

Application Number: 21/11201 Outline Planning Permission

Site: ORCHARD GATE, NOADS WAY, DIBDEN PURLIEU, HYTHE
SO45 4PD

Development: 37 dwellings comprising: 2 blocks of apartments; 5 no. 2-bedroom houses and 20 no. 3-bedroom houses with associated access, parking and landscaping (Outline application details of Access & layout only)

Applicant: AJC Group

Agent: Chapman Lily Planning Ltd

Target Date: 18/11/2021

Case Officer: James Gilfillan

21/11201

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development, scheme benefits and policy
- 2) Impact on the character and appearance of the area
- 3) Parking and Highway safety

This application is to be delegated.

2 SITE DESCRIPTION

The site is within the built-up area of Dibden Purlieu. It is accessed from and has frontage to Noads Way and is enclosed by residential properties on Noads Way, Lime Walk and Lime Close. The site is flat and is occupied by a detached house with outbuildings and stables. It covers 0.9Ha largely consisting of paddocks.

The character of the surrounding area is residential with detached houses and bungalows adjoining the site. There are trees along all boundaries, some in the site, some outside. Those along the road frontage to Noads Way and along the north-east boundary are covered by Preservation Orders.

Schools on water Lane are close to the north of the site and Dibden Purlieu Local Shopping frontage to the south. Access to Noads Way Recreation Ground is opposite the site.

A small area in the centre of the site is identified as being at risk of surface water flooding.

The site is not allocated for Housing by the Development Plan, but is included in the Strategic Housing Land Availability Assessment supporting the Local Plan Part 1.

3 PROPOSED DEVELOPMENT

The scheme proposes to demolish the existing bungalow and historical buildings on site and erect 37 dwellings comprising: 2 blocks of apartments; 5 no. 2-bedroom houses and 20 no. 3-bedroom houses with associated access, parking and landscaping.

The outline application proposes matters of Access and Layout for consideration.

4 PLANNING HISTORY

None

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

New Forest District Core Strategy 2009

CS7: Open spaces, sport and recreation

Hythe and Dibden Neighbourhood Plan 2018

Policy D1 - High Standards of Design and Architecture

Policy WEL1 - Development proposals should seek to support public health, active lifestyles and community wellbeing

Policy WEL2 - New developments should be designed so as not to exacerbate, and where possible improve, air pollution, traffic congestion, road safety and parking.

New residential developments should provide infrastructure for charging electric vehicles.

Policy T5 - New footpaths and cycleways should be designed to a high standard.

Policy C1 - Layout and design to reduce negative impact of crime, nuisance and anti-social behaviour

Policy F1 - Sequential Test

Policy F3 - Drainage capacity

Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character

SPD - Mitigation Strategy for European Sites

SPD - Parking Standards

Relevant Legislation

Relevant Advice

National Planning Policy Framework

Constraints

SSSI IRZ Compost

SSSI IRZ Combustion

SSSI IRZ Infrastructure

SSSI IRZ Discharges

SSSI IRZ All Consultations

Plan Area

SSSI IRZ Air Pollution

Aerodrome Safeguarding Zone

SSSI IRZ Wind and Solar Energy

SSSI IRZ Water Supply

NFSFRA Surface Water

SSSI IRZ Waste

SSSI IRZ Residential

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Rural Residential

SSSI IRZ Rural Non Residential

Tree Preservation Order: 3/98/1/T2

Tree Preservation Order 23/98

Plan Policy Designations

6 PARISH / TOWN COUNCIL COMMENTS

Hythe & Dibden Parish Council

Comment: PAR 4: Recommend REFUSAL for the following reasons:

1) The development would be out of keeping with the street scene and character of the area. The properties in the surrounding area are typically 4/5 bedroomed detached homes on large plots.

Therefore, this application is contrary to Aim 1 of the Objectives and Policies of the Hythe and Dibden Neighbourhood Development Plan 2018- 2026.

