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# Report to New Forest District Council

**by Caroline Mulloy BSc (Hons) DipTP MRTPI and  
Kevin Ward BA (Hons) MRTPI**

**Inspectors appointed by the Secretary of State**

**Date 25 March 2020**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the New Forest District (outside the National Park) Local Plan-Part 1: Planning Strategy**

The Plan was submitted for examination on 1 November 2018

The examination hearings were held between 3 June and 18 July 2019

File Ref: PINS/B1740/429/10

## Abbreviations used in this report

AONB	Area of Outstanding Natural Beauty
ANRG	Alternative Natural Recreational Greenspace
EA	Environment Agency
FRA	Flood Risk Assessment
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
HRR	Household Representative Rates
LEP	Local Enterprise Partnership
MM	Main Modification
MYE	Mid-Year Estimates
NPPF	National Planning Policy Framework
OAN	Objectively Assessed Need
ONS	Office for National Statistics
PPG	Planning Practice Guidance
PUSH	Partnership for Urban South Hampshire
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
STNA	Strategic Transport Network Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SNHP	Sub National Household Projections
SNPP	Sub National Population Projections

## **Non-Technical Summary**

This report concludes that the New Forest District (outside the National Park) Local Plan-Part 1: Planning Strategy (the Local Plan) provides an appropriate basis for the planning of the New Forest District Council planning authority area, provided that a number of main modifications are made to it. The Council has specifically requested that we recommend any main modifications necessary to enable the Local Plan to be adopted.

The main modifications all concern matters that were discussed at the examination hearings. The Council has provided the detailed wording for the main modifications, most of which are based on suggestions it put forward during the examination. The Council carried out sustainability appraisal of the main modifications and an updated Habitats Regulations Assessment (HRA) report was also produced. Following the hearings, the main modifications, sustainability appraisal and HRA report were subject to public consultation over a seven-week period. We have recommended the inclusion of the main modifications in the Local Plan after considering all the representations made in response to consultation on them, the sustainability appraisal and the updated HRA report.

The main modifications can be summarised as follows:

- Amending Policy 5 so that the housing requirement accurately reflects the Objectively Assessed Need and to adjust the details of the phased housing requirements to reflect actual completions so far in the plan period and to provide more realistic requirements in the short term to ensure that the Local Plan is justified and effective;
- Adding a new policy and amending text on minerals safeguarding to ensure the Local Plan is effective in relation to this issue;
- Making it clear that the concept masterplans for the strategic site allocations are illustrative and that specific proposals will be subject to consideration and discussion, to ensure that the Local Plan is effective in this respect;
- Ensuring that the concept masterplans are effective by removing unnecessary prescription;
- Ensuring that the Local Plan is effective in addressing the issues of nutrient management, flood risk and education requirements;
- Adjusting the figures for the minimum number of homes on strategic site allocations SS1, SS2 and SS18 to reflect evidence on capacity and ensure that the policies are justified;
- Amending a number of policies to ensure that they are justified, effective and consistent with national policy.

## Introduction

1. This report contains our assessment of the Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Local Plan's preparation has complied with the duty to co-operate. It then considers whether the Local Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) 2012 (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Local Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The submitted document (SD01) reproduced a number of saved policies from previous Local Plans stating that they were included for ease of reference only. However, in all but one case the document included amendments to the wording of these saved policies and/or supporting text. It is clear that these saved policies have already been examined and adopted and they were not open to further representations. These saved policies and the amendments to them cannot be regarded as part of the Local Plan that was submitted for examination and we have no remit to consider them.
4. The Council produced a Schedule of Errata (SD13). This contains minor modifications providing clarification and addressing typographical errors etc. which can be considered to be part of the submitted Local Plan (other than where they concern saved policies).
5. The basis for the examination is therefore the submitted Local Plan document SD01 (which is the same as the document published for consultation in June 2018), excluding those sections relating to saved policies but incorporating the minor modifications set out in SD13 other than where these concern sections of SD01 which relate to saved policies.
6. The Council is undertaking a review of the Local Plan in two parts. This Local Plan Part 1 deals with strategic matters and policies and includes strategic site allocations which are capable of accommodating 100 or more homes. A number of policies in the existing Core Strategy and Local Plan Part 2 are to be retained and we have considered this Local Plan in this context. The Council is proposing to produce a Part 2 Local Plan Review which will focus on more detailed matters and allocations for smaller sites. There are also a number of Neighbourhood Plans proposed. Again, we have considered this Local Plan within this context.

## Main Modifications

7. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications necessary to rectify matters that make the Local Plan unsound and /or not legally compliant and thus incapable of being adopted. Our report explains why the recommended main modifications, all of which relate to matters that were discussed at the examination hearings, are necessary. The main modifications are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
8. The Council has provided the detailed wording for the main modifications, most of which are based on suggestions it put forward during the examination. The Council carried out sustainability appraisal of the main modifications and an updated HRA report was also produced. Following the hearings, the main modifications, sustainability appraisal and HRA report were subject to public consultation over a seven-week period. We have recommended the inclusion of the main modifications in the Local Plan after considering all the representations made in response to consultation on them, the sustainability appraisal and the updated HRA report. Following consultation, we have amended the wording of main modification **MM1** to clarify that the impact on the setting of the AONB will also be taken into account. This clarification does not alter the substance or meaning of the main modification or the policy itself.

## Policies Map

9. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a Local Plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map is document SD02.
10. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, in some cases the published main modifications to the Local Plan require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the main modifications.
11. When the Local Plan is adopted, in order to comply with the legislation and give effect to the Local Plan's policies, the Council will need to update the adopted policies map to include all the necessary changes.

## **Assessment of Duty to Co-operate**

12. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council has complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
13. The New Forest District Council planning authority area forms part of three Housing Market Areas (HMAs), Southampton, Bournemouth and Salisbury. This reflects strong functional, commuting and economic links, particularly with larger urban areas of Southampton and other parts of South Hampshire but also with Bournemouth.
14. The geographical extent of the New Forest District Council planning authority area is unusual in that it comprises three separate sub-areas around the edges of the New Forest National Park (the National Park) which has its own recently adopted Local Plan.
15. Progress on plan making has varied across authorities within the three HMAs and a Strategic Housing Market Assessment (SHMA) for urban South Hampshire has been produced, which includes the Totton and the Waterside sub-area but does not extend across the whole New Forest District Council planning authority area.
16. Within this context, the Council commissioned a joint assessment of Objectively Assessed Need for housing (OAN) with the National Park Authority (the 2014 SHMA) which was updated in 2017 (the 2017 OAN Study). Given the particular circumstances that apply, this was a pragmatic and justified approach.
17. We deal with soundness issues in relation to the OAN, the housing requirement and the supply of housing land later in our report. However, on the basis of the 2017 OAN Study, the aim of the Local Plan is to provide an adequate supply of housing land to meet the OAN for the New Forest District Council planning authority area in full.
18. In the case of the National Park, due to the particular environmental constraints that apply, the adopted Local Plan does not provide for the OAN in full. There would be an unmet need of some 23 dwellings per annum or 460 dwellings over the plan period 2016-2036.
19. The Council and the National Park Authority have worked closely in identifying housing needs and preparing the respective Local Plans. The National Park Authority accepts the Council's position that it is unable to specifically plan to accommodate the unmet need from the National Park due to the constraints that exist. It has not raised concerns in relation to the duty to co-operate or matters of soundness. The agreement between the two planning authorities is set out in a Statement of Common Ground (SCG01). Our conclusions in relation to the approach to housing provision and the supply of housing land are set out in detail later in our report. However, in overall terms we are satisfied that the Council's position is justified.
20. The Council is a member of the Partnership for Urban South Hampshire (PUSH) and the Totton and the Waterside sub-area is within the PUSH area.

There is a significant history of close co-operation between authorities through this mechanism and this has continued. The Council has also discussed emerging housing needs and the potential to accommodate them with other relevant planning authorities. No other authority has made a request for the Council to accommodate unmet housing needs in this Local Plan. Given that the Local Plan involves alterations to the Green Belt to meet housing needs, the Council was proactive in asking other authorities if they would be able to accommodate any of its housing need on non Green Belt land within their areas. None of the other authorities have stated that they would be able to do so. Again, no other authorities have raised concerns over the level of housing provision in the Local Plan or the duty to co-operate.

21. The Council has liaised closely with Natural England, the Environment Agency, the National Park Authority and other relevant authorities and organisations in relation to strategic matters concerning habitat protection, water quality/nutrient enrichment and mitigation. This co-operation has been effective and has resulted in agreements and collaborative approaches to a range of protection measures and mitigation schemes.
22. Close working and co-operation have also taken place with relevant authorities and organisations in relation to the strategic site allocations where they raise cross boundary issues. This has included specific work relating to nutrient enrichment in the River Avon, culminating in a Memorandum of Understanding (NC14) and Statement of Common Ground (SCG06). The Council has also co-operated effectively with the National Park Authority and other key organisations to achieve a co-ordinated and comprehensive approach in relation to proposals at the former Fawley Power Station which involves site allocations in both this Local Plan and the National Park Local Plan.
23. Overall, the Council has demonstrated constructive, active and ongoing engagement with local authorities and relevant organisations on strategic matters. The issues have been resolved effectively and there are no concerns from these authorities and organisations regarding the duty to co-operate. We conclude therefore that the Council has complied with the duty to co-operate.

## **Assessment of Soundness**

### **Main Issues**

24. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings we have identified the following main issues upon which the soundness of the Local Plan depends. Under these headings our report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the Spatial Strategy is justified, effective and consistent with national policy**

25. Policy 1 is effective in setting out strategic principles relating to sustainable development which guide other policies and specific proposals within the Local Plan. Within the particular context of the area and the issues that face it, the policy is justified and consistent with national policy.

26. Together, Policy 3 and Policy 4 set out a clear and effective strategy for the location of new development and the role of particular settlements in meeting development needs. The settlements have been appropriately categorised in Policy 4 on the basis of evidence relating to service provision, employment opportunities and accessibility to public transport. The identification of Fawley as a Main Village sensibly takes account of the significant scale of development proposed as part of the strategic site allocation (SS4) and on adjoining land in the National Park and the range of commercial and community uses envisaged.
27. The strategy of focussing most growth and large-scale development on the Towns is justified given their size, range of services and employment opportunities and accessibility. Providing for some growth and small to medium scale development at the Main Villages is again justified given their relative scale, level of service and employment provision and accessibility. Taking account of their existing size and the limited range of services available, the strategy justifiably identifies the Small Rural Villages as suitable for small-scale development only. It is also justified in seeking to limit development in the countryside to that which is appropriate to such locations in terms of its scale, form and use.
28. The scale of development proposed and already committed, and its distribution between settlements, is in line with this Spatial Strategy with a significant majority being focussed on the Towns whilst the Main Villages would make a smaller but significant contribution. The allocation of strategic sites and the effect that this has on the distribution of proposed development between settlements has also been influenced strongly by the constraints that exist, notably by the Green Belt and the relative contribution to Green Belt purposes that particular areas of land make. We return to the approach towards the Green Belt and strategic site allocations later in our report.
29. The second part of Policy 3 is not justified or consistent with national policy insofar as it includes a specific requirement for development proposals to deliver a net environmental gain. Main modification **MM2** would address this concern.
30. Overall, subject to this main modification, the Spatial Strategy is justified, effective and consistent with national policy.

**Issue 2 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to OAN and the housing requirement**

31. As set out above, given the particular circumstances, it is appropriate for the Council to have produced evidence on OAN jointly with the National Park Authority rather than for the wider HMAs. The 2017 OAN Study reaches conclusions on the OAN for the National Park, the New Forest District Council planning authority area and the combined New Forest District area<sup>1</sup>.

