites (Appendix 5) include requirements for Flood Risk Assessments to be carried out which will need to demonstrate that the sites can be developed safely without resulting in greater risk of flooding elsewhere.
Appendix 1

Extract of Core Strategy section 6.6 and Policy CS6 Flood Risk

6.6 Flood Risk

6.6.1 Significant parts of the Plan Area, including parts of Totton, Marchwood, Hythe, Lymington, Milford, Ringwood and Fordingbridge, lie in areas at risk from fluvial or coastal flooding (see Fig. 4 in Chapter 3). The Strategic Flood Risk Assessment indicates that existing flood defences are already below standard for current flood risks. A further Strategic Flood Risk Assessment (Level 2) may be required if, following the sequential test, sites within areas at risk of flooding need to be considered for development, particularly if this would bring regeneration benefits. This should assess the levels of risk and the requirements for flood risk infrastructure and mitigation measures needed for potential sites within Flood Zones 2 and 3 (as defined by Planning Policy Statement 25: Development and Flood Risk (PPS 25)).

6.6.2 As a consequence of climate change significant parts of the Plan Area will be at increased risk from flooding as a result of the rise in sea levels and increased storminess. In considering new locations for development, to minimise future risks, it is important that development is avoided in areas currently at risk from flooding, or likely to be at risk as a result of climate change, or in areas where development is likely to increase flooding elsewhere.

6.6.3 In towns and villages already built in areas at risk from flooding, climate change may increase the risk of flooding. National Planning Policy provides detailed guidance on development in areas at risk from flooding. While directing new development to areas at least risk from flooding, it recognises that there are circumstances where it can be appropriate for new development to take place in areas where there is a flood risk. This includes new building on previously-developed land within our towns and villages. However, where such development takes place there will be a need to consider minimisation and management of future flood risk.

6.6.4 Natural habitats will also be affected by increased incidents of flooding as a result of climate change. Coastal habitats could be lost from inundation, particularly where coastal defence measures limit the natural migration of these habitats landward.

6.6.5 The policy for management of New Forest District Council’s coastline is set out by two Shoreline Management Plans, which take a strategic approach to management of the shoreline. The frontage between Hurst Spit and Chewton Bunny is covered in the Hurst Spit to Durlston Head Shoreline Management Plan. The North Solent Shoreline Management Plan covers the coastal frontage between Selsey Bill and Hurst Spit. Shoreline Management Plans aim to determine and recommend sustainable coastal defence policy options to reduce flood and erosion risks to people, the developed and natural environments, and to identify habitat mitigation and compensation measures.
including potential habitat creation sites. Compensation habitat will be delivered through the Environment Agency’s Regional Habitat Creation Programme.

**Policy CS6 Flood risk**

Flood risk will be taken into account at all stages in the planning process to avoid inappropriate development in areas at current or future risk from flooding, and to direct development away from areas of highest risk in accordance with the sequential test. Development should not worsen flood risk elsewhere.

Subject to this, development which provides regeneration benefits may be permitted on previously-developed land within defined settlements which is at risk from flooding, provided:

(a) it is for uses which are not “Highly vulnerable” ¹;

(b) a site-specific Flood Risk Assessment demonstrates that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall;

(c) the scheme incorporates appropriate flood resilience and resistance measures;

(d) appropriate flood warning and evacuation plans are in place; and

(e) new site drainage systems are designed taking account of events which exceed the design standard.

Developer contributions may be required towards publicly-funded flood alleviation schemes.

A sustainable and practicable approach to coastal protection and flood defence for the built-up areas, to a level consistent with predicted sea level rise and increased river flows arising from climate change, will be established. This will include identification of opportunities for managed retreat of the coastline where defence is no longer the most economic or environmentally sustainable option, or to provide for replacement habitats in mitigation for continuing to maintain some of the sea defences along the district’s coastline.

Flood protection measures should minimise damage to nature conservation and biodiversity interests.

The use of surface materials which increase surface water run-off will be discouraged.

¹ See Table D.2 Planning Policy Statement 25: Annex D
Appendix 2

Policies CS10, CS11 and CS12 of the Core Strategy

Policy CS10 The spatial strategy

The spatial strategy is to provide for sustainable development to help meet the needs of local communities and the local economy by:

(a) locating new residential development, (in accordance with the settlement hierarchy set out in Policy CS9) primarily within the towns and larger villages, and in doing so securing the provision of affordable housing which meets the local need, and ensuring it retains and enhances the settlement's character in accordance with Policy CS2;

(b) securing the continued provision of a good range of community facilities and services and leisure facilities within the towns and villages, in accordance with Policy CS8, appropriate to their role in the settlement hierarchy set out in Policy CS9;