Hythe and Dibden Neighbourhood Development Plan 2018- 2026

Section 8 Objectives and Policies

1.1.1 New development shall be designed and built to high standards of quality based on a clear understanding and appreciation of the unique character of the area and what is valued locally.

1.1.2 New development shall respect and enhance the character and distinctiveness of the build and natural environment.

D1 All new development in Hythe and Dibden will be required to seek exemplary standards of design and architecture, to demonstrate

- that local character and context has been fully recognised,
- that the proposed design response to it, and
- that what is valued locally is respected.

2) It is overdevelopment of the site. The proposal is for 37 dwellings whereas this site has been identified as having the capacity for 13 homes in NFDC's 2018 Strategic Housing Land Availability Assessment.

3) The proposed flats are ahead of the building line and will have a detrimental impact on the street scene and will be more visible than neighbouring properties. The flats are out of keeping with the character of the area and in particular, the size and appearance of the flats at the front of the plot appear greater in size than the neighbouring properties either side.

4) There are concerns about highway safety as the volume of traffic will increase and it will lead to further congestion in the area. There are also safety concerns regarding pedestrians and cyclists, particularly as the site is in close proximity to the access to Noads Way play area.

5) There are insufficient parking spaces for the number of dwellings. This will have a negative impact on neighbouring roads due to an increase in on-street parking. It will also exacerbate the existing issue of dangerous parking in the area during drop off and collection times for the local schools.

6) The land proposed for development is prone to water logging and flooding.

7) The Committee has significant concerns about the felling of over 1/3 of the existing mature trees and the impact this will have on the biodiversity of the area. The

loss of these trees will also have an impact on the privacy of neighbouring properties.

8) There will be a detrimental impact on the wildlife in the area. The Committee understands that bats have been identified on the site.

9) There are concerns about overlooking and perceived overlooking into the adjacent properties at Noads Way, Lime Walk and Lime Close and the associated loss of privacy for these residents.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Landscape Team: Object to the scheme due to the failure to meet the requirements of ENV3, ENV4 of the Local Plan and Hythe and Dibden Neighbourhood Plan policy D1 by not responding to local character and context, failing to respond positively to local distinctiveness, failure to integrate parking successfully, lack of public space and unsympathetic relationship with local distinctiveness.

NFDC Urban Design: Combined objection with above response.

NFDC Tree Team: Object due to the under-classification of trees and lack of evidence to justify classification, loss of trees, unsustainable tree-building relationships and insufficient detail of mitigating replacement planting.

NFDC Open Space Officer: Object to the lack of details of the provision of Public Open Space.

NFDC Waste Management: Raises concerns that the Waste Collection Wagon would not be able to safely navigate the entire development.

NFDC Ecologist: Object to the lack of Bio-Diversity Net Gain calculations and the failure to undertake thorough and robust desk study ecological appraisals and provision of further survey. The requirements to mitigate the effects of the development on protected habitats and species in the New Forest and Solent are identified.

NFDC Conservation Team: No objection as no impact on heritage assets

NFDC Building Control: Requests external materials are specified to assess potential fire spread, and details of fire service access and location of fire hydrants indicated.

HCC Highways: Object to the proximity of the proposed access to the adjoining access to the east (Chilgrove and Field House), lack of plans demonstrating visibility splays are sufficient within the scheme. Lack of detail relating to the claimed

dedicated provision being made for pedestrians and cyclists within the scheme. Failure to meet adopted parking guidelines, likely to result in on street parking.

HCC Surface Water: Insufficient infiltration testing has been undertaken to demonstrate permeability rates and stormwater drainage capacity is proven for the layout of the scheme as proposed.

HCC Countryside Services: No objection, no Public Rights of Way are Affected.

Southern Water: Identifies that additional sewerage capacity would be needed in the area to accommodate the predicted volumes of foul water being discharged from the scheme, but that a condition can be imposed to secure phased occupation of the development to enable improvements to be made to sewerage infrastructure.

