

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 8 DECEMBER 2021, AT 9.00 AM*

Place: COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

Enquiries to: Email: karen.wardle@nfdc.gov.uk
Tel: 023 8028 5071

PUBLIC PARTICIPATION:

Members of the public may watch this meeting live on the [Council's website](#).

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk

Claire Upton-Brown
Executive Head Planning, Regeneration and Economy

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 10 November 2021 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **Former Police Station, Southampton Road, Lymington (Application 21/10938) (Pages 5 - 28)**

Demolition of existing building and redevelopment of the site to form 32no. Retirement apartments including communal facilities, access, car parking and landscaping

RECOMMENDED:

Delegate authority to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to the completion of a planning obligation entered into by way of a Section 106 agreement and the imposition of conditions.

(b) **Ringwood Town Football and Social Club, Long Lane, Ringwood (Application 21/11170) (Pages 29 - 62)**

Replacement of the sub-standard pavilion/changing facilities on the site; Construction of a new FTP (Football Turf Pitch) with LED floodlighting; Improved car parking/infrastructure; Change of use of arable to sports use to include improvements to an existing arable field to allow future sports use; appropriate landscaping enhancements

RECOMMENDED:

Grant subject to conditions

(c) **33 Albert Road, New Milton (Application 21/11230) (Pages 63 - 70)**

Variation of condition 5 of 18/10965 to allow tuition 1545-1915 Mon-Fri in term time and 0915-1245 Mon-Fri in school holidays, 0930-1600 on Saturdays and 1:1 tuition outside of these times

RECOMMENDED:

Grant the variation of condition

(d) **The White House, 1 Forest Lane, Hardley, Fawley (Application 21/11219) (Pages 71 - 78)**

Two storey rear extension & detached garage

RECOMMENDED:

Refuse

Please note, that the planning applications listed above may be considered in a different order at the meeting.

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Please note that all planning applications give due consideration to the following matters:

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

To:

Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Ann Bellows
Sue Bennison
Hilary Brand
Anne Corbridge
Kate Crisell
Arthur Davis
Barry Dunning
Allan Glass

Councillors:

David Hawkins
Maureen Holding
Mahmoud Kangarani
Joe Reilly
Barry Rickman
Tony Ring
Ann Sevier
Beverley Thorne
Malcolm Wade

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Planning Committee 08 December 2021

Application Number: 21/10938 Full Planning Permission

Site: Former POLICE STATION, SOUTHAMPTON ROAD,
LYMINGTON SO41 9GH

Development: Demolition of existing building and redevelopment of the site to form 32no. Retirement apartments including communal facilities, access, car parking and landscaping

Applicant: Churchill Retirement Living

Agent: Planning Issues Ltd

Target Date: 14/10/2021

Case Officer: Warren Simmonds

UPDATE TO PLANNING COMMITTEE

The application was last considered by the Planning Committee at its meeting of the 13th October 2021. The Committee deferred making a decision on the application in order for an appropriate contribution towards the provision of off-site affordable housing to be agreed between officers and the applicant. The application is being brought back to planning committee to enable a determination to be made on the planning application in its entirety.

Officers provide the following updates:

1. Following the deferral the applicant submitted a viability assessment in order to evidence their affordable housing offer. The viability assessment concluded that the development was viable with a contribution of £890,000. In accordance with normal practice the Council commissioned an external, independent specialist on development viability to advise the Council on the applicants offer (Bruton Knowles LLP, Chartered Surveyors)
2. Bruton Knowles advised that the offer of £890,000 was reasonable but they were of the view that a higher figure of £975,00 could be achieved.
3. Officers had further discussions with the applicants in light of this advice. The applicants confirmed that their viability figures had not included the cost of nitrate mitigation and that a figure of £50,000 should have been included. This figure is agreed as the correct figure between the parties and has been added to the development costs.
4. Having added this figure the revised advice is that a contribution of £970,000 could be sought as the highest achievable contribution for this development.
5. Historic England have assessed and declined a third party application to consider whether the former Police Station should be added to the List of Buildings of Special Architectural or Historic Interest.
6. Two further representations from third parties have been received, objecting to the proposed development: One objection was on grounds including lack of affordable housing for young families and the other gave no specific grounds.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of development, sustainability and wider policy implications including affordable housing and other development related contributions
2. The need for new homes, and this type of housing
3. Impact on local character, appearance and setting of designated Heritage Assets, including matters relating to site layout and design
4. Highway access/egress and parking
5. Impact on local residential amenities
6. Surface water drainage
7. Biodiversity on-site and off-site ecological mitigation
8. Nitrate neutrality and potential ecological harm

This application is to be considered by Committee because of the objection by Lymington and Pennington Town Council.