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<sup>1</sup> “combined New Forest District area” is the geographical area of New Forest District covered by two separate Local Plans prepared by New Forest District Council and the National Park Authority. Approximately 94% of the National Park is within this area.



### *Demographic projections*

32. At the time that the 2017 OAN Study was produced, the 2014 based sub national household projections (SNHP) were the most up to date. For the combined New Forest District area, these projections indicated a growth of approximately 13,700 households between 2016 and 2036 (684 per annum). They were underpinned by the 2014 based sub national population projections (SNPP) which indicated population growth of around 21,900 over the same period.
33. This level of projected population growth would be significantly higher than past trends over a five, ten or fifteen-year period up to 2016. Actual population growth between 2014 and 2016 taken from mid-year estimates (MYE) was significantly less than that projected by the 2014 based SNPP (approximately 300 compared with a projected 1,900). The 2014 based projections indicate levels of net migration which would also be significantly higher than past trends up to 2016. The projections indicated an increase in net migration over time, whereas actual migration up to 2016 was on a generally downward trend.
34. Given this disconnect between past trends and the projections, the 2017 OAN Study goes on to consider alternative demographic scenarios, using five, ten and fifteen-year population trend data and considers that the ten-year trend is the most robust. Such a time period has been used elsewhere and would give a projection in the middle of the range of alternative scenarios. The projection based on the ten-year trend indicates population growth of some 11,930 (6.7%) between 2016 and 2036. It would involve a level of net migration above the past trend.
35. After the 2017 OAN Study was produced, a number of data sets were published including the 2016 based SNPP; the 2016 based SNHP; the 2017 MYE and 2017 affordability data. A 2019 OAN Update Report was prepared in order to analyse the implications of these most recent data sets for the 2017 OAN Study and to test whether the conclusions of the 2017 OAN Study remain valid.
36. The 2016 SNPP remain the most up-to-date projections. They indicate population growth for the combined New Forest District area of approximately 12,480 (6.9%) between 2016 and 2036, a figure very similar to the ten-year trend scenario.
37. In the combined New Forest District area, the household representative rate (HRR) for 25-34-year olds fell between 2001 and 2011. However, the 2014 based SNHP indicated that this trend would stop and the rate would increase again, albeit dropping off once more after about 2029.
38. The causes of past decline in household formation are not clear, nor is it clear to what extent this trend may form part of a more fundamental and permanent shift in household formation. There is no specific evidence of a suppression of household formation due to constraints in housing supply. As noted above, there is a projected recovery in HRR for the 25-34 year old age group.

39. We deal below with the justification for a 15% uplift to the demographic starting point to address market signals. However, this would allow for some increase in household formation rates compared with the 2014 based SNHP.
40. Applying the 2014 based HRR to the ten-year population trend scenario would see an annual average growth in households of some 490 between 2016 and 2036. Taking account of the 4% vacancy rate, the 2017 OAN Study concluded that this would translate into a demographic based need for 509 dwellings per annum in the combined New Forest District area and 453 dwellings per annum for the New Forest District Council planning authority area.
41. The 2016 based SNHP indicate household growth of 465 per annum between 2016 and 2036 in the combined New Forest District area (this compared with the figure of 490 above). Due to concerns with the figures, the 2019 OAN Update Report developed scenarios based on both the 2016 and 2014 based SNHP.
42. The 2019 OAN Update Report used the same methodology as the 2017 OAN Study but with the base data being updated to reflect the 2016 based SNPP and to take account of Office for National Statistics (ONS) projected changes to birth/death rates and also changes to the age/sex profile. The population growth figures were all slightly lower than in the 2017 OAN Study due to the inclusion of 2017 MYE.
43. Using the 2016 based SNPP and SNHP there would be a need for 484 dwellings per annum in the combined New Forest District area. This compares to the preferred scenario of a 10-year population trend and 2014 based HRRs which suggests a need for 496 dwelling per annum in the combined New Forest District area.
44. This translates to a demographic need in the New Forest District Council planning authority area of 441 dwellings per annum, compared to a need of 453 in the 2017 OAN Study. The 2019 OAN Update Report, therefore, concludes that the more up-to-date information does not suggest that there has been a meaningful change such that housing figures in the emerging plans need to be revised.
45. Taking account of the above, we consider that the 2017 OAN Study was justified in moving away from the 2014 based SNHP to establish an alternative demographic starting point for the assessment of OAN based on the ten-year trend scenario. This would still see significant population growth and net migration in the combined New Forest District area. Furthermore, we are satisfied that the 2019 OAN Update Report demonstrates that the 2017 OAN Study remains an appropriate basis to determine OAN for the New Forest District Council planning authority area.

### *Market signals*

46. The 2017 OAN Study considered a full range of market signals however it mainly focussed on the house price to income affordability ratio. In 2016 the lower quartile affordability ratio (lower quartile house price to income ratio) for the combined New Forest District area was 11.83. This was above that for Hampshire, the South East and England as a whole and whilst the ratio had

seen fairly modest fluctuations since about 2004, it had increased noticeably between 2015 and 2016.

47. Based on an analysis of information submitted to the Waverley Local Plan examination which compared lower quartile affordability ratios with market signals uplifts in a wide range of Local Plans, the 2017 OAN Study concluded that an uplift of around 15% would be appropriate, taking into account affordability pressures.
48. The 2019 OAN Update Report did not update information in relation to affordable housing set out in the 2017 OAN Study. However, it considered more recent affordability ratios to test if the 15% uplift figure should be adjusted. The analysis shows that the affordability ratio had increased slightly to 12.04 in 2017. This would suggest a market signals uplift of around 17.5% based on the evidence referred to above.
49. On the basis of the 2019 OAN Update Report, including a 17.5% uplift there would be a need for 583 dwellings per annum across the combined New Forest District area. This would translate into a need of 518 dwellings per annum for the New Forest District Council planning authority area or an OAN of 10,360 for the Plan period. A 20% uplift would result in a need of 529 dwellings per annum for the New Forest District Council planning authority area. This is compared to a need of 521 dwellings per annum, including an uplift of 15% in the 2017 OAN Study. Consequently, there is no meaningful difference in figures between the 2017 OAN Study and the 2019 OAN Update Report.
50. On this basis, we consider that the 2017 OAN Study justifiably identifies a market signals uplift of 15% to the demographic starting point for OAN, particularly taking into account affordability pressures.

#### *Economic Activity*

51. The 2017 OAN Study does not include a forecast of potential job growth or test what level of housing would be necessary to ensure that there is an adequate labour force to match such growth. This is an unusual approach but one which the 2017 OAN Study considers is appropriate due to the nature of the combined New Forest District area, its position in between the urban areas of Bournemouth and Southampton and the strong economic reliance on these areas.
52. Based on the ten-year population trend scenario, the 2017 OAN Study estimates that there would be an increase of approximately 4,200 in the economically active population in the combined New Forest District area between 2016 and 2036. It concludes that this would be sufficient to allow the economy to grow. The estimated increase is based on a growth in those of pensionable age who are economically active (4,548). The number of people of working age who are economically active is estimated to actually decrease by 377.
53. The 2019 OAN Update Report has updated this estimate and now shows that the number of economically active people would increase by around 5,100. It concludes that on this basis there is no evidence to adjust housing need on account of economic growth.

54. The Solent Local Enterprise Partnership (LEP) commissioned Oxford Economics to prepare forecasts for the LEP area over the next 20 years. For the Solent LEP area in the period 2015-2036 Oxford Economics forecast jobs growth of 0.4% per annum reflecting GVA growth of 2% per annum. As this data is not available at the more local level, the Council has applied the Solent growth forecast growth rate of 0.4% per annum to the latest Nomis labour market profile for the combined New Forest District area which identifies a total of 82,000 jobs. This calculation suggests that 6,109 net additional jobs would be created by 2036 or 6,436 if the annual rate of change is applied to the full plan period 2016-2036 (322 per annum).
55. This figure is higher than the 2019 OAN Update Report's estimate of growth in the economically active population (around 5,100). Whilst there is a larger level of net out-commuting (7,400 people, Census 2011) which could provide an additional labour supply to take up local opportunities, this would be reliant on a shift in commuting patterns.
56. At our request further work has been carried out to understand the potential increase in the resident labour supply (number of economically active people) linked to an OAN of 521 (the OAN from the 2017 OAN Study) taking into account the market signals uplift.
57. The analysis in the 2017 OAN Study and 2019 OAN Update Report in terms of changes to the economically active population was based on the combined New Forest District area. Therefore, to provide a comparable analysis linking to the OAN of 521, the further work was undertaken for the combined New Forest District area, based on an OAN of 585. It includes a further projection scenario that links to the projections in the 2019 OAN Update Report but includes an uplift to migration so that there is sufficient population to fill 585 dwellings each year. This projects the effect on the working age population of the market signals uplift.
58. Given that the profile of migrants is biased towards people of working age including this uplift sees an increase in estimates of the resident labour supply. This uplift would result in a total change in the economically active population of 7,491 of which 6,581 (88%) would be expected in the New Forest District Council planning authority area. On this basis we are satisfied that the OAN would address the projected jobs growth in the plan period.

#### *Conclusion on OAN*

59. Overall, the 2017 OAN Study provides a robust and credible assessment and we therefore conclude that the OAN for the New Forest District Council planning authority area is 10,420 for 2016-2036 (an average of 521 per year).

#### *Housing requirement*

60. As discussed under the duty to co-operate, given the constraints that exist, it is not necessary or appropriate for this Local Plan to accommodate the unmet housing need from the National Park. No other authority has made a request for the Council to accommodate unmet housing need or indicated that they could accommodate any of the housing need identified by the Council.

61. The 2017 OAN Study identifies a need for 361 affordable homes per year in the New Forest District Council planning authority area. This is a substantial proportion of the overall housing requirement and is significantly higher than past rates of affordable housing delivery.
62. Meeting this need represents a considerable challenge and would require an increase in delivery both in terms of actual affordable dwellings and the proportion of total housing completions compared with past trends. However, the Local Plan takes a proactive approach to the delivery of affordable housing. As modified, it would set targets of 35% or 50% affordable housing on eligible market housing sites, including the strategic site allocations.
63. The Local Plan also includes a positive policy approach to rural exceptions sites and community led housing schemes (Policy 20) which will provide opportunities to deliver affordable housing. The 15% uplift to the OAN for market signals is likely to have some benefit in terms of improving affordability.
64. The Local Plan should meet the OAN in full. There is no need to set the housing requirement any higher than the OAN to accommodate unmet needs from elsewhere or to assist in affordable housing delivery or for any other reason.
65. Policy 5 sets out a housing target (requirement) of 10,500 homes for the plan period. In order for this to be effective and justified in accurately reflecting the OAN of 10,420, main modification **MM3** is necessary.

*Overall conclusion on OAN and housing requirement*

66. The Local Plan has been positively prepared and is justified, effective and consistent with national policy in relation to OAN and the housing requirement.

**Issue 3 – Whether the approach to the alteration of the Green Belt and development within it is justified, effective and consistent with national policy**

67. The Council has carried out a comprehensive assessment of the potential capacity to accommodate housing through the Strategic Housing Land Availability Assessment 2018 (SHLAA). The SHLAA was based on an appropriate methodology which took account of environmental and other constraints and the assessment of potential sites in light of the Spatial Strategy and other policies. It reaches justified conclusions in terms of housing land availability.
68. Taking account of existing commitments and reasonable estimates of the potential supply from sites to be identified through the Part 2 Local Plan Review and Neighbourhood Plans along with future windfalls, there is a need for strategic site allocations to accommodate approximately 6,000 homes in order to meet the housing requirement of 10,420 homes over the plan period.
69. Given the Spatial Strategy and the significant constraints that exist in many areas, there is insufficient capacity to meet the housing requirement in full on land currently outside the Green Belt. Whilst there is likely to be some scope to increase estimated dwelling numbers on non Green Belt sites and consider

higher densities, this would have a relatively limited effect on supply overall and would more realistically only serve to provide some flexibility.