Hampshire Fire & Rescue Service: Identifies issues that would need consideration and design requirements.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against 181

- Over development, density is out of character with the area and streetscene. Comparison with other recent developments in the area. Inappropriate design and failure to respect the appearance and setting of the surrounding area;
- No need for homes given approved scheme at Fawley Power Station;
- Flats being inappropriate;
- Impact on highway safety due to proximity to schools, lack of on site parking, increased traffic movements exacerbating existing conflicts, increased risks to visitors to Noads Way park;
- Poor layout isolating car parking from homes, limiting the potential for electric car charging points to be provided;
- Lack of open space on site;
- Lack of space for bin storage;
- Overlooking and loss of privacy, visual impact, overshadowing, noise disturbance, impact on air quality, disturbance during construction;
- Impact on services, utilities and infrastructure, including schools;
- Loss of green space, green corridors, trees and ecology, lack of replacement/mitigation;
- Flood Risk;
- Affordable housing would not fit the character of the area;
- Impact on protected habitats and species in the New Forest and Solent from additional recreational pressure, loss of air quality and changes in water quality;

For 2

- Provides much needed additional housing and a mix of house types;
- Proposal is in keeping with the local area and largely screened due to its position set back from the road.

The majority of the representations received against the development do recognise it has development potential and is included in the New Forest District Strategic Housing Land Availability Assessment (SHLAA).

10 PLANNING ASSESSMENT

The scheme proposes to demolish the existing houses, the stables and other associated outbuildings and structures on the site. A cul-de-sac of houses and flats would be erected comprising 2 blocks of 6 flats (12 total), 5 x 2-bed houses and 20 x 3 bed houses. The majority of the houses would be semi-detached pairs, but there would be a terrace of 3 and a terrace of 4 houses.

The application is an Outline application with matters of:

Access - From Noads Way, largely on the position of the existing, widened to form a bell mouth to serve two way traffic. A pavement would extend into the site.

Layout - The arrangement of the roads throughout the site, following the north east edge before curving west in to the centre of the site. A cul-de-sac arm would extend in to the north corner of the site. The main arm in to the site would form a large hammer-head along the west edge of the site. The flats are positioned at the front of the site, close to Noads Way. The houses around the cul-de-sac and hammerhead, backing on to the existing boundaries and each other. There is a mix of on street parking and in curtilage parking.

Principle of Development

The site is in the built-up area of Dibden Purlieu and surrounded by residential development. Whilst it is currently greenfield with some built form, it has been identified by the Strategic Housing Land Availability Assessment as being appropriate for housing development. The character of the area is residential, as such the principle of residential development is acceptable.

Adopted policies STR3 and STR4 of the Local Plan Part 1, seek to direct development to locations appropriate to the scale of the development. Dibden Purlieu would fall within 'Hythe Village', on the list of towns capable of accommodating large scale development and are the most sustainable locations due to the range of services and facilities available within the community. The application would comply with these strategic aspects of the development plan.

Furthermore, by reason of its location within the existing built-up area surrounding by residential development, the scheme would preserve the spacial landscape qualities of the New Forest National Park and Cranbourne Chase ANOB, in accordance with STR2 of the Local Plan part 1.

Proposing 37 residential units, in a mix of sizes, both flats and houses, the scheme makes a positive contribution to the availability of housing in the District and the current Housing Delivery Target of 400 units per year.

Representations have queried the need for more housing in addition to the consent given for development at the former Fawley Power station. Fawley is one of several strategic scale housing development sites identified as making a significant contribution to the delivery of housing to meet projected needs over the plan period, 2020-2036, however alone the strategic sites do not deliver sufficient housing and small allocated sites and windfall sites would still be necessary to deliver sufficient housing. This is demonstrated by STR5 of the Local Plan Part 1, "Meeting our Housing needs", which at (ii) c) identifies "Around 400 homes on sites to be identified

in other towns and large villages".