2 SITE DESCRIPTION

The application relates to the former Police Station, located on the western side of Southampton Road, between Queen Elizabeth Avenue to the north, and Eastern Road to the south. The application site forms an approximately rectangular parcel of land of approximately 0.22 hectares in area.

The application site is relatively flat, although is set approximately 200mm higher than Southampton Road. The eastern boundary along the main road is set back from the pavement beyond a grass verge and currently marked by a low wooden picket fence. The roadside boundary with Queen Elizabeth Avenue currently consists of a wide grassed verge (set behind the pavement) low picket fence with occasional shrub planting, and trees (mature trees towards Southampton Road, less mature extending to the west).

The southern (internal) boundary between the site and the adjacent block of flats at Buckland House comprises a brick wall, which it appears also provides a retaining function as the land to the south is set approximately 200-300mm lower than the general proposal site level. To the west of the site is The Old Police House (now a private dwelling), the internal boundary between the sites comprises partially of an approx 1m tall brick wall on which a close board wooden fence is attached and in other areas the rear walls of existing police garage buildings.

3 PROPOSED DEVELOPMENT

The application seeks permission for the demolition of the existing building and redevelopment of the site to form 32no. retirement living apartments including communal facilities, access, car parking and landscaping, as detailed in the submitted application documents. The mix of the proposed development comprise 21no. one bedroom apartments and 11no. two bedroom apartments.

A vehicular access is proposed from Queen Elizabeth Avenue, creating a new vehicular and pedestrian access (the existing access to Southampton Road from the site is to be closed up and pedestrian footpath and grass verge to be constructed). The proposed development will provide 12no. car parking spaces for residents, together with parking and charging spaces for recharging battery buggies and cycle parking.

The proposed development is 2.5-3.5 storeys in height under pitched roofs. The third floor is located within the roof space as dormered accommodation. The external facing materials proposed comprise of brick and render.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
03/77391 Installation of 1 airwave collinear antenna mounted on existing pole	01/04/2003	Granted Subject to Conditions	Decided
01/71136 Install one Collinear Antenna at 13m for RNLI	14/03/2001	Granted Subject to Conditions	Decided
XX/LYB/09582 Erection of garage and cycle shed and alterations to store.	02/11/1964	Granted	Decided
XX/LYB/00844 Erection of a police station, dwelling house, garages and kennels.	21/03/1951	Granted	Decided
XX/LYB/00347 Use of land for police station.	20/07/1949	Granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel
Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV3: Design quality and local distinctiveness
Policy HOU1: Housing type, size, tenure and choice
Policy HOU3: Residential accommodation for older people
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy STR1: Achieving Sustainable Development
Policy STR3: The strategy for locating new development
Policy STR4: The settlement hierarchy
Policy STR5: Meeting our housing needs
Policy STR8: Community services, Infrastructure and facilities

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

Core Strategy 2009

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

SPD - Lymington Local Distinctiveness

SPG - Lymington - A Conservation Area Appraisal

SPD - Parking Standards

Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021)

Relevant Advice

NPPF July 2021

Constraints

Plan Area

Conservation Area: Lymington Conservation Area

Tree Preservation Order: TPO/0006/15/G2

Plan Policy Designations

Built-up Area

6 TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council

PAR 4: Recommend Refusal.

- This development is out of character for the area and out of keeping with the SPD Lymington Local Distinctiveness.
- Overdevelopment – the scale of this development is vastly out of keeping with the majority of buildings on Southampton Road or with the current building on the site.
- The design is poor and bulky with smooth rendering, which is prone to staining.
- There is a lack of adequate outdoor communal space.
- There are too few parking spaces (12 spaces for 32 units) and no turning space for deliveries to service 32 units. Nearby on or off road parking is inadequate.
- There is already in excess of 60 retirement properties for sale in the Town and another 44 will come onto the market when the recently approved Stanford Hill development is completed.
- Of the 35 properties in the Town that are at a price of £250,000, or less, 32 of those properties are retirement properties. The Local Plan 2016 to 2036 Part 1, sets out to provide more homes for local people, including a range of choices by type, size, tenure and location and states that particular provision must be made for younger households. Page 57.6.3 states that the objective is to sustain a mixed and balanced community requiring the provision of a variety of houses to rent and buy, specifically for families with children, couples and single households and designed for older people.
- The building still has an inherent use and value and could be re-used in line with the United Nations Climate Report – Red Alert.
- Proper consideration of sustainability with the use of green energy sources appears to be absent from these plans, with no space being set aside for communal heating with for instance a ground source heat pump system.