70. The Council has discussed the potential for other authorities to accommodate some of its housing requirement and none have stated that they would be able to do so.
71. In order to meet the housing requirement in full, land currently within the Green Belt would need to be allocated for approximately 1,500 homes therefore.
72. The New Forest District Green Belt Study of 2016 (the Green Belt Study) provided a comprehensive assessment of the contribution of areas of land to the purposes of the Green Belt. The definition of broad areas and specific land parcels inevitably involves an element of professional judgement, as do the conclusions regarding the contribution that a particular broad area or land parcel makes to the purposes of the Green Belt. We are satisfied that the assessment was carried out in a consistent, objective and robust manner, following an appropriate methodology.
73. The Council used the findings of the Green Belt Study as a key factor in preparing the Local Plan and specifically in identifying strategic site allocations. The submitted Local Plan avoids strategic site allocations on land which makes a strong or relatively strong contribution to at least one Green Belt purpose<sup>2</sup>. In many cases, the only strong or relatively strong contribution is in relation to assisting in safeguarding the countryside from encroachment. However, this is clearly one of the five purposes of Green Belt established by national policy and in itself carries significant weight. Despite the potential for on or off-site mitigation, significant built development in such areas would undermine this purpose. The approach taken by the Council is logical, justified and consistent with national policy. Focussing on the remaining Green Belt and taking account of the Spatial Strategy and constraints; strategic site allocations for approximately 1,500 homes have been identified.
74. The housing requirement can realistically only be fully met by allocating strategic sites on land currently within the Green Belt. Strategic sites with sufficient capacity to do this have been identified on land which does not make a strong or relatively strong contribution to any of the Green Belt purposes. These factors provide the exceptional circumstances to alter the Green Belt in principle. We deal with individual strategic site allocations and the implications for the Green Belt and the issue of housing land supply later in our report. Employment land requirements and the needs for other forms of development can be met without altering the Green Belt.
75. The identification of safeguarded land when defining Green Belt boundaries (i.e. through Local Plan preparation) is not a requirement of national policy. In this case safeguarded land would be likely to involve land parcels which make a strong or relatively strong contribution to Green Belt purposes. Future longer term housing needs and the strategy to accommodate them through

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<sup>2</sup> In the case of sites SS7, SS9 and SS13 the site boundaries include such land but policies make it clear that appropriate uses e.g. open space are proposed on these parts of the site and that part of the site is retained in Green Belt

co-operation with other authorities remain uncertain. Given the above, the Local Plan is justified in not identifying safeguarded land.

76. Policy 12 lacks sufficient clarity and is not consistent with national policy in relation to the factors to be taken into account and the approach to the consideration of development proposals in the Green Belt. Main modification **MM8** would simplify and clarify the policy, ensuring that its wording is effective and consistent with national policy.
77. Subject to this main modification the approach to the alteration of the Green Belt and development within it is justified, effective and consistent with national policy.

**Issue 4 – Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach to the economy**

78. The Business Needs and Commercial Property Market Assessment of 2017 concludes that there is a need for a total of 6,300sqm of employment floorspace per annum or 126,000sqm between 2016 and 2036. This equates to approximately 32ha of land. Whilst it points to some issues in terms of the demand for and availability of B2 and B8 uses and the relatively low vacancy rate for such premises, it does not identify floorspace requirements for these specific use classes.
79. The PUSH Spatial Position Statement 2016 identifies a need for 32,000sqm of employment floorspace in the New Forest District part of its area between 2011 and 2034. This equates to approximately 8ha of land. This is included within the figure of 32ha above.
80. Taking account of completions between 2016 and 2018 and existing commitments, there is a residual need for some 10.7ha of employment land up to 2036. For the PUSH area within the New Forest District the residual need is calculated as 1.8ha.
81. The Local Plan allocates a total of 18ha of land for employment development as part of residential led developments on three strategic sites (SS1, SS4 and SS14). In the case of SS1 and the allocation of 5ha, this falls within the PUSH area.
82. There will be sufficient land to meet identified employment land requirements and provide for a reasonable degree of flexibility in supply. The existing commitments and new allocations will provide a range of sites in terms of type and location. The allocation at the former Fawley Power Station (SS4) will include provision for B2 uses. Committed floorspace includes some specifically for B2 and B8 use and a significant amount of open B1-B8 use. Opportunities would also exist for additional employment development to come forward under Policy 21.
83. Policy 6 provides a justified strategic approach to sustainable economic growth which is consistent with national policy. However, it does not clearly and effectively set out employment land requirements and how they will be met. Main modification **MM4** would address this concern.

84. Policy 21 provides a positive and flexible approach to the development of employment uses in a range of locations whilst setting out appropriate criteria in relation to the potential adverse effects of such development. The Council has carried out a comprehensive assessment of the quality of existing employment sites which concludes that the vast majority perform a valuable role in the provision of employment land and premises. Policy 22 gives a suitable level of protection for such sites whilst providing reasonable flexibility to allow for redevelopment for other uses under specific circumstances.
85. Marchwood Port is an important and strategic facility for military and more recently, commercial use. Policy 23 sets out clear and comprehensive criteria which will safeguard its continued use and guide development proposals. Policy 24 along with Figure 7.2 of the Local Plan sets out clearly the Council's approach to potential port related development at Dibden Bay within the context that it is likely to be a Nationally Significant Infrastructure Project. Such a proposal would be of considerable significance to the area for a number of reasons and it is appropriate that the Local Plan addresses the issue insofar as it can.
86. Subject to main modification **MM4**, the Local Plan has been positively prepared and is justified, effective and consistent with national policy in relation to the approach to the economy.

**Issue 5 – Whether the approach to retail and other main town centre uses is justified, effective and consistent with national policy**

87. There has been little market interest in new development for retail or other main town centre uses in recent years and the need for additional retail floorspace identified in the 2009 Core Strategy has largely not materialised. There is a strong reliance on the larger sub-regional centres of Southampton, Bournemouth and Salisbury for higher order retail, cultural and commercial leisure activities and there are continuing shifts in retail spending patterns with growth in online shopping. There are inherent difficulties in planning for a particular scale of development with any degree of certainty. Within this context, the Council took a reasonable and proportionate approach to the issue and has not updated evidence on the need for retail and other main town centre uses.
88. Policy 25 sets out a positive and flexible approach to such uses which aims to focus development on town centres whilst potentially allowing for development in other locations subject to a sequential approach and safeguards in relation to accessibility and the impact on existing centres. In order for the policy to be effective and justified, main modification **MM13** is required to ensure that the approach to thresholds for retail impact assessments in different settlements is clear and accurately reflects the evidence.
89. Policy 26 is justified in seeking to protect the character, vitality and viability of Primary, Secondary and Local Shopping Frontages. In order for the policy to be effective and reflect the up to date situation regarding changes of use and permitted development, main modification **MM14** is required.



90. The approach to retail and other main town centre uses is justified, effective and consistent with national policy subject to the main modifications referred to above.

**Issue 6 – Whether the approach towards protecting the environment is justified, effective and consistent with national policy**

91. Policy 2 seeks to protect the countryside, Cranborne Chase Area of Outstanding Natural Beauty (AONB) and the adjoining National Park. The policy fails to differentiate between the hierarchy of international, national and locally designated sites and is, therefore, inconsistent with paragraph 113 of the NPPF. As such the general reference to the landscape and coastline of the Plan area needs to be removed.
92. Furthermore, the Policy requires amendment to refer to 'great weight' as opposed to 'very significant weight' in order to reflect the wording in paragraph 115 of the NPPF in relation to conserving landscape and scenic beauty in National Parks, the Broads and AONBs. Reference should also be made to the setting of the National Park and the AONB. Following consultation, we have amended the wording of main modification **MM1** to clarify that the impact on the setting of the AONB will also be taken into account. This clarification does not alter the substance or meaning of the main modification or the policy itself. Main modification **MM1** addresses the above concerns and is necessary in order for the policy to be justified, effective and consistent with national policy.
93. Policy 10 sets out the approach to the mitigation of development on International Nature Conservation sites which include the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site; Solent Maritime SAC, Solent and Southampton Water SPA and Ramsar site; River Avon SAC, the Avon Valley SPA and Ramsar site; and the Dorset Heaths SAC and Dorset Heaths SPA.
94. The HRA of the Local Plan identified that without appropriate mitigation, planned development (either alone or in combination with development elsewhere) would be likely to have a range of significant effects on a number of International Nature Conservation Sites, or that significant effects could not be ruled out. These include potential effects on plants and species due to traffic emissions on roads through the New Forest, water quality impacts to the River Avon from increased discharge of phosphorous and recreational disturbance in the Solent and New Forest arising from an increased population.
95. The HRA identified that appropriate mitigation measures would need to be in place to ensure that the proposed development can take place without a harmful impact on the integrity of protected international sites.
96. The mitigation measures set out at Policy 10 for developments adversely affecting international nature conservation sites will be supplemented by detailed guidance set out in the Mitigation for Recreational Impacts on European Sites Supplementary Planning Document (SPD). The mitigation strategy comprises of a number of elements which build on the approach established in the Local Plan Part 2. The approach has been modified and

refined in order to deal with the higher level of development now being proposed.

97. For non-residential development, the requirement for mitigation would be considered on a case by case basis. For residential development providing 49 or fewer dwellings, financial contributions would be required towards the provision of recreational mitigation measures including projects for the provision of alternative natural recreational green spaces and recreational routes; access and visitor management and monitoring.
98. For developments of 50 or more dwellings direct provision of alternative natural recreational greenspace (ANRG) would be required on the development site or directly adjoining together with financial contributions towards access and visitor management and monitoring. Provision of ANRG would be at the rate of 8ha per 1,000 people. This rate was originally established in the mitigation strategy for the Thames Basin Heaths SPA. There is no evidence to indicate that an alternative rate of provision would be more appropriate. The threshold of 50 dwellings reflects Natural England advice and the practical limitations of providing meaningful greenspace on sites below this threshold.
99. The approach differs from the more traditional Suitable Alternative Natural Greenspace (SANG) in the Thames Basin Heaths and Dorset Heaths where the aim is to provide areas of SANGs with car parks that provide alternative recreational opportunities that are similar in character and attractiveness to the smaller, more fragmented remaining heathlands in those areas.
100. Mitigation land provision on or close to development sites aims to avoid, rather than to compensate for, recreational impacts by diverting recreational visits from residents of the planned development that would otherwise have gone to protected sites in the New Forest. It is acknowledged that due to the proximity of the site allocations to international sites and the National Park, that not all recreational visits can be diverted. The emphasis is, therefore, on ensuring that new areas of mitigation land are attractive with a strong natural character, but also convenient for existing residents for daily recreational use such as walking and dog walking. Diverting resident visits away from designated sites avoids a significant net increase in recreational visits to the international sites. ANRG are identified as part of the strategic site allocations and also on the concept masterplans.
101. Policy 10 contains other mechanisms to effectively manage and minimise potential harmful effects from visits that cannot be avoided. These include contributions to access and visitor management; programmes to enhance existing greenspace and walking routes; and on-going monitoring of site's habitats, species and visitor numbers and of progress with mitigation projects.
102. The HRA concludes that reliance can be placed on the mitigation provided by Policy 10, the New Forest (outside of the National Park) Recreational Mitigation Strategy (Review 1) and the Solent Recreation Mitigation Strategy to adequately mitigate potential recreation pressure from development proposed by this Local Plan and that adverse effects on integrity due to recreation pressure can be ruled out for all European sites both alone and in combination.