The scheme would have economic benefits of generating employment during construction, furthermore residents would be likely to spend in local shops and services, supporting the local economy.

The scheme would social benefits of providing additional housing in a residential area, providing a mix of housing types and sizes to meet a range of housing needs.

Design, site layout and impact on local character and appearance of area

The surrounding area is residential in character, dominated by detached houses and bungalows. Noads Way around the entrance in to the site is dominated by mature trees and an extensive landscape setting. Large houses occupy large plots, in a spacious setting resulting in a low density. This continues along Noads Way along the north east edge of the site. Rear gardens are between 25-50m deep. The character is slightly less sylvan along Lime Walk to the North and West, with the trees as a backdrop.

The scheme pays very little respect to this distinctive character and proposes plot sizes and layouts that are not readily reflective of this context. Furthermore there is little by way of analysis of the surrounding context and justification for the approach taken.

It is clear from the representations received from Hythe and Dibden Parish Council and the NFDC Environment team, that this scheme fails to meet the requirements of Local Plan policy ENV3 and the Neighbourhood plan in terms of its response to the context.

Whilst failure to analyse the context does not in itself render the scheme unacceptable, nor the absolute density, the proposal fails to deliver plots commensurate with the prevailing pattern of development, with a spacious landscape setting that are clear positive aspects of the area.

Based on the size of the scheme, it could be appropriate to accept that the scheme would deliver a character of its own, however there are unacceptable aspects with the scheme itself. The sheer extent of site coverage, the dominance of car parking and hard surfacing throughout, the isolated position of parking in respect of the houses they serve, such as plots 13-16, and the parallel spaces for plots 21-22. Use of long terraces, especially the almost continuous extent of built form along the west edge of the site, plots 17-25, lack of frontage enclosure and proximity of front elevations to the public realm.

The only details of the appearance of the buildings are illustrative viewpoints within the site. Whilst not plans under consideration, they do demonstrate how cramped the buildings would be and the limited views between them and lack of space for landscape setting around them.

The Noads Way streetscene suggests the block of flats (plots 1-6) would be 3 storeys high. In the absence of detailed elevation drawings, it is not possible to accept that such a sized building, closer to the road frontage than most of the houses along Noads Way, could be readily accommodated by the appearance of the

streetscene, without appearing unduly intrusive, undermining the sylvan setting and respecting the typology of 1.5 and 2 storey houses.

Much of the sylvan setting is provided by trees on adjoining land, however the layout makes little space available for landscape setting or for larger trees to be planted and mature to contribute to that characteristic. The size of residential plots would not be capable of accommodating tree planting, without exacerbating concerns over the lack of amenity for occupiers due to the small gardens.

The layout would not deliver a high quality, attractive design that would create a character that would contribute positively to local distinctiveness, or that responds to the distinctive character of the area.

Landscape impact and trees

There are two TPO's covering trees along the site frontage and the North-East Boundary. 5 trees in the area of the access would need to be removed to facilitate the development. One of these (T14) a Beech tree has been classified as U/C, without sufficient justification. Similarly insufficient justification has been given for the low categorisation of trees T15-T17, which make an important contribution to the group of frontage. Loss of T18, close to the access, would be acceptable, subject to sufficient space being available for a replacement tree. Whilst Landscape is a reserved matter, it is unlikely that sufficient space is afforded in the layout of the proposed access for such replacement planting.

There are multiple cases of poor building-tree relationships, whereby development would impact on rootzones or conflict with canopy spreads. Plot 13 would be dominated by the canopy of the off site Lime, which hangs low. Plots 35 and 37 would impact on Oak trees T30 and T31. Plots 1-6 (flatted block) would extend in to the root zone of T51 a Monterey Pine.