(c) ensuring that development is accessible by both car based and other transport modes whilst ensuring that reliance upon the private car, and any adverse impacts of traffic and parking, are minimised (as set out in Policy CS24);

(d) ensuring through development management and the provision of appropriate mitigation measures that the impacts arising from developments are acceptable, whether on the local services and infrastructure or on areas of nature conservation value (as further developed in Policy CS25);

(e) providing for a minimum of 3,920 new dwellings within the Plan Area between 2006 and 2026 through:

(i) the completion of existing permissions and allocations;

(ii) residential development within the defined towns and villages where it is consistent with maintaining and enhancing their character and quality of life and complies with the criteria in Policies CS1 and CS2;

(iii) the allocation of new greenfield sites for 250 dwellings (as set out in Policy CS11);

(f) in addition, making additional provision for up to 850 dwellings within the Plan Area (2006-2026) on sites adjoining the towns and larger villages that provide an exceptional contribution towards addressing identified local affordable and low-cost market housing needs (as set out in Policy CS12);

(g) meet the requirement for pitches for gypsies and travelling showpeople (through Policy CS16);

(h) retaining existing employment and business sites and allocations for employment uses (as set out in Policy CS17);
encouraging the intensification of the use of existing employment sites where possible, and the presence of knowledge-based industries (as set out in Policy CS17);

having a flexible approach to small businesses (e.g. knowledge-based/design) which are compatible with adjoining land uses (as set out in Policy CS17);

providing new opportunities for employment development in each of the three parts of the Plan Area (as set out in Policy CS18);

supporting the local tourism industries (as set out in Policy CS19);

maintaining and enhancing the vitality and viability of centres within the Plan Area to support the following hierarchy of shopping centres (as set out in Policy CS20):

- Town centres: Lymington, New Milton, Ringwood and Totton, which will complement the larger regional/sub-regional centres by providing for bulk convenience food shopping and will provide a reasonable range and choice of comparison shopping facilities and other services;
- District centres: Hythe and Fordingbridge, which will complement the four main towns by catering for bulk convenience shopping and services, but will provide a more limited range of comparison shopping;
- Village and Local centres: the rest, which will serve small localised catchment areas – catering for basket and top-up shopping trips and providing some local services;

securing the future of the rural areas and countryside as set out in Policies CS20(f), CS21 and CS22;

retaining and supporting the Green Belt (as illustrated on the Key Diagram, Fig. 1, Fig. 17 and Fig. 18) in order to:

- check the sprawl of the built-up areas of Lymington, Hordle, Everton, Milford, New Milton, Bransgore and Ringwood and prevent these settlements from merging;
- safeguard the countryside and coast from encroachment by built development;
- preserve the setting of towns and villages, in particular the historic towns of Ringwood and Lymington.

Limited, small scale changes to the boundary of the Green Belt adjoining defined settlements will be considered in a review of the Green Belt inner boundary in the Sites and Development Management Development Plan Document. Boundary changes will be considered where they are necessary to meet the local housing need or employment land needs which could not otherwise be met, as set out in Policies CS12 and CS18. This review will adopt a longer time horizon than the Plan period (2006-2026) and will look ahead to 2031 as required by the South East Plan.

securing appropriate management and use of the coast and countryside. (See Policies CS1, CS3, CS6, CS7, CS17)
Policy CS11 New housing land allocations

Provision will be made for new housing development during the plan period, by identifying sites in the Sites and Development Management Development Plan Document for:

(i) around 100 dwellings at Totton; and

(ii) around 150 dwellings at Ringwood.

Policy CS12 Possible additional housing development to meet a local housing need

Additional sites will be identified adjoining the main towns and larger villages to allow for housing to specifically address identified local needs for affordable housing and low-cost market housing (in accordance with policy CS15(b)) which will not otherwise be met. These sites will be identified through the Sites and Development Management Development Plan Document, working with local communities.

These sites could provide for:

(a) up to around 50 dwellings at Totton (in addition to the 100 dwellings proposed under Policy CS10(e)(iii) and Policy CS11 (ii))

(b) up to around 150 dwellings at Marchwood

(c) up to around 50 dwellings at Hythe

(d) up to around 150 dwellings at Lymington

(e) up to around 110 dwellings at New Milton

(f) up to around 100 dwellings at Fordingbridge

(g) up to around 200 dwellings in total from small sites at the smaller defined villages provided from sites of:

- up to about 30 dwellings at each of Blackfield and Langley, Hardley and Holbury, Fawley, and Milford-on-Sea,

- up to around about 10 dwellings at each of Hordle, Everton, Bransgore, Ashford and Sandleheath.

The total provision under this policy during the period 2006-2026 should not exceed around 810 dwellings.