103. Natural England confirms that the proposed approach would avoid or mitigate potentially significant recreational impacts on the international nature conservation sites arising from future development [Statement of Common Ground (SCG05)]. Natural England also confirms in SCG05 that the recreational impact mitigation or avoidance measures are based on expert judgement informed by the best available evidence (Appendix 2 of the HRA [SD04]). We give particular weight to this favourable conclusion by Natural England given its statutory role and its experience of the implementation of similar mitigation strategies elsewhere.
104. Furthermore, progress with the implementation of mitigation measures will be subject to review annually to ensure that the approach to mitigation is effective. Monitoring measures will be put in place in the emerging Mitigation for Recreational Impacts SPD 2018. It is intended to adopt the SPD following adoption of the Local Plan. Monitoring of the effectiveness of the ANRGs would be required to ensure that they are attractive to those who might otherwise visit protected areas. Where necessary the approach to mitigation would be modified to ensure its effectiveness.
105. The Council have undertaken some monitoring on the impact of recreational projects which have been or are in the process of being implemented. Although it is still early days, the initial results are showing an increase in recreational use of enhanced and new green spaces indicating that the mitigation projects are accommodating or absorbing increased levels of recreational activity and that the projects appear to be functioning for their intended purpose. Some limited evidence also points to a decrease in activity on nearby Public Rights of Way in the National Park.
106. On this basis, we consider that the approach proposed in Policy 10 would provide effective mitigation for the potential recreational impacts of residential development in combination with saved Policy DM2 which contains a presumption against development which would adversely affect the integrity of international sites.
107. There are also potential effects on plants and species due to emissions on roads through the New Forest. A traffic-based air quality assessment identified the potential for in-combination effects of Nitrogen Oxides, nitrogen deposition and ammonia emissions. The second-stage screening concludes that whilst the impact from residential development would be minimal, further monitoring should be undertaken to ensure that air quality remains within acceptable levels. Policy 10 requires a contribution to such monitoring and if necessary, managing or mitigating air quality effects in accordance with the precautionary principle.
108. Phosphorous concentrations in the River Avon have reached levels where adverse effects upon the integrity of water quality in the River Avon SAC cannot be ruled out. Policy 10, therefore, requires a financial contribution or other mechanism to achieve phosphorous neutral development.
109. Natural England recently published advice in relation to the effect of the increase in waste water arising from new housing and overnight accommodation on the Solent European sites. The achievement of nutrient neutrality is a means of ensuring that development does not add to existing

nutrient burdens. Main modification **MM7** ensures that the policy reflects the nutrient management strategy for the Solent and Southampton Water and that the requirement for nitrogen neutrality for the Solent and Southampton Water is also reflected in the Policy.

110. Main modification **MM7** also ensures that mitigation, management and monitoring measures are secured in perpetuity and that the mitigation measures apply to the provision of overnight visitor accommodation in addition to residential development in recognition that visitors can increase recreational pressure on international sites. In addition, main modification **MM7** also includes: alterations to the supporting text to clarify the requirements for recreational habitat mitigation for the implementation of sites in multiple-ownership or which would be developed in phases; and, changes to the supporting text to reflect the Final Report of the Solent Waders and Brent Goose Strategy. Main modification **MM7** is necessary to ensure that the policy is effective and justified.
111. The HRA concludes that effective avoidance and reduction measures can be secured through policies of the plan and that the Local Plan would not have an adverse effect on the integrity of any European site, either alone or in combination.
112. A site specific HRA may be required where potential harm to the integrity of international nature conservation sites cannot be ruled out, which would provide a further opportunity to appraise the effectiveness of mitigation measures in relation to individual development proposals. Regular monitoring will also ensure that the mitigation measures are effective and identify where revisions to the approach may be required in the future.
113. Overall, with the main modifications, we consider that the approach set out in Policy 10, in combination with saved Policy DM2 will be effective in mitigating the impacts of development on International Nature Conservation sites.
114. Policy 13 seeks to ensure that all development is of a high-quality design which contributes to local distinctiveness. The policy is justified, effective and consistent with national policy.
115. Policy 14 seeks to protect valued landscapes, landscape features and characteristics through sensitive design, mitigation and enhancement measures. It is necessary to amend the policy and supporting text to refer to the local landscape context, historic features, the coast and areas of tranquillity and dark skies in order to be justified, effective and consistent with national policy and reflect alterations to Policy 2. Main Modification **MM9** addresses these concerns.
116. Taking into account the above, we consider that, subject to the main modifications referred to above, the Local Plan is justified, effective and consistent with national policy in relation to the approach towards protecting the environment.

## **Issue 7 – Whether the housing policies are justified, effective and consistent with national policy**

117. It is appropriate for the Local Plan to seek a range of housing to meet the varied needs of the local community. However, Policy 16 lacks sufficient flexibility in terms of the specific requirements it sets out. Main modification **MM10** would introduce necessary flexibility in relation to the mix and type of housing sought, the need to take account of the effect on viability and the fact that evidence on housing needs will change over time. It is required to ensure that the policy is justified and effective.
118. Policy 18 sets out a justified approach to the provision of residential accommodation for older people which is consistent with national policy. However, in order to be effective and consistent with the modified Policy 16, it is necessary to remove reference to specific requirements on strategic site allocations. Main modification **MM12** would address this.
119. As noted above, the 2017 OAN Study identifies a need for 361 affordable homes per year. This is a substantial proportion of the overall housing requirement and is significantly higher than past rates of affordable housing delivery. Policy 17 would provide a key mechanism to deliver much needed affordable homes as a proportion of the total housing on sites, including the strategic site allocations. Evidence points to greater pressure on viability in the Totton and the Waterside sub-area and this is reflected in the lower percentage of affordable housing sought (35%) compared with the rest of the plan area (50%). The viability evidence also recognises however that there may be specific issues with particular site typologies and sites requiring significant infrastructure investment. In order for Policy 17 to fully reflect this evidence and provide sufficient flexibility in terms of the amount and tenure mix of affordable housing, main modification **MM11** is required. This main modification would allow for the particular circumstances and viability of individual sites to be clearly taken into account and ensure that the policy is justified and effective.
120. Policy 20 sets out a positive approach to rural housing exception sites and community led housing schemes which will be able to make an important contribution to affordable housing needs. It sets out suitable criteria to ensure that such developments are appropriately located and that the benefits of the schemes are secured. Evidence demonstrates that subject to an appropriate tenure mix, there is no need to include an element of market housing in such schemes to ensure their viability. The policy is justified, effective and consistent with national policy.
121. The Hampshire Consortium Gypsy, Traveller and Travelling Showpeople Accommodation Assessment 2017 identifies a need for one additional permanent pitch for Gypsies and Travellers and four plots for Travelling Showpeople over the plan period. An existing allocated and permitted site at Little Testwood Farm has capacity for around eight Gypsy and Traveller pitches and satisfies the need for this form of accommodation. Policy 19 sets out a positive approach to meeting identified needs including for plots for Travelling Showpeople. This would involve permitting extensions or new sites in appropriate locations and addressing any remaining unmet needs through the

Part 2 Local Plan Review. This is an appropriate and proportionate response to the issue which is justified, effective and consistent with national policy.

122. Subject to the main modifications set out above, the housing policies are justified, effective and consistent with national policy.

**Issue 8 – Whether policies relating to transport and travel, community services, infrastructure and facilities, safe and healthy communities, developer contributions, development standards and monitoring are justified, effective and consistent with national policy**

123. Policy 7 sets out the Council's approach to strategic transport priorities whilst Policy 31 seeks to support safe and sustainable travel in development proposals. Transport assessment work has been prepared in order to assess the potential impact of Local Plan proposals on the local road network including the Strategic Transport Network Assessment (STNA) (2016) for the Waterside Area (TI01) and Western Area (TI02) and the STNA 2018 update (2018). The Infrastructure Delivery Plan (2018) identifies strategic transport priorities and the specific infrastructure requirements of strategic sites. Some site-specific infrastructure requirements will be identified through a transport assessment at the point of a planning application.
124. Policy 7 needs to refer to improving accessibility for pedestrians and cyclists to encourage more sustainable modes of travel and reduce reliance on the private car in order to be consistent with the NPPF. Main modification **MM5** addresses this concern and is necessary to ensure consistency with national policy. With this main modification we are satisfied that together Policies 7 and 31 provide an effective basis to address transport and travel issues and are justified, effective and consistent with national policy.
125. Policy 8 seeks to avoid the loss of existing infrastructure and services and ensure the provision of adequate infrastructure and services to meet the current and future needs of residents and businesses in the area. The Local Plan was informed by consultation with infrastructure and service providers and a comprehensive evidence base. The Infrastructure Delivery Plan identifies the types of infrastructure required and the potential sources of funding identified to support the delivery of the Local Plan. We are satisfied that the policy provides an effective approach to the provision of and retention of community services, infrastructure and facilities and is justified, effective and consistent with national policy.
126. Policy 29 seeks to ensure that development does not result in pollution or hazards which would prejudice the health and safety of communities and their environments.
127. The Air Quality Assessment (AQH01) assesses potential air quality impacts at specific locations. Overall, it concludes that the Local Plan would have an impact on local air quality at a small number of locations in Lyndhurst, Ringwood and the M27 and A31. The HRA identified that air quality issues arising from an increase in traffic associated with new development proposed in the Local Plan may have a significant effect on European sites. Further work was commissioned which concluded that it was not possible to discount the potential for significant effects. In addition, the need for an Air Quality

Ecological Mitigation Strategy identifies that there was no clear evidence at the current time of any traffic related nitrogen pollution impacts on the qualifying habitats of the New Forest SAC or other international designations but that the situation needed to be monitored. New development would be required to contribute to the cost of such monitoring through Policy 10.

128. Policy 29 seeks to avoid development in areas at risk of flooding unless development is in accordance with the sequential and exceptions tests. Following initial concerns, the Environment Agency (EA) now confirm in the Statement of Common Ground that the sequential and exceptions tests have been applied. Furthermore, reflecting the EA's response main modifications are proposed for strategic sites SS2-SS4 and SS12-SS17 to ensure a site-specific Flood Risk Assessment is prepared. With these main modifications we consider that the approach to flood risk set out in the Local Plan and in Policy 29 is justified, effective and consistent with the national policy.
129. Policy 34 sets out the Council's approach to securing appropriate contributions from developers to meet the needs arising from the development, or to mitigate its impact on existing infrastructure, facilities and services. The policy needs to reflect a more collaborative approach between the Council and the applicant in order to restore viability where required and to ensure that any reductions in returns to the developer are within acceptable margins of profitability relative to development risk. There is no requirement for a site to be 'strategically important' to the implementation of the Local Plan in order for there to be a flexible approach to viability.
130. Furthermore, it is necessary to amend paragraphs 9.5 and 9.6 in order to reflect changes to the Community Infrastructure Levy Regulations. Main Modification **MM15** addresses these concerns and is necessary in order to ensure that the policy is effective, justified and consistent with national policy.
131. Policy 35 sets out the Council's approach to setting standards in new developments. Part M4 (2) of the Building Regulations is an optional standard and the Planning Practice Guidance [Paragraph:002 Reference ID: 56-002-20160519] states that Local Planning Authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. It goes on to say that based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need of Requirement M4 (2) (accessible and adaptable dwellings) and/or M4 (3) (wheelchair user dwellings) of the Building Regulations.
132. In order to justify the requirement for new development to meet Accessible and Adaptable Dwellings standards of Part M4 (2) of the Building Regulations set out at Clause i. the Council draw on evidence set out in the Sustainability Appraisal (SD03 pages 41-44) which shows that there is an increasing population of retirement age and over within the Plan area and evidence in section 4 of the Demographic Projections report (HOU02) which shows that there will be a sizeable increase in the number of residents with a long-term disability, mobility-limiting medical condition and care needs.