In this case this demonstrates the failure of the scheme to respond to the context and character of the area, seeking to deliver the proposed quantum of development results in dwellings being squeezed in close to important features of the landscape setting and likely to compromise the provision of appropriate amenity for occupiers, or provide adequate space for new and replacement planting.

Highway safety, access and parking

Access is a matter for consideration by this Outline application. The existing access serves a single dwelling and any infrequent manoeuvres associated with the stables and paddocks. The scheme proposes to widen the access to two lane, forming a bell mouth junction. The principle of this approach can accommodate the volume and nature of vehicles generated by the development safely. However concerns are raised in respect of its volume of use and close proximity to the drive serving the 2 residential properties to the east (Chilgrove and Field House).

Whilst the design of the proposed access would be wide enough to serve the development and maintain safety of vehicles manoeuvring, it does require removal of trees that the Arboricultural Officer has objected to.

Noads Way is straight and visibility good, many houses have sufficient space to enable on site turning to allow vehicles to enter and exit in a forward gear. Splays have been demonstrated for a 30mph speed road, however because of straight

alignment and good forward visibility the highway authority are concerned that actual speeds along Noads Way would be higher and seek survey data to demonstrate that the designed splay length is sufficient for actual vehicle speeds.

Residents, objecting to the proposals, raise concerns regarding congestion at school drop off and pick up. These are very localised and short term peaks in parking demand, which the applicant could not manage and would not justify parking restrictions in the area. The site is close to those schools, so unlikely to add to that parking pressure and the predicted number of vehicle movements arising from the development that coincide with school times are unlikely to give rise to a severe conflict with highway safety.

The representation from the Highway Authority does highlight a requirement for the scheme to assess baseline traffic and its distribution, which has not occurred, however they anticipate that the numbers of vehicle movements generated by this development would not have a severe impact on the highway network.

They do raise concerns over the internal design of the layout, without sufficient evidence how the scheme has been designed to achieve 20mph speeds, nor how dedicated footway and cycleway has been provided for. At 20mph and the residential nature of the scheme, cyclists should be safely accommodated on the carriageway.

The scheme fails to provide sufficient parking to meet the needs of the development, based on the parking standards SPD. The scheme proposes shared 'unallocated' spaces for the 12 flats, whilst an efficient way of providing parking, the standards do not include this approach. Furthermore whilst visitor spaces are a sensible inclusion in the scheme, they are likely to be used by residents to make up the 21 space shortfall (including the policy compliant requirement for the flats).

This shortfall would result in site cramming with cars and likely to result in cars parking on verges, the access road or Noads Way, in a manner that would compromise accessibility and the safety of pedestrians or cyclists within the site and exacerbating the car dominated layout and design and impacting on the character of Noads Way. It would represent poor design and is a further negative consequence of the scale of the development proposed.

Residential amenity

The site is surrounded by residential gardens, between 25-50m in depth from the rear elevation of the respective dwellings. Whilst the scheme, in part would place houses within 10m of the common boundaries, the window to window separation distances would preserve residential privacy.

Furthermore those separation distances would preclude harmful overshadowing or a loss of outlook of existing neighbours.

The row of plots, 17-25, would be visible from the rear gardens of Lime Close properties, this uncharacteristic layout would not contribute positively to the character of the area, eroding the attractive setting and the amenity of those neighbours. The end elevations presented by other plots would not individually impact on other neighbours to the same extent.

Concerns are raised by letters of representation, regarding the number of dwellings and the subsequent levels of noise and disturbance generated by occupiers. The scheme would not give rise to a nature or duration of noise out of character with the

area to harm existing amenity or render the scheme unacceptable.

Whilst the amenity of neighbours would not be materially harmed, there would however be conflicts within the scheme due to its layout. The separation distance between plots 26 - 33, at only 17m would not preserve amenity. The conflict between trees and on site amenity has been raised above. Both these indicate that the scheme can not deliver the scale of development acceptably.