- The proposed off-site contribution of £434,500 is totally inadequate and Councillors propose this should be subject to the provision of an off-site housing contribution, based on the land value of an equivalent site in the town.
- This site has a restrictive covenant, which appears to remain undischarged, registered on its title. This covenant appears to restrict development within 240 feet of Southampton Road and could hamper the proposed development of this site, adversely affecting its ability to deliver the number of dwellings the developer proposes.
- Councillors propose this building, which has significant local character should be identified as a Local Heritage Building and heritage asset.
- Local facilities, including medical facilities will be overstretched.
- A lack of privacy – the height of the proposed development with balconies will overlook neighbouring properties.
- Impact to the amenities of neighbours - the siting of a large refuse store and an electric sub-station on the boundary fence may lead to smells or rat infestations and noise.
- There is no covered space for bikes.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees (comments are available in full on the Council's website):

Developer Services, Southern Water, Southern House
Standard letter of advice and recommendation for Informative

HCC Countryside Services
Public Rights of Way are unaffected by the proposals. We therefore have no objection.

NFDC Conservation officer
The existing building is considered to constitute a non-designated heritage asset - Its loss is regrettable and will need to be assessed against paragraph 203 (recently changed para number) of the NPPF in relation to non-designated heritage assets.

Does not support the proposal on grounds of design issues and consequent adverse impact(s) on the adjacent conservation area.

NFDC Tree officer
Objects

HCC Highways
No objection

Environmental Health Contaminated Land, Appletree Court
No objection in principle, subject to a condition

Environmental Health (Pollution)
No objection, subject to condition

NFDC Ecologist

No objection, subject to condition(s)

NFDC Building Control

Building control have no adverse comments to make at this stage

HCC Flood and Water Management

Request detailed drainage strategy

Hampshire Swifts

Welcome the proposed incorporation of 2 bird (swift chamber) boxes, but request more (at least 20) are provided and integrated as part of the development.

Hampshire & IOW Fire & Rescue

Standard letter of advice

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 76

Broad summary of views:

- Excessive scale, out of character,
- Insufficient outdoor space,
- Insufficient affordable housing provision,
- Development should provide housing for young people,
- Insufficient parking provision,
- No need for additional retirement homes in the area,
- Amenity impacts for neighbours (overlooking, overshadowing, noise, odours from bins),
- Highway safety,
- Adverse impact on trees,
- Existing buildings should be retained for their own architectural merit

A petition has also been submitted to the local planning authority consisting of 1410 signatures in opposition the proposed development on the grounds that Lymington needs affordable homes for young people to rent or buy, rather than more retirement flats.

10 PLANNING ASSESSMENTPrinciple of Development and housing policy assessment

a) General principle

The settlement hierarchy as set out within the adopted local plan provides a guideline to where new development proposals of different types and scales can best be accommodated in a sustainable way, taking into account existing facilities and future potential. The towns and villages in the Plan Area have been classified into a settlement hierarchy based on the availability within the settlement, or ease of access to, the following services, potentially reducing the need to travel:

- Shops and 'high street' facilities
- Schools, health and community facilities
- Proximity to employment locations and main settlements
- Public transport

The settlement hierarchy identifies three tiers of settlements and sets out the nature and scale of development that would be appropriate for each type of settlement. Development which is not in accordance with the settlement hierarchy will normally be resisted. The town of Lymington is identified as being within the top tier of the settlement hierarchy (local plan policy STR4 refers) whereby such settlements offer access to a wider range of employment, facilities and services. They are the most sustainable locations for large-scale residential, retail, leisure, cultural and business development to improve their self-containment and to support and consolidate their local service offer. The site of the proposed development is therefore considered to be within an inherently sustainable location where, in the broadest of planning policy contexts, the principle of development can be considered acceptable, subject to accordance with relevant local and national planning policy and guidance.

In respect of the potential for the continued use of the application site as an employment use, officers note the buildings/site is vacant and accept the former Police Station and does not readily lend itself to conversion to offices or other businesses uses and therefore not viable for continued use for employment use. Furthermore, when it was operational as a police station, it could not be said the site/use offered a supporting service to businesses or to the workforce in the local area and the general configuration and condition of the building renders it unsuitable for any other realistic employment use. It is noted that the property was marketed openly by Lambert Smith Hamptons in 2018, however all of the interest generated was for traditional residential or retirement development schemes and no employment related users were interested in acquiring the site.