133. The Demographic Projections report attempts to estimate the need for sheltered, extra-care and registered care housing and clearly occupants of this nature of accommodation are likely to require Wheelchair Adaptable Dwellings to Part M4 (3) 2a standard. This supports the requirement for sheltered homes to meet Part M4 (3) 2a of the standard. However, the PPG states (009 Reference ID: 56-009-20150327) that Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Hence clause i. b relating to extra care homes is inconsistent with the PPG.
134. Furthermore, whilst the Demographic Projections report shows a generally ageing population profile, other than for sheltered housing and extra-care housing the need has not been analysed further in terms of how this translates into the size, location and type of housing, the accessibility and adaptability of existing housing and how needs vary across tenure. Consequently, we do not consider that the proposed blanket requirement for the higher optional requirement of Part M4 (2) of the Building Regulations has been sufficiently demonstrated. Clause (i) of the Policy is, therefore, required to refer to visitable dwelling standards Part M4 (1) of the Building Regulations as opposed to Part M4 (2).
135. An amendment to the supporting text at paragraph 9.16 is required in relation to digital communications infrastructure in order to recognise that the provision of a high-quality connection to an exchange with superfast broadband should be provided wherever practicable. Main Modification **MM16** remedies the above concerns in order for Policy 35 to be justified, effective and consistent with national policy.
136. Policy 36 commits the Council to monitoring the implementation of the Local Plan using the Strategic Objective monitoring framework set out at figure 9.1. We are satisfied that these provide an effective framework for monitoring the objectives and policies of the Local Plan.
137. Taking into account the above, we conclude that, subject to the main modifications referred to above, the policies relating to transport and travel, community services, infrastructure and facilities, safe and healthy communities, developer contributions, development standards and monitoring are justified, effective and consistent with national policy.

## **Issue 9 – Whether the proposed strategic site allocations are justified, effective and consistent with national policy**

### *Overview and general issues*

138. As noted above, in order to meet the housing requirement in full, the Local Plan needs to identify strategic site allocations which can accommodate approximately 6,000 homes over the plan period. The Council has taken a pragmatic and proportionate approach in only seeking to allocate sites for 100 or more homes. Smaller sites can be allocated through the Part 2 Local Plan Review and Neighbourhood Plans and realistic estimates of the supply of housing land from these sources have been made.



139. Working within the context of the Spatial Strategy and the constraints that exist, the Council has undertaken a comprehensive and robust assessment in order to identify the strategic site allocations. It has justifiably sought to balance the requirement for new homes with the need to take account of the range of other social, economic and environmental factors. It has accepted the need to alter the Green Belt to accommodate much needed new housing whilst seeking to avoid sites which make a strong or relatively strong contribution to at least one Green Belt purpose.
140. The policies relating to the strategic site allocations set out a comprehensive range of criteria to guide development on the sites. Subject to specific main modifications referred to below, and along with other policies in this Local Plan and the existing Core Strategy and Local Plan Part 2 they will ensure that appropriate infrastructure and mitigation is put in place and that site specific issues relating to the potential adverse impacts of development are addressed effectively.
141. In overall terms, the approach that the Local Plan takes to strategic site allocations is justified.
142. The Local Plan includes concept masterplans for each of the strategic site allocations. These provide useful guidance on the broad form and layout of development, the relationship between built development and green space and the location of key constraints. In order for the Local Plan to be effective however, main modification **MM17** is necessary to ensure that paragraph 9.28 makes it clear that the concept masterplans are illustrative rather than prescriptive and that flexibility will be employed when considering and discussing the details and layouts of specific proposals.
143. A number of the strategic site allocations are within Minerals Consultation Areas and/or Minerals Safeguarding Areas. In order for the Local Plan to set out an effective approach to the prior extraction of minerals where appropriate, taking account of the particular circumstances and constraints of a site and the impact on housing delivery, main modification **MM6** is required. This would introduce a new policy dealing with this issue. To ensure that the site allocation policies are effective and justified in reflecting information and discussions on potential mineral resources and the practicality and potential form of extraction, a number of main modifications are necessary (**MM20**, **MM22-23**, **MM27-29** and **MM33-35**).
144. Main modifications **MM18-MM35** are required to ensure that the strategic site allocation policies are effective in setting out clear guidance on infrastructure requirements for education whilst providing sufficient flexibility to take account of updated evidence on educational provision and catchment areas, which may change over time.
145. To ensure that the strategic site allocation policies are effective in addressing the issue of nutrient management and reflect modified Policy 10, main modifications **MM18-MM28** and **MM30-MM35** are necessary. These modifications relate to all of the strategic site allocations except for site SS12 which is served by the Christchurch Waste Water Treatment Works and does not affect the mitigation strategies for the River Avon or the Solent and Southampton Water.

## *Totton and the Waterside*

### *SS1 – Land to the north of Totton*

146. The site represents a sizeable urban extension to the north of Totton and to the south of the M27 motorway. Development would comprise of residential mixed-use development and open space including 35% affordable homes; a commercial core; five hectares of employment land; and a community focal point. The site is within a sustainable location, adjacent to the existing settlement boundary and close to a range of existing services, facilities and employment opportunities within Totton.
147. The site is within multiple land ownership and can be divided into four land parcels including north of Salisbury Road; west of Pauletts Lane; East of Pauletts Lane; and Loperwood. The site was originally identified for 900 dwellings based on masterplanning work carried out by the Council; however, due to viability concerns main modification **MM18** is required to increase the capacity of the site to 1000 dwellings in order to make sure that the site is deliverable and that the policy is justified and effective.
148. Main modification **MM18** is necessary to emphasise the need for the preparation of a comprehensive Development Framework to ensure the effective coordination between multiple land interests to deliver an integrated, whole site approach to the provision of the access, community facilities, open space and greenspace for habitat mitigation. Consequential changes are required to paragraph 9.42 of the supporting text to reflect the increased capacity and the coordinated approach to site delivery and these are included in main modification **MM18**. Main modification **MM18** is necessary to ensure that the policy is justified and effective.
149. To address impacts on the New Forest and Solent international designations, on-site mitigation in the form of an integrated network of natural greenspaces is required together with contributions in line with Policy 10. The concept master plan shows that there would be a sufficient quantity of green space to mitigate or avoid the recreational impacts arising from the housing on this site. The network of greenspaces would also help to integrate development into the surrounding landscape. Furthermore, the A326 creates a strong physical feature between the site and the National Park.
150. The STNA 2016 – Waterside Area (TI01) identifies the need for improvements along the A326 corridor and early engagement with Highways England and Hampshire County Council is required in order to assess the potential effect of development on the A326, M27 and the A36 junction. It is necessary to amend clause (iii) c to also include reference to enhancements to the A36 junction in addition to the A326 junction in the interests of highway safety. Main modification **MM18** addresses this concern and is necessary to ensure the policy is justified and effective.
151. An additional criterion is necessary in order to ensure that the Grade II listed building Broadmoor Cottage, Pauletts Lane is retained and its setting protected. Main modification **MM18** addresses this concern and is necessary to ensure that the policy is justified and effective.

152. The site lies predominately within Flood Zone 1, with small areas of fluvial Flood Zones 2 and 3, which is shown as land for recreational mitigation and open space provision. An additional criterion and consequential changes to the supporting text (paragraph 9.47a) requiring the submission of a detailed site-specific Flood Risk Assessment (FRA) are necessary to ensure that properties are safe from flooding and that there would be no inappropriate development within flood zone 3b. Main modification **MM18** addresses this matter and is necessary in the interests of effectiveness and consistency with national policy.
153. Furthermore, it is necessary to amend the Concept Masterplan in order to provide the basis for a more comprehensive site brief including a development delivery framework; to provide sufficient flexibility by avoiding unnecessary prescription; to show the land susceptible to flooding; and to take on board comments from site promoters. **MM18** addresses these points to ensure the concept master plan is effective.

*SS2 – Land south of Bury Road, Marchwood*

154. The site is situated to the north of Marchwood and is identified for at least 860 dwellings. Development would include a community focal point; land reserved for a primary school, if required, and on-site provision of open space. The site is partly in use as a solar farm and for ongoing mineral workings. A number of applications relating to mineral extraction allow the final phases to complete extraction by the end of 2025 and can be progressively restored in accordance with the agreed scheme.
155. The permissions allow operation of the solar farm until 2043 or until the use ceases. Removal of the solar farm would be required to enable development to take place on the southern part of the site (around 10ha). In order to reflect this, the capacity of the site needs to be reduced from at least 860 to 700 homes in the Plan period and around 300 additional homes in the future on the land occupied by the solar farm. Consequential amendments are also required to the supporting text in the interests of clarity. Main modification **MM19** addresses these points and is required in order to be justified and effective.
156. The green corridors running from the woodlands towards the coast would incorporate amenity and play areas and accessible natural greenspace to provide effective avoidance and mitigation measures to ensure that the development would not have an adverse effect on international designations.
157. Main modification **MM19** amends criterion iii b to refer to a safe and suitable vehicular, cycle and pedestrian access for the development in the interests of highway safety and in order for the Policy to be justified and effective.
158. Main modification **MM19** provides an additional criterion and consequential changes to the supporting text (paragraph 9.55b) clarifying the approach to a site-specific flood risk assessment in order to ensure that properties are safe from flooding and to ensure that the policy is justified, effective and consistent with national policy.

159. The site is situated within close proximity to the Port of Southampton from which there is potential for noise and light impacts to arise. Consequently, an additional criterion is necessary to ensure that appropriate measures are incorporated into any new development to minimise and mitigate any potential effects. Recognition is also required in the supporting text that the Port of Southampton is an established use and is likely to expand its operations. Main modification **MM19** addresses these points and is necessary for the policy to be justified and effective.
160. Furthermore, it is necessary to amend the Concept Masterplan in order to identify the solar array area and potential ANRG/public open space for its future development; identify a general area for the potential school location; add one new non-vehicular access and; otherwise simplify the plan in order to provide sufficient flexibility by avoiding unnecessary prescription. Main modification **MM19** is necessary for the policy to be justified and effective.

*SS3 – Land at Cork's Farm, Marchwood*

161. The site is situated to the north of Bury Road and adjacent to the waterside. Development would include at least 150 homes and public open space including accessible natural greenspace to provide for habitat mitigation.
162. Masterplanning objective ii a requires a 'well designed seaward frontage'. However, it is important to ensure that the whole development is well-designed and so main modification **MM20** addresses this point to ensure that the policy is justified and effective.
163. Main modification **MM20** ensures that the proximity of the Port of Southampton is reflected in the policy and supporting text to ensure that new development minimises and mitigates the effects of potential noise and light pollution. With this modification the policy will be effective.
164. Main modification **MM20** amends criterion iii b to refer to a safe and suitable vehicular, cycle and pedestrian access for the development in the interests of highway safety and in order for the policy to be justified and effective.
165. In terms of flood risk, the site has passed the sequential and exception flooding tests (as confirmed in EA Statement of Common Ground SCG04). However, main modification **MM20** ensures that the sequential approach to flood risk is carried out within the site itself and requires that a site-specific flood risk assessment be submitted as part of any planning application to ensure the policy is justified, effective and consistent with national policy.
166. Main modification **MM20** amends the Concept Masterplan in order to provide the basis for a more comprehensive site brief and to provide sufficient flexibility by avoiding unnecessary prescription by the removal of secondary and tertiary vehicle routes and a simplified presentation of footpath/cycle route opportunities. Vegetation of landscape value has also been added in order to indicate where existing green infrastructure has influenced the masterplan concept.