At more than 0.5 ha the scheme is required to make provision for Public Open Space and recreational facilities. Based on the housing mix the requirements are;

Informal POS: 0.25 ha

Play Space: 0.03Ha

Formal POS: 0.16Ha

The scheme has not made provision for any of these, on or off site. The suggestion of the green space in the centre of the site delivering informal open space is not demonstrated, due to the unresolved extent to which it would provide drainage attenuation. Furthermore reliance on a strip of land along the side boundary of plots 29-30 is likely to be compromised by the shortage of parking on site and would not serve any useful amenity purposes.

The open space at the front of the site alongside Noads Way, could have amenity benefit, but is a bit isolated from the majority of the dwellings, and in itself would not meet the needs of residents.

No provision has been made for equipped childrens play and whilst enhancements could be made to the equipment at Noads Way recreation ground on the south side of Noads Way, no proposals have been secured.

Ecology

Insufficient survey work has been presented to demonstrate baseline ecological conditions, nor what mitigation is proposed. Bio-diversity net gain has not been demonstrated, nor whether the scheme can achieve the 10% increase required and thus a condition could not be relied upon..

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 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. Although the adverse impacts could be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy, no such legal agreement has been completed in this instance. As such, it is not possible, in respect of recreational impacts, to reach a conclusion that adverse effects on European sites would be avoided.

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 permission which includes an element of new residential overnight

accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. Had the scheme been acceptable in all other respects a Grampian style condition could be used to secure mitigation.

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

Drainage

An area in the centre of the site is identified as being at risk of surface water flooding. Residents also raise this in their representations. This suggests that ground conditions are precluding free drainage. Insufficient analysis of the ground conditions has been undertaken to demonstrate if storm water soakaways can function and the extent of attenuation that may be necessary, especially given this known flood risk. As Layout would be fixed by this application, the Lead Local Flood Risk Authority require details of the layout of drainage infrastructure to be agreed.

Southern Water have indicated improvements to foul water drainage infrastructure would be required, seeking a phasing condition to limit the number of occupiers until such time as the improvements are made. Had the scheme been acceptable in all other respects the feasibility of this would've been considered.

Other Matters.

Issues raised by Hampshire Fire and Rescue and Building Control are details of construction and delivery that do not fall to the Planning Authority to determine.

Reference to other schemes in the locality, by local residents, that this application

should be judged against are noted, however the scheme is assessed on its merits and material planning considerations prevalent at this time.

Concerns regarding the impact of the development on local services and infrastructure are noted, however the scheme would make its contribution to infrastructure through the provision of CIL payments and the nature of funding being provided by central government on the basis of registered patients.

Developer Contributions

Contributions towards mitigating the effect of the development on sensitive and protected habitats and species in the New Forest and Solent have not been secured.

Independent review of the financial viability of the scheme concludes that it would be sufficiently viable to make a contribution towards Affordable Housing. This has not been secured.

Public Open space has not been secured.

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	2878	170	2708	2708	£80/sqm	£277,465.85 *

Subtotal:	£277,465.85
Relief:	£0.00
Total Payable:	£277,465.85

11 CONCLUSION

The scheme makes a positive contribution to the delivery of new homes in the District, with economic benefits during construction and residents spend in the local economy, environmental benefits of locating additional residential development in the established built-up area close to services and facilities required to support residents and social benefits of a mix of housing sizes.

However the scale of the development and failure to respond to local context or deliver a high quality design that meets the amenity needs of residents, respects landscape features, provides for the parking and access needs of the development results in a poor design dominated by hard surfaces and built form, that is cramped and out of character, with insufficient space for landscape setting.

Insufficient evidence and details have been provided to demonstrate the site can be adequately drained, that sufficient Bio-diversity net gain can be delivered and features of nature conservation won't be harmed and to justify tree removal.

Mitigation measures required to protect sensitive habitats and species in the New Forest and Solent have not been secured and therefore the scheme would not pass an appropriate assessment of the Habitats regulations.