The former Police Station use, under the parameters of the Local Plan Part 1 is not considered to fall within the definition of 'community facilities'. Paragraph 4.34 of the Local Plan Part 1 sets out that community facilities are sports and leisure facilities, community centres, libraries, places of worship, crematoria and burial space. Notwithstanding this, it is noted that rather than being lost, the Police Station use has been relocated to a new location within Lymington.

b) 5-year housing land supply

The Council cannot demonstrate a five-year supply of deliverable housing land and the Council Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. It is anticipated this will be published early November 2021 and will be the formal position of the Council. However, it is anticipated that the updated housing land supply position will remain below the required 5 years. In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing).

c) Affordable Housing

Policy HOU2 now requires developments outside the Waterside area of 11 dwellings or over to provide 50% affordable housing on site with a tenure mix target of 70% affordable rent and 30% intermediate or affordable home ownership including shared ownership. The NPPF provides a wider definition of affordable housing which includes discount market sales and starter homes.

There are two ways in which affordable housing is normally realised i.e. on-site delivery or off-site financial contribution to acquire a serviced plot. The applicants have stated that on-site provision is not possible because of the particular housing model for assisted living. This has been accepted on other schemes throughout the Council's area (and across the country) and is not disputed in this case. That leaves consideration that an off-site financial contribution should be made.

National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace. Vacant Building Credit (VBC) is a consideration in this case and reduces the affordable housing requirement for the proposed development from 50% to 39.5% (equating to 12.64 units of affordable housing).

In relation to assessing off site contributions, the applicant has referred to an older publication 'Advisory Note on the Implementation of Core Strategy Policy CS15' which was published in 2012 and relates to the former Core Strategy (since superseded by HOU2 of the Local Plan 2016-2036 Part One: Planning Strategy). On the basis of this, the applicant initially made an offer of £434,500 as a contribution towards the off-site provision of affordable housing. However, the document was published as an Advisory Note, to provide 'a basis for negotiations' rather than as a prescriptive policy document and the figures quoted within the advisory note are now some 9 years old. Following a request from officers to provide a revised (in effect index-linked) update to the applicants proposed contribution, the applicant subsequently increased their off-site affordable housing contribution figure to £584,837.

d) Older person housing needs

The Local Plan expresses an evidence based approach which indicates that the Council's area includes a population which is ageing and likely to be in need of older person accommodation both in terms of specialist housing and purpose designed housing types that allow occupiers to maintain their independence. The Plan states it is likely that over the plan period up to 2036 an increase of 12,800 persons will be over the age of 75. Policy HOU3 encourages housing types designed to be suitable for older persons be included in development proposals where appropriate, along with more specialist extra care and C2 care home type facilities. The supporting text to the policy states the significant need in this sector is likely to be more towards specialist care rather than the type of sheltered accommodation proposed here but nevertheless officers have no evidence to rebut the applicant's proposal.

The evidence for Older Persons housing need comes from the Report for New Forest District Council 'Demographic Projections' (JGC Consulting, July 2017) and the NFDC Local Plan Review Topic Paper SD16 Housing Mix (October 2018). The data shows that New Forest (in line with other areas) is expected to see a notable increase in the older person population with the total number of people aged 55 and over expected to increase by 28% over 20 years to 2036. Topic Paper SD16 highlights a projected need for specialist housing for older persons (2016-36) in the south of the District of 952 bed spaces (and a total projected need of 3,146 across the Plan Area).

The recent appeal decision relating to the erection of 44 sheltered apartments for the elderly at Stanford Hill, Lymington (planning reference 20/10481) forms a material consideration in the determination of the current application. The appeal was conducted in the form of an Inquiry where matters relating to whether there is a need for specialist housing for older people in the area were thoroughly examined. The Inspector made reference to paragraph 6.24 of the Local Plan Part One which identifies a 'significant need' to provide for new specialist accommodation during the Local Plan period (2016 to 2036), and made reference to the Government's Planning Practice Guidance (PPG) advice (Housing for Older and Disabled People, June 2019) that the need to provide housing for older people is 'critical'.

The Inspector also had regard to the views of interested parties referring to the availability of older people's properties in Lymington and the perceived slow sales of some of the available stock, noting the market for age-restricted housing is necessarily smaller than that for general needs housing subject to no age restrictions, which acts as another factor which could influence sales rates for such dwellings. The Inspector concluded that these matters did not materially undermine either the appellants or the Council's assessments in terms of the underlying need for this type of accommodation over the plan period.

Notwithstanding the recent approval at appeal of the Stanford Hill scheme under planning reference 20/10481 (and the 44 sheltered apartments for the elderly the scheme would bring forward), it is considered there remains a demonstrably pressing need for additional specialist housing for older people in the area.