### *SS4 – The former Fawley Power Station*

167. Fawley Power Station closed in 2013 although the imposing station building, chimney and associated structures remain. The 49-hectare site lies within the New Forest District Local Plan area but is entirely enclosed by the National Park. The site is proposed for residential-led mixed use development and public open space including around 1,380 new homes; around 10,000 square metres of ancillary community, retail, leisure and service uses appropriate to serve a village scale community; offices and a marina; and around 10 hectares of land in the northern part of the site for business and industrial uses.
168. The site will be developed as part of a comprehensive and integrated approach with adjoining land within the National Park and in tandem with Policy SP25 of the New Forest National Park Local Plan. Land within the National Park will provide habitat mitigation and supporting infrastructure that cannot be achieved within the New Forest District Council planning authority area. Habitat mitigation will take the form of SANG, as opposed to ANRG, reflecting the location of the mitigation land within the National Park.
169. The site is situated in a sustainable location and the development would create a self-contained community. Furthermore, it would make a significant contribution to the housing requirement and much needed affordable housing. The principle of the redevelopment of the site would be consistent with paragraph 117 of the NPPF which encourages the effective use of land, particularly previously developed land, subject to consideration of the potential effect on biodiversity and other environmental considerations.

### *Biodiversity*

170. The foreshore, estuarine and coastal areas adjoining the site are internationally and nationally designated for their ecological value including the Solent and Southampton Water SPA and Ramsar, the Solent Maritime SAC and the Hythe to Calshot Marshes Site of Special Scientific Interest (SSSI). The site is also close to the New Forest SPA, SAC and Ramsar site. Land adjoining the site is of importance for local nature conservation.
171. The scale of development proposed would generate a requirement for SANG of at least 8 hectares per 1,000 population or around 30 hectares subject to final housing numbers and mix. The Fawley Waterside Access and Nature Conservation Plan (2018) contains proposals for landscape-scale creation, restoration and long-term management of extensive areas of important wildlife habitat, extending over almost 400 hectares. New greenspace provision would be within the National Park and would include the creation of a saline lagoon extending over 8 hectares, linking with the adjacent saltmarsh and coastal grazing marshes habitat which would benefit the Solent Maritime SAC.
172. The significant level of proposed habitat mitigation, habitat creation, landscape restoration and greenspace provision would be more than sufficient to meet and exceed the minimum requirement of Policy 10. In addition, the proposed mitigation measures for the Solent European Sites include contributions towards the existing Solent Recreation Mitigation Project together with habitat enhancement, access improvements and ranger provision.

173. Any proposal for redevelopment would also be considered against saved Policy DM2 of the Local Plan Part 2: Sites and Development Management (2014) which sets out a presumption against development which would adversely affect International sites unless there is no alternative solution and there are imperative reasons of overriding public interest which would justify the development.
174. The HRA concludes that effective avoidance and reduction measures have been secured and, therefore, the site allocation would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans and projects. Parties to the Statement of Common Ground [SOCG 02] including Natural England agree that the redevelopment of the Power Station site provides the opportunity to deliver significant wildlife and biodiversity enhancements to offset any harm.
175. Nevertheless, main modification **MM21** strengthens clause (ii) d to clarify that development should avoid, or where necessary manage and minimise, the impacts of development on the Solent foreshore and other areas of habitat value.
176. Due to the extensive mitigation measures, together with the policy safeguards and main modifications, we are satisfied that development would not have an adverse impact on international or national nature conservation designations and indeed would provide net positive benefits in relation to habitat enhancements to ensure net gains in biodiversity.

#### *Landscape*

177. The redevelopment of the site provides the opportunity to remove the existing large-scale Power Station buildings and structures which have significant harmful landscape and visual impacts and replace them with a more appropriate built form. Landscape-scale enhancements are proposed, including extending grazing from the Crown Lands to the coast which together with the proposed SANG would provide significant landscape improvements when viewed from the National Park.
178. Nonetheless, main modification **MM21** is required to ensure that any development conserves and enhances the landscape and scenic beauty of the National Park and that Policy SS4 is effective and consistent with national policy in this respect. With this main modification, we consider that the site allocation would have a positive effect on the surrounding landscape and adjacent National Park.

#### *Flood Risk*

179. The New Forest Strategic Flood Risk Assessment concluded that significant parts of the site are situated within coastal Flood Zones 2 and 3. Around 95% of the site is in tidal Flood Zone 3a plus climate change. Further to concerns raised by the EA in relation to the sequential and exception flood risk test the Council and the EA prepared a Statement of Common Ground (SCG04) and an Annex to the Sustainability Appraisal. Together, these confirm that the Council has correctly applied the flooding sequential and exception tests, as part of the sustainability site assessment process. On this basis we agree that the site

passes the sequential test and that it is not possible for development needs to be fully met in sustainable locations in Flood Zone 1.

180. The redevelopment of the Power Station site would provide new dwellings, create jobs and include enhancement to greenspace provision and habitats which would result in significant sustainability benefits which would outweigh the flood risk and so the site, therefore, passes the first element of the exception test. The second element of the test would be subject to a site-specific flood risk assessment which must demonstrate that the development would be safe for its lifetime. Main modification **MM21** is necessary to reflect the need for a site-specific Flood Risk Assessment (FRA) together with amendments to the supporting text in relation to mitigation measures and to be consistent with national policy. Consequently, we are satisfied that the proposal meets the sequential test and, subject to a site-specific FRA, the exception test. Furthermore, the policy requires the raising of the ground level and other flood defence works to manage risks of tidal and surface water flooding.

### *Highways*

181. The STNA 2016-Waterside Area assessed the impacts of new development in this location and concluded that whilst the increased traffic volumes will affect junction operational performances, only certain junctions were likely to reach capacity, particularly those on the A326. The policy requires any proposal for development to assess the need for and provide, where necessary, enhancements to the B3053 and A326 to provide safe vehicular, public transport, cycle and pedestrian access for the development. When taken together with Policy 31 and subject to a detailed transport assessment at the planning application stage, we are satisfied that the proposal would not have a harmful effect on highway safety.
182. The overall development would make a significant contribution to meeting identified housing needs in the New Forest District Council planning authority area and the National Park, including affordable housing. Moreover, the site would bring significant economic benefits, including the creation of around 2000 jobs. Furthermore, there is an identified need for the marine industry sector in the Solent. Due to the scale, the proposal would also benefit the wider regional economy. Consequently, the redevelopment of the overall site would have significant social and economic benefits at a local and regional level.
183. However, in order for those benefits to materialise and due to the scale of the proposal, it is important that component elements of the overall scheme should be brought forward pursuant to an approved masterplan rather than piecemeal applications. Main modification **MM21** addresses this point and is necessary to ensure that the site is developed comprehensively to ensure that the policy is justified and effective.
184. Main modification **MM21** also amends the concept masterplan in order to provide flexibility by the removal of secondary and tertiary vehicle routes and a simplified presentation of footpath/cycle route opportunities. Vegetation of landscape value has been added in order to indicate where existing green infrastructure has influenced the concept masterplan.

## *South Coastal Towns*

### *SS5- Land at Milford Road, Lymington*

185. The site is situated to the south-west of Lymington and is proposed for residential development of at least 185 homes together with public open space. There would be around 45 homes to the north of Milford Road and around 140 homes to the south of Milford Road.
186. The site is well contained by substantially vegetated boundaries with limited views into the site from Milford Road. Sufficient on-site natural recreational greenspace would be provided to avoid and mitigate the recreational impacts arising from the housing development on European sites. The greenspace would also define a new rural edge and enhanced boundary to the Green Belt and soften the transition between the development and open countryside.
187. The Green Belt Study identifies that both sites to the north and south of Milford Road meet the purpose of safeguarding the countryside from encroachment moderately and make a weak or relatively weak contribution to the purpose of preventing the merging of neighbouring towns. The site to the south of Milford Road (land parcel LY05) was assessed as making a moderate contribution to the purpose of preserving historic towns; however, whilst the parcel's openness contributes to the preservation of the field pattern around Lymington, we do not consider that development would detract significantly from the special character or historic setting of the town. Land to the north of Milford Road lies adjacent to the built-up area and is relatively contained and so only makes a relatively weak contribution to the setting of Lymington.
188. The selected sites perform less well in relation to the Green Belt purposes than other sites for example to the north of Lymington. We consider that the exceptional circumstances required to release the site from the Green Belt exist in order to meet local need and support local services and infrastructure in this main town.
189. Part of the site is within Flood Zone 3; however, the area at risk of flooding can be buffered by on-site open space and recreation mitigation. Specific measures will be required to mitigate potential noise and odour impacts from the adjacent Efford waste and recycling centre and Pennington Sewage Treatment Works.
190. Main modification **MM22** amends the concept masterplan in order to provide the basis for a more comprehensive site brief and to provide flexibility by avoiding unnecessary prescription by the removal of secondary and tertiary vehicle routes and a simplified presentation of footpath/cycle route opportunities. Vegetation of landscape value has been added in order to indicate where existing green infrastructure has influenced the masterplan concept. Land susceptible to flooding has also been shown.

### *SS6 – Land to the east of Lower Pennington Lane, Lymington*

191. The site is situated to the south west of Lymington and would make a significant contribution to the housing requirement (at least 100 new homes)



The allocation also includes public open space, dependent on the form, size and mix of housing provided.

192. The site is capable of accommodating sufficient on-site natural recreational greenspace to mitigate or avoid recreational impacts arising from the development, in combination with other measures set out at Policy 10. The HRA concluded that effective avoidance and reduction measures have been secured when taken together with other mitigation measures including financial contributions.
193. Main modification **MM23** is necessary to ensure that development respects the low-density nature of surrounding properties and the rural edge character of this part of Lymington and so that the policy is justified and effective.
194. The site is assessed in the Green Belt Study (land parcel LY03) as performing moderately well in relation to Green Belt purposes in terms of assisting in safeguarding the countryside from encroachment and preserving the special character of historic towns. Nevertheless, the parcel already contains some development and is adjacent to visible development within the built-up area. Whilst the landscape within the pasture fields is similar to that beyond the parcel/National Park boundary, the two are visually separated from each other. The parcel contributes to the preservation of the field pattern around Lymington; however, we do not consider that development would detract significantly from the special character or historic setting of the town. Furthermore, it is considered that vegetation on the southern boundary would create a strong physical and visual Green Belt boundary.
195. Previously developed land has been identified in the SHLAA and there is insufficient land to meet local housing need without the need to utilise Green Belt land. The site performs less well in relation to Green Belt purposes than other land, for example to the north of the town. Consequently, we consider that the exceptional circumstances required to release site allocation SS6 exist in order to meet local housing need and support local services and infrastructure in this main town.
196. One of the proposed access points is within the National Park; however, the access would require planning permission and measures to minimise impacts on the landscape could be secured at the application stage. Furthermore, the retention of vegetation and provision of recreational greenspace on the southern boundary would help to minimise any visual impact on the landscape of the National Park. Criterion iii a seeks to ensure that the presence of the National Park is taken into account in any proposed development which together with Policy 2 would provide sufficient safeguards to protect the landscape of the National Park.
197. An additional criterion to clause iii is required to ensure that the public right of way which crosses the site is maintained as a dedicated footpath in the interests of effectiveness. It is also necessary to clarify the number of access points onto the site. Main modification **MM23** addresses these points and is necessary to ensure that the policy is justified and effective.
198. Main modification **MM23** is required to ensure that development is carried out in a manner that respects the tranquillity, privacy and security of the residents

of the adjacent Oakhaven Hospice and to ensure the provision of additional parking for visitors to the hospice. These modifications are necessary to ensure that the policy is justified and effective.

199. Main modification **MM23** amends the concept masterplan in order to provide the basis for a more comprehensive site brief and to provide flexibility by the removal of secondary and tertiary vehicle routes and a simplified presentation of footpath/cycle route opportunities. The plan has been amended in the south west corner of the site to include the car park and amenity buffer for the hospice as discussed above. The layout in the western part of the site has been amended to reflect the promoter's amended access. The public right of way which crosses the site has also been added.

*SS7 – Land north of Manor Road, Milford on Sea*

200. The site is situated to the north of Manor Road and is proposed for at least 110 homes and public open space. The site is mainly pasture grazing land and enclosed paddocks with a number of active glasshouses within the centre of the site.
201. It is proposed to retain boundary tree, hedge and embankment lines and integrate them into a network of recreational greenspace in order to ensure that development reinforces the strong rural character of Manor Road and Barnes Lane.
202. Sufficient natural recreational greenspace can be provided on Green Belt land within the site boundary to mitigate any recreational impacts of development alongside other mitigation measures set out in Policy 10.
203. Land parcel MS06 was assessed in the Green Belt Study as making a moderate contribution to the Green Belt purposes of assisting in safeguarding the countryside from encroachment. It is assessed as making a weak, relatively weak or no contribution to the other Green Belt purposes. The parcel is relatively visually contained from the wider countryside.
204. Land parcel MS13 was assessed in the Green Belt Study as making a relatively strong contribution to the purpose of safeguarding the countryside from encroachment and a moderate contribution to the prevention of the merging of neighbouring towns. However, this parcel of land would be utilised for natural recreational greenspace and so the allocation would not undermine the fundamental aim to keep Green Belt land permanently open or conflict with Green Belt purposes.
205. Milford on Sea is a 'main village' in the settlement hierarchy which are identified as capable of accommodating small to medium scale development. Some development is required to meet local housing need and in order to sustain its current role. Other sites in the village performed stronger than this site in relation to the Green Belt purposes. The exceptional circumstances required to release the site from the Green Belt, therefore, exist.
206. Main modification **MM24** amends the concept masterplan in order to provide the basis for a more comprehensive site brief and to provide flexibility by the removal of secondary and tertiary vehicle routes and a simplified presentation

of footpath/cycle route opportunities. Vegetation of landscape value has been added in order to indicate where existing green infrastructure has influenced the masterplan concept. The amended Green Belt boundary has also been added.

*SS8 – Land at Hordle Lane, Hordle*

207. The site provides the opportunity to bring forward residential development and public open space in a sustainable location in the centre of the village making a significant contribution to the housing requirement (at least 160 houses).
208. The master plan demonstrates that sufficient natural recreational greenspace can be provided in order to mitigate/avoid potential recreational impacts, together with other measures identified in Policy 10, including financial contributions.
209. The natural recreational greenspace would enhance land along the stream and tree belt that forms part of the western boundary of the site (designated Green Belt and outside the settlement boundary). It would also incorporate sustainable drainage measures to manage water course flood risk and surface water run-off. It is also intended to provide a north-south pedestrian access through the site, including from Stopples Lane connecting to Everton Road via the public right of way at the northern site boundary.
210. The Green Belt Study identifies both parcels of land (HO05 and HO06) as making a moderate contribution to the purpose of safeguarding the countryside and a moderate contribution to the purpose of preventing the merging of neighbouring towns. However, the proposed recreational greenspace would be situated south of Hordle Lane between the two sites and would maintain the visual separation between the two halves of Hordle.
211. Other sites assessed to the north and south of Hordle performed more strongly in relation to Green Belt purposes than the site allocation. The site would make an important contribution to the supply of housing and the provision of affordable homes. Within the context of the overall housing requirement and the lack of sufficient alternatives, exceptional circumstances exist to alter the Green Belt and allocate this site.
212. The Green Belt boundary should be determined in the Local Plan and so main modification **MM25** is required to remove reference in the supporting text to the alignment of the settlement boundary and Green Belt being determined at the planning application stage in order for the policy to be effective.
213. Main modification **MM25** is also required for the concept masterplan to be effective in clarifying: the site boundary reflecting recent developments and a new area of open space north of Stopples Lane; the remaining Green Belt boundary; footpath/cycleway connections with Stopples Lane; the site access; access routes across covenanted land; vegetation of landscape value; and remove unnecessary prescription in relation to vehicle routes.

*SS9 – Land east of Everton Road, Hordle*

214. The site is proposed for at least 100 homes including open space and would make a significant contribution to the housing requirement. The site is split into a number of enclosed paddocks and equestrian stables and rural outbuildings are the only built development on the site. The site is contained by Everton Road and built development to the south west, residential development to the south and mixed development to the north. The retention of existing field boundaries, tree belts, streams and hedgerows will help to integrate the development into the landscape and protect the setting of the National Park to the north.
215. The Green Belt Study identifies the parcel of land (HO01) proposed for allocation as moderately meeting the purpose of safeguarding the countryside from encroachment and making a weak or no contribution to other Green Belt purposes. The larger parcel of land (HO12) to the north of Hordle is identified as making a relatively strong contribution to the purpose of safeguarding the countryside from encroachment; however, natural recreational greenspace would be provided on part of this land in order to define a strong Green Belt boundary and redefine the Green Gap between the two parts of Hordle. This would include new woodland trees and hedgerows to provide a habitat link between woodland to the south and north of the site. This part of the allocation would remain in the Green Belt thus avoiding the loss of stronger performing Green Belt. Furthermore, other sites assessed to the north and south of Hordle performed more strongly in relation to Green Belt purposes than the site allocation.
216. The site would make an important contribution to the supply of housing and the provision of affordable homes. Within the context of the overall housing requirement and the lack of sufficient alternatives, exceptional circumstances exist to alter the Green Belt and allocate this site.
217. The Green Belt boundary should be determined in the Local Plan and so main modification **MM26** is required to remove reference in the supporting text to the alignment of the settlement boundary and Green Belt being determined at the planning application stage in order for the policy to be effective.
218. The masterplan demonstrates that sufficient natural recreational greenspace can be provided within the site in order to mitigate/avoid recreational impacts.
219. A strategic transport assessment has been undertaken as part of the Local Plan and the localised and transport impact of the development would be assessed at the planning application stage.
220. Surface water flooding occurs on Everton Road outside the site except in extreme pluvial events with a small area of the site's western border flooded. A site-specific FRA would be required to support a future planning application.
221. Main modification **MM26** is required for the concept masterplan to be effective in clarifying the site boundary and Green Belt boundary around Cottagers Lane/Everton Road; add vegetation of landscape value; and remove unnecessary prescription in relation to vehicle and footpath/cycle routes.

*SS10 – Land to the east of Brockhills Lane, New Milton*

222. With a capacity of at least 130 new homes, the site would make an important contribution to the supply of housing and the provision of affordable homes. The development of the site would extend the built-up area of New Milton into the countryside adjoining the National Park. However, it would be well contained by substantial woodland to the south and east and sit within the context of the adjacent caravan site and groups of houses and other buildings along Sway Road and its junction with Brockhills Lane.
223. The Green Belt Study concludes that the parcel of land which includes the site makes a moderate contribution to the purpose of safeguarding the countryside from encroachment and a weak contribution or no contribution to other Green Belt purposes.
224. Within the context of the overall housing requirement and the lack of sufficient alternatives, exceptional circumstances therefore exist to alter the Green Belt and allocate this site.
225. The need for improvements to the Brockhills Lane and Sway Road junction will be subject to further assessment and main modification **MM27** is required to ensure that Policy SS10 is effective in reflecting this situation accurately. This main modification is also required for the concept masterplan to be effective in clarifying the detailed site boundary, the remaining Green Belt boundary and areas susceptible to flooding and in removing unnecessary prescription in relation to access arrangements.

*SS11 - Land to the south of Gore Road, New Milton*

226. The site is capable of providing at least 160 new homes, including much needed affordable houses, making a significant contribution to housing needs.
227. Although currently open, the site is within a larger parcel of land which is contained on three sides by the existing built up area of New Milton and by very large glass houses on the other. The Green Belt Study concludes that the parcel makes a moderate contribution to preventing neighbouring towns merging into one another and a relatively weak or weak contribution or no contribution to other Green Belt purposes.
228. Given the strategic context and these specific factors there are exceptional circumstances to alter the Green Belt in this case.
229. Main modification **MM28** is required to provide clarity with respect to the name of the nearby listed barn, the site boundary in terms of the land ownership of the site promoter and the remaining Green Belt boundary. It is also required to avoid unnecessary prescription regarding the layout of development and access arrangements. This main modification will ensure that Policy SS11 and the concept masterplan are effective in these respects.

### *Avon Valley and Downlands*

#### *SS12 – Land to the south of Derritt Lane, Bransgore*

230. Established residential areas to the south and east of the site and recent development to the north of Derritt Lane provide a sense of visual containment for the site which is supplemented by lines of trees and the substantial area of woodland to the south-west. It is intended to avoid built development at the eastern end of the site where it adjoins the National Park.
231. The Green Belt Study concludes that the parcels of land in question make a moderate/relatively weak contribution to the purpose of safeguarding the countryside from encroachment and a weak contribution or no contribution to other Green Belt purposes.
232. The site will make an important contribution to the housing requirement and provide affordable housing given its capacity to accommodate at least 100 new homes. Therefore, taking account of the strategic context there are exceptional circumstances to alter the Green Belt and allocate this site.
233. Main modification **MM29** would remove unnecessary prescription on access arrangements and the need for additional sewer and pumping station capacity. It would clarify the approach to a site specific flood risk assessment and reflect up to date information on flood risk and clarify the remaining Green Belt boundary. This modification is required to ensure that Policy SS12 and the concept masterplan are effective.

#### *SS13 – Land at Moortown Lane, Ringwood*

234. Whilst the Green Belt only extends up to the south of Ringwood, the potential for further expansion of the built-up area in other directions is significantly affected by physical and environmental constraints, not least the proximity of the National Park and internationally designated nature conservation sites.
235. The site offers the potential to deliver at least 480 new homes including a substantial amount of affordable housing. Development of the site would represent an extension of the existing built up area to the south, however it would not extend beyond established residential development along Christchurch Road to the west or the more sporadic development along Crow Lane to the east. It would also be seen in the context of the recent significant development to the north-east.
236. The Green Belt Study identifies the area north of Moortown Lane as making a moderate contribution to the purpose of safeguarding the countryside from encroachment and the area to the south making a strong contribution. The Local Plan recognises this and proposes to retain the land south of Moortown Lane within the Green Belt and limit residential development to the north of the Lane with open space and recreational use to the south and potentially a new primary school.
237. Taking account of the above and the strategic context, exceptional circumstances exist to alter the Green Belt and allocate the site in this case.

238. Main modification **MM30** is required to provide clarity on the approach to a site specific flood risk assessment and to correct the reference to Christchurch Road. It is also required to clarify the areas of the site which are susceptible to flooding and to adjust the indicative areas for built development accordingly, to clarify areas of existing open space and the remaining Green Belt boundary and to remove unnecessary prescription on access arrangements. This modification is necessary to ensure that Policy SS13 and the concept masterplan are effective.

*SS14 – Land to the north of Hightown Road, Ringwood*

239. The site provides the opportunity to bring forward residential development on non Green Belt land and make a significant contribution to the housing requirement (at least 270 new homes). The allocation also includes around 3ha of employment land, making a small but important contribution to employment land requirements.

240. Whilst the site adjoins the National Park to the east, Policy SS14 and the concept masterplan make it clear that built development will be well set back from this boundary by a significant area of recreational greenspace.

241. Main modification **MM31** would correct the reference in Policy SS14 to the greenspace also proposed along the western boundary and provide clarity on the approach to a site specific flood risk assessment. It would modify the concept masterplan to clarify the Public Right of Way across the site and the site boundary in relation to land at Oak Cottage and remove unnecessary prescription on access arrangements. This modification is necessary to ensure that Policy SS14 and the concept masterplan are effective.

*SS15 – Land at Snails Lane, Ringwood*

242. Again, this site provides the opportunity to make an important contribution to the housing requirement on non Green Belt land, with a capacity of at least 100 new homes.

243. There are clearly a number of issues to address in bringing forward a suitable scheme for development on the site, given its location and immediate surroundings in the Blashford Lakes area to the north of Ringwood. Detailed proposals will need to particularly address the potential impacts on internationally designated nature conservation sites including those in close proximity, flood risk issues and access arrangements given the narrow and rural nature of Snails Lane. However, subject to the main modification discussed below and in association with other relevant policies, we are satisfied that adequate safeguards exist and that suitable mitigation can be put in place where necessary.

244. Main modification **MM32** would clarify the approach towards a site specific flood risk assessment and would modify the concept masterplan to reflect updated flood risk information and avoid built development on the eastern part of the site which is susceptible to flooding. It would also clarify the vehicular access arrangements from the west, close to Salisbury Road and remove references to secondary and tertiary vehicle routes. This modification is necessary to ensure that Policy SS15 and the concept masterplan are effective.

*SS16 – Land to the north of Station Road, Ashford*

245. Development of the site would reduce the gap between Ashford and Fordingbridge. However, it is intended to focus built development on the western part of the site and incorporate a substantial area of open land/greenspace to the east retaining important landscape features. This will enable a clear sense of separation between the two settlements to be maintained.
246. The site is capable of delivering at least 140 new homes and along with other sites in the Fordingbridge area will make a substantial contribution to the overall housing requirement and the provision of much needed affordable housing.
247. Main modification **MM33** is required to remove unnecessary prescription on access arrangements and reference to vehicular access from Ashford Close. It is also required to clarify the approach to a site specific flood risk assessment and amend the concept masterplan to clarify areas susceptible to flooding and areas of particular landscape value. This modification is necessary to ensure that Policy SS16 and the concept masterplan are effective.

*SS17 – Land at Whitsbury Road, Fordingbridge*

248. Part of the site to the north-east of Whitsbury Road has planning permission for 145 dwellings and is currently under construction with development well progressed. The remaining part of the site has capacity for at least 330 new homes. It will make a substantial contribution to housing requirements.
249. The estimated capacity of the site and the concept masterplan take account of landscape and nature conservation features and areas of flood risk. The Local Plan ensures that the development of this site is brought forward in a co-ordinated fashion with sites SS16 and SS18 in relation to highway improvements, sewer connections and open space provision.
250. Main modification **MM34** would clarify the approach to a site specific flood risk assessment and amend the concept masterplan to clarify areas of nature conservation and landscape importance, public rights of way and areas susceptible to flooding. It would also remove unnecessary prescription on access arrangements. It is required to ensure that Policy SS17 and the concept masterplan are effective.

*SS18 – Land at Burgate, Fordingbridge*

251. The Council accepts that the site could deliver at least 400 new homes (rather than the figure of 350 in the submitted Local Plan), taking account of the opportunity to accommodate residential development within the context of areas susceptible to flooding and landscape features. The site would make a substantial contribution to meeting the housing requirement and can be brought forward in a co-ordinated fashion with sites SS16 and SS17 to address infrastructure requirements and necessary mitigation.
252. Main modification **MM35** is required to reflect evidence on the potential capacity of the site, to clarify the approach to the listed Lower Burgate



Farmhouse and its setting and to clarify the co-ordinated approach to sewer connections. It is also required to clarify the concept masterplan in respect of areas susceptible to flooding, landscape features and the relationship between areas for residential development and open space and to remove unnecessary prescription on access arrangements. It is necessary to ensure that Policy SS18 and the concept masterplan are justified and effective.

*Overall conclusion on strategic site allocations*

253. Subject to the main modifications set out above, the strategic site allocations are justified, effective and consistent with national policy.

**Issue 10 – Whether the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy**

254. The Council produced an updated version of a housing trajectory during the examination following discussions at the hearings and in light of further information being provided by site promoters (EXAM 28B). As noted above, the Council subsequently acknowledged that strategic site SS18 could deliver at least 400 new homes. Taking this into account, the total supply of new housing between 2016 and 2036 estimated by the Council is 10,474 homes.

255. Completions between 2016 and 2019 totalled 975 homes. As of 2019, sites with planning permission for ten or more dwellings had capacity to deliver 790 homes and smaller sites with planning permission were estimated to be able to deliver 324 homes. This latter figure includes a discount of 10% to provide some flexibility for actual numbers delivered being below that permitted.

256. Sites allocated in the existing Local Plan Part 2 but without planning permission have an estimated total capacity of 666 homes.

257. The Council has taken a pragmatic and robust view of the supply from sites with planning permission or allocated in the existing Local Plan and the likely timescales for development and completions. We are satisfied that where such sites have been assessed as deliverable, there is a realistic prospect that housing will be delivered within five years and where they are considered to be developable, there is a reasonable prospect that the site will be viable for development at the point envisaged.

258. Given evidence from the SHLAA, the Council's estimate that at least 800 homes could be delivered on sites for ten or more dwellings allocated in the future Part 2 Local Plan Review and Neighbourhood Plans is realistic and robust.

259. The estimate of 77 completions per year from 2024/25 onwards (924 in total) on small windfall sites (less than ten dwellings) is reasonable and realistic in light of past trends and given the potential for rural exceptions sites and schemes through permitted development rights. It avoids double counting with small sites already with planning permission.

260. Taking into account adjusted figures for sites SS1, SS2 and SS18 discussed above, the Council's most up to date trajectory estimates that the total completions in the plan period from the strategic site allocations would be at

least 5,995 homes<sup>3</sup>. We are satisfied that all of the strategic site allocations are justified and viable and that the Council has made reasonable estimates of the minimum capacity for each site and realistic assumptions regarding the timescales for delivery and the rate of annual completions. There is clear and strong interest in bringing the sites forward for development and in many cases, active plans to do so in the near future.

261. The Local Plan makes it clear that the capacity figures for the strategic site allocations are regarded as minima and the Council recognises that subject to suitable schemes coming forward, the sites may be able to accommodate more than this minimum number of homes. In many cases, the site promoters consider that the site could reasonably accommodate more than the minimum figure set out in the Local Plan and that completions could start earlier than the Council anticipates (set out in the alternative version of the trajectory EXAM 28C).
262. The total supply for the plan period estimated by the Council (10,474) is only slightly above the requirement of 10,420 homes (as amended by **MM3**). However, as noted above, there is clear potential for the strategic site allocations to accommodate more than the minimum estimated. This would provide some additional flexibility in overall supply compared with the requirement. We consider that although the flexibility in overall supply is limited, it is reasonable and justified given the context of the constraints that apply within the District in terms of identifying suitable sites, notably the Green Belt. We have also taken account of the fact that the Local Plan will need to be reviewed well before the end of the plan period and the situation regarding housing requirements and supply can be re-assessed at that point.
263. Policy 5 of the Local Plan sets out a phased approach to housing requirements with the annual average requirement building up over the plan period. In principle this is a justified approach given the significant increase in the annual average housing requirement compared with the existing Core Strategy (521 compared with 196 homes per year) and the need for delivery rates to increase compared with recent levels. It also recognises the reality that in many cases the strategic site allocations will take time to start delivering given the requirements for infrastructure works and the need for the principle of site allocations on existing Green Belt land to be established through this Local Plan.
264. We consider it appropriate however to adjust the details of the phased requirements to reflect actual completions so far in the plan period which have exceeded anticipated levels set out in the submitted Local Plan and to provide more realistic requirements in the short term. Main modification **MM3** would adjust the phased requirements to 300, 400 and 700 homes per year for the relevant periods and is required to ensure that the Local Plan is effective in this respect. It is also required to ensure that Policy 5 is effective in setting out updated supply estimates from the various sources and accurately reflecting the potential minimum capacity on sites SS1, SS2 and SS18.
265. Annual housing completions have fluctuated in recent years and were below the Core Strategy requirement between 2012 and 2016. The Council

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<sup>3</sup> With the additional adjustment of the capacity of site SS18 to at least 400 homes

acknowledges that in any event this requirement was based on a policy of restraint established through the former regional strategy and was not intended to meet identified needs in full. The Council recognises that it would be appropriate to apply a 20% buffer when calculating the requirement for a five-year supply. Completions of 266 in 2017/18 fell below even the modified phased requirement figure of 300. Taking all of this into account we consider that there has been persistent under delivery of housing and a buffer of 20% should be applied.

266. In terms of assessing a five-year supply of housing sites, it is appropriate to use 2020/21 as the base year, given the likely date of adoption of the Local Plan. Actual and estimated completions in the plan period up to that point would total 1,292 compared with the requirement of 1,200 (as in **MM3**). The basic five-year requirement from 2020/21 would be 1,900 (1x300 plus 4x400). Deducting the surplus of 92 completions and then applying the 20% buffer gives a five-year requirement of 2,170 homes. The Council's updated trajectory shows a supply of 1,807 in the five years from 2020/21 onwards. Based on the generally more optimistic position taken by the site promoters, the trajectory in EXAM 28C suggests that the supply for this period would be 3,339. It may be that at least in some cases this optimism in terms of the capacity of sites, timescales and annual rates of delivery is well founded and we consider it reasonable to conclude therefore that the realistic position regarding a five year supply is likely to fall somewhere between the two assessments.
267. Rolling the situation forward to 2021/22, actual and estimated completions up to that point would total 1,500. This would equal the requirement for that period. The basic five-year requirement from 2021/22 would be 2,000 (5x400). Applying the 20% buffer gives a five-year requirement of 2,400 homes. The Council's updated trajectory shows a supply of 2,366 in the five years from 2021/22 onwards. The trajectory in EXAM 28C suggests that the supply for this period would be 3,829 using estimates provided by the site promoters. Again, it is reasonable to conclude that the realistic position regarding a five-year supply is likely to fall somewhere between the two assessments.
268. Given a degree of uncertainty over the specific capacity and timescales for development on the strategic site allocations, it is not absolutely clear whether or not there would be a five-year supply of housing sites when the Local Plan is adopted. However, taking a position somewhere between the Council's and the more optimistic one put forward by site promoters, we consider that on balance it is likely that there would be. The situation is likely to improve noticeably in the following year in any case as strategic sites start to make a more significant contribution to the five-year supply.
269. Taking all of the above into account the approach towards the supply and delivery of housing land is justified, effective and consistent with national policy.

## **Assessment of Legal Compliance**

270. Our examination of the legal compliance of the Local Plan is summarised below.
271. The Local Plan has been prepared in accordance with the Council's Local Development Scheme although the timescale for the examination and adoption of the Local Plan have slipped.
272. Consultation on the Local Plan was carried out in compliance with the Council's Statement of Community Involvement.
273. Sustainability Appraisal has been carried out and is adequate.
274. The HRA report sets out that an Appropriate Assessment was necessary and this was carried out. The HRA concludes that the Local Plan (including main modifications) will not have an adverse effect on the integrity of any European Site either alone or in combination with other plans and projects.
275. The Local Plan includes policies designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change. Examples of such policies are Policies 1, 13 and 35.
276. The Local Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
277. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including the provision for Gypsies, Travellers and Travelling Showpeople and housing for older people.

## **Overall Conclusion and Recommendation**

278. The Local Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
279. The Council has requested that we recommend main modifications to make the Local Plan sound and capable of adoption. We conclude that with the recommended main modifications set out in the Appendix, the New Forest District (outside the National Park) Local Plan-Part 1: Planning Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

*Caroline Mulloy and Kevin Ward*

INSPECTORS

This report is accompanied by an Appendix containing the Main Modifications.