Whilst the Council can not demonstrate a 5yr supply of housing land, the tilted balance is not engaged where there is a conflict with the Habitats regulations. Whilst those matters could be resolved by an appropriate legal agreement, the harm of the scheme identified would outweigh the benefits of the housing provision.

13. RECOMMENDATION

Refused

Reason(s) for Refusal:

1. The scheme would, due to the scale and layout of development proposed, the extent of plot coverage of built form and hard surfaces, prominent position of flats 1-6, the dominance of car parking and lack of parking, proximity to trees on and adjoining the site, the small plots proposed and lack of space for recreation open space and sufficient landscape setting and lack of privacy for residents on site, fail to respect the spacious sylvan character of the prevailing pattern of development in the area, or deliver a well planned high quality design that would contribute positively to the local distinctiveness, the quality of life and enhances the character and identity of the locality. It is therefore contrary to Policies STR1 & ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020, Policy D1 of the Hythe and Dibden Neighbourhood Plan 2019 and the Housing Design, Density and Character SPD 2006.
2. Due to the proximity of the proposed access to the existing access to the east and failure to demonstrate the visibility splays are based on actual vehicle speeds along Noads Way the scheme has failed to demonstrate that the works are sufficient. It is therefore considered that the scheme would be prejudicial to highway safety.
3. The scheme fails to provide sufficient parking to meet the transportation needs of the development in accordance with the adopted parking standards. The extent of the shortfall would result in site cramming of cars are likely to result in cars parking along Noads Way. This would compromise the residential character of the site and safe access for pedestrians and cyclists and potentially prejudice the ability of the site to be adequately serviced. The scheme would be contrary to ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the Parking Standards SPD 2012.

4. The application has not demonstrated that the proposal would not cause harm to features of nature conservation interest, or that such impacts can be mitigated. The application also fails to demonstrate that the scheme can deliver the required 10% Bio-diversity Net Gain. The scheme would therefore be contrary to Policy STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020, Policy DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and the Interim Strategy for Ecology & Bio-diversity Net Gain 2020.
5. The scheme has failed to demonstrate that surface water drainage can be dealt with in a manner that would not give rise to increased surface water flooding on site and meet the requirements of delivering sustainable drainage contrary to policy STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.
6. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, the New Forest Ramsar site, the Solent and Southampton Water Special Protection Area, the Solent and Southampton Water Ramsar site, and the Solent Maritime Special Area of Conservation would not be adequately mitigated and the proposed development would therefore be likely to unacceptably increase recreational pressures on these sensitive European nature conservation sites, contrary to Policies ENV1 of the New Forest District Local Plan Part 1: Planning strategy 2020 and DM3 of the New Forest District Local Plan Part 2: Sites and Development Management 2014 and the Mitigation for Recreational Impacts on New Forest European Sites SPD 2021, Air Quality Monitoring and the Bird Aware Solent Strategy.
7. The scheme has not demonstrated how it would meet the recreational and open space needs of the occupiers of the development, contrary to CS07 of the Core Strategy 2009
8. The proposal will not be providing the required amount of affordable housing and is therefore contrary to Policy HOU2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.
9. The scheme has failed to demonstrate that it can be delivered in a manner that respects the trees on and adjoining the site that make a positive contribution to the character and appearance of the area. Furthermore, inadequate information has been submitted to justify the removal of trees on the frontage to allow the proposed access to be created. The scheme would therefore have a detrimental impact on the landscape setting of the area and fails to deliver space to mitigate the loss of trees. The scheme is contrary to Policies ENV3 and ENV4 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management

Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case the applicant was advised that the scheme was unacceptable and the extent of revisions required would not be possible within the existing application. The applicant was given the opportunity to resolve technical matters through submission of additional information, but chose not to do so.

Decision

Signed:

Date:

Further Information:

James Gilfillan

Telephone: 02380 28 5797