Development permitted under this policy will be subject to the affordable housing contribution requirements set out in Policy CS15(b) below.
Figure 4.1 Application of the Sequential Test at the Local level for LDD preparation

**START HERE**
Can development be allocated in Zone 1? (Level 1 SFRA)\(^1\)

- **Yes** → Sequential Test passed
- **No** → Where are the available sites in Zone 2? (Level 2 SFRA) - can development be allocated within them? (lowest risk areas first) (Tables D1 and D2)

- **Yes** → Exception Test if ‘highly vulnerable’
- **No** → Where are the lowest risk available sites in Zone 3? - can development be allocated within them? (Tables D1 and D2)

- **Yes** → Allocate, subject to Exception Test (Table D3)
- **No** → Is development appropriate and permissible in remaining areas? (Tables D1, D2 and D3)

- **Yes** → Allocate, subject to Exception Test (Table D3)
- **No** → Strategically review need for development

---

**Note**
1. Other sources of flooding need to be considered in Flood Zone 1
Table D.3 of PPS25 Flood risk vulnerability and flood zone compatibility

<table>
<thead>
<tr>
<th>Flood Zone (see Table D.1)</th>
<th>Essential Infrastructure</th>
<th>Water compatible</th>
<th>Highly Vulnerable</th>
<th>More Vulnerable</th>
<th>Less Vulnerable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone 1</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 2</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>Exception Test required</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 3a</td>
<td>Exception Test required</td>
<td>✓</td>
<td>×</td>
<td>Exception Test required</td>
<td>✓</td>
</tr>
<tr>
<td>Zone 3b ‘Functional Flood plain’</td>
<td>Exception Test required</td>
<td>✓</td>
<td>×</td>
<td>×</td>
<td>×</td>
</tr>
</tbody>
</table>

Key:
- ✓ Development is appropriate
- × Development should not be permitted
Appendix 5
Sites and Development Management DPD Pre-Submission Document
Policy TOT11 Eling Wharf

Eling Wharf

3.28  Eling Wharf is a large key site – a priority area for economic regeneration in the eastern part of the Plan Area. It covers about 15 hectares on the edge of Totton town centre and next to Southampton Water, with good transport links. At present it offers a poor quality environment and suffers from serious contamination. It is currently used mainly for storage and low intensity employment uses. Redevelopment of this site will result in more intensive use of this site, enable contamination issues to be resolved and provide significant opportunities for the creation of new employment uses, in accordance with Core Strategy Policy CS17. As well as new employment development, this Plan proposes that a limited amount of housing and community/leisure uses be provided as part of the redevelopment scheme, together with significant associated environmental improvements.

<table>
<thead>
<tr>
<th>TOT11: Eling Wharf</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eling Wharf is allocated for a mixed use development, primarily for employment development in accordance with Policy CS17 of the Core Strategy. Residential development, community and leisure uses will also be acceptable as part of a comprehensive redevelopment of the site. In determining the appropriate balance between the uses on the site, regard will be had to:</td>
</tr>
<tr>
<td>(i) the need to enable a scheme which overall is financially viable and will produce overall benefits to the environment and local economy; and</td>
</tr>
<tr>
<td>(ii) the need to avoid unacceptable significant impacts on the Solent Maritime SAC and the Solent and Southampton Water SPA/Ramsar site.</td>
</tr>
</tbody>
</table>

In addition to policy requirements in the Core Strategy and Development Management Policies in Section 2 of this document, the site will be developed in accordance with the following site-specific criteria:

- the primary use of the site should be employment development, and in particular forms of business development creating higher value and density of jobs;
- residential development, including affordable homes in accordance with Policy CS15(d), should be located on the western part of the site, adjoining Eling Lane.
- the primary access to the employment areas should be from the A35, and the primary access to the housing areas should be from Eling Lane with all accesses being to the satisfaction of the highway authority;
- adjoining Eling Quay, in the southern part of the site, provision of appropriate commercial and leisure uses, which could include limited retail and restaurant uses along the waterfront;
- public open space will need to be provided, including appropriate public access to the waterfront;
• existing contamination issues will need to be resolved prior to, or in association with development;
• significant environmental improvement will be required, including the provision of appropriate Green Infrastructure, to create a high quality environment across the whole site;
• unacceptable impacts on areas designated for national and international importance for nature conservation will be avoided, and where avoidance is not possible, will be mitigated. Where residual impacts remain, compensation will be provided. Any such measures will need to be informed by relevant site-specific investigations (e.g. bird surveys; visitor surveys) and designed in consultation with New Forest District Council and Natural England. It is anticipated that these investigations will take the form of a project level Appropriate Assessment under the Habitats Regulations to accompany any planning application. In respect of Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC (and associated SSSIs) the types of impact to be investigated and corresponding avoidance, mitigation and compensation measures may include, but are not necessarily limited to:
  - Water pollution during construction - scheme of pollution prevention measures agreed with the Environment Agency and NFDC.
  - Recreational disturbance - prevention of access onto the mud and salt marsh; provision of alternative space for salt marsh recreation. Light pollution and noise disturbance - avoidance of construction or operational activities which give rise to noise or light pollution above normal background levels during the sensitive overwintering period (October-March).
  - Air pollution – traffic management measures sufficient to avoid significant effects on the integrity of the designated sites from traffic-related air pollution including: proposals for employment development to include a Green Transport Plan that commits to measures to support public transport use, walking and cycling by employees; proposals for residential development proposals to commit to measures to support increased use of sustainable modes (e.g. through promotion of car clubs, provision of electric vehicle charging points, provision of secure cycle parking).
  - Impact of tall structures - avoidance of disruption to bird flight paths, provision of roosting, nesting or perching space for predatory bird species or shading of habitats.