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

The Council has a range of policy advice covering design, local distinctiveness and local impact. Policy plan policy ENV3 and the Lymington Local Distinctiveness SPD are key considerations in this case along with Section 12 of the NPPF and the more recent Government Design Guidance.

The proposed development takes the form of a predominantly L-shaped development situated approximately centrally within the site, with access off Queen Elizabeth Avenue to the north west with an internal driveway running southwards across the rear of the site to a rectangular parking area at the south west corner.

The proposed main building is of three storey form, with third floor dormered accommodation provided within the roof. The building includes attached two storey elements to the rear (west), also with dormered accommodation within the roof - reading as a three storey element from the western perspective.

The materials proposed for the main building consist predominantly of Weston Red multi brick, with areas of coloured render (brick on edge lintel features) under a dark coloured concrete tile roof.

The proposed building, whilst larger than the existing buildings it would replace, is considered to be of a generally appropriate scale, mass and design within the context of the application site and surrounding area, and to propose appropriate external facing materials and finishes. In terms of form, the proposed building carries through a comparable eaves and roof height to that of the modern apartment building (Buckland House) situated to the immediate south. The proposed building is wider in form than the adjoining apartments, however this is considered commensurate with the larger plot size of the application site.

The scale and mass of the proposed building are mitigated by the principal facing elevations being set away from the roadside boundaries of Southampton Road and Queen Elizabeth Avenue, and are further mitigated in terms of the visual impact of the proposal on the surrounding area by reason of the retained mature trees along the length of the eastern boundary with Southampton Road and partially along the northern boundary with Queen Elizabeth Avenue.

The Police Station as a Non-Designated Heritage Asset

The Conservation officer considers the existing Police Station buildings to be a non-designated heritage asset (NDHA). Its loss is regrettable and will need to be assessed against paragraph 203 of the NPPF 2021 in relation to non-designated heritage assets, whereby the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. As the proposal is for total loss of the asset this sits at the highest end of the harm scale and as such the benefits of any scheme should be equally balanced.

In this case, the proposed redevelopment of the site is for the provision of housing, in a context where (i) the Council is currently unable to demonstrate a 5 year housing supply (see above), and (ii) there is an existing and projected demonstrably pressing need (see above) for the type of housing being proposed. It is therefore considered in this case that these matters are sufficient to justify the loss of the existing buildings constituting a NDHA.

Impacts on the listed buildings along Southampton Road

While there are some changes in longer views it is not felt that this causes any meaningful degree of harm to the setting of the listed buildings which forms part of their significance. The Conservation officer did consider this matter and has not raised any objections on this basis.

Impacts on the setting of the adjacent Conservation Area

The Council in assessing and determining proposals should have regard to the affect of the proposal on the character, appearance and setting of designated heritage assets (in this case the adjacent Lymington Conservation Area, located to the immediate south of the application site).

The views of the Conservation officer are set out in his detailed consultee response, in which he raises concerns in respect of the impact of the scheme in views into and out of the conservation area (and wider views), and also raises concerns in respect of the massing and bulk of the proposal which he considers would create some harm to the prevailing character of the area and have a degree of impact on the setting and significance of the adjacent conservation area.

The judgement of the Conservation officer (under the criteria set out within the NPPF) is a finding of *less than substantial harm* to the setting of the conservation area and its significance for the reasons given in his consultation response. The Conservation officer acknowledges the northern and eastern surroundings of the site are varied in terms of character and built form and have other large developments within the context. The Conservation officer also acknowledges the harm identified is mitigated to a degree by mature trees and at a lower level when considered in light of the wider overall significance of the Conservation Area. The Conservation officer concludes the harm is at the lower end of the scale and

therefore suggests, as set out in paragraph 202 of the NPPF, that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Again, in this case, the re-use of the site for the provision of housing where (i) the Council is currently unable to demonstrate a 5 year housing supply, and (ii) is an existing and projected demonstrably pressing need (see above) for the type of housing being proposed, is considered sufficient to outweigh the less than substantial harm to the significance of the adjacent conservation area.

Highway safety, access and parking

Hampshire County Council as the relevant Highway Authority have provided a consultation response which identifies the good existing pedestrian and cycle links to the town centre, together with bus links and the availability of rail links from the town to the wider surrounding area. The Highway Authority accept the Trip generation data submitted with the application, and accept the proposed access arrangements for the site (with comments and advice in respect of servicing (bins) and emergency vehicular access to the site.

The Highway Authority requested additional survey data which has been subsequently provided by the applicant and passed on to HCC. The further/final comments of HCC Highways in relation to this proposal are 