• unacceptable impacts will need to be avoided on Eling conservation area;
• a Flood Risk Assessment will be required for development proposals on the site. If housing development is proposed in Flood Zones 2 and 3 then detailed control measures for flood protection will be required. Any necessary control measures must show that they:
  ▪ are appropriate and consistent with the North Solent Shoreline Management Plan and the West Solent Coastal Defence Strategy
  ▪ will not result in an increased level of flood risk to others
  ▪ have clear responsibilities for their provision; and
  ▪ have suitable arrangements in place for their future maintenance, where relevant;
● A cycle/footpath route through the site should connect to the existing cycle routes adjacent to the A35 to the north of the site and the on road route along Eling Lane to the west of the site. This route would improve links for pedestrians and cyclists and would encourage cycling and walking to and from the site.

Appropriate mitigation measures will need to be incorporated into the design of the scheme to ensure avoidance of significant adverse impacts of the development on the international nature conservation designations. These measures should include mitigation of the effects of construction work.

Map TOT1: Eling Wharf

3.29 In considering the impact of development proposals on the international nature conservation designations, the impacts to be assessed will include:

- Loss of habitat, disturbance of habitats, impact of pollution and contamination on site and in adjacent areas, impact of noise from development, impact of lighting, impact on ground water, disturbance of ground water flows, noise, dust and vibration during construction, visual disturbance, disturbance from recreational activities.

3.30 When negotiating a detailed scheme for the redevelopment of Eling Wharf, the Council will take into account the overriding benefits to be gained from resolving the future of this site, and recognising that only financially viable schemes will be implemented. The Council will aim to negotiate a financially viable scheme within the framework provided by Policy TOT11. This may require some flexibility in the implementation of some of the requirements of Policy TOT11.

3.31 The close proximity of international nature conservation designations to the site requires an ‘Appropriate Assessment’ of the proposals to be undertaken (Article 6.3 of the Habitats Directive 92/43/EEC). An Appropriate Assessment of this policy has been carried out (Background Paper --). A full Appropriate Assessment of any planning application will also be required.
LYM6: Riverside Site, Bridge Road (former chicken factory site)

Land adjacent to Lymington River, off Bridge Road, is allocated primarily for residential development, including affordable housing in accordance with Policy CS15(c) of the Core Strategy. The development should be designed to include a publicly accessible river frontage, incorporating uses that will attract the wider public – such uses could include a cafes/restaurant/public house, small retail units and recreational/leisure uses. Employment generating uses may also be included within the scheme where they are compatible with other uses.

The site will be developed in accordance with the following site-specific criteria:

- provision of a development of the highest quality of design which significantly adds to the character and attractiveness of this part of Lymington and in public views of the Lymington River frontage;
- provision of the principal vehicular access from Bridge Road;
- provision of public access through the site and along the whole river frontage, including the provision of a pedestrian footbridge to cross the railway line in the vicinity of the station as part of a pedestrian route linking the site with the town centre;
- inclusion of appropriate measures to address flood risk (See Core Strategy Policy CS6, (c) and (d) in particular);
- provision of public open space in accordance with Core Strategy Policy CS7, to include public open space on the river frontage and provision of play space(s) for both younger and older children located within the residential development; and
- implementation of remediation measures to address any site contamination issues.

A site-specific Flood Risk Assessment (in accordance with Core Strategy Policy CS6) will be required.

Map LYM6: Riverside Site, Bridge Road

4.15 The design of the principal access should have regard to wider issues including the impacts on the level crossing and the junction of Bridge Road with Marsh Lane / Gosport Street.
4.16 The provision of a pedestrian route between the site and the town centre is particularly important as it will provide a safe and direct connection to the town centre encouraging walking to and from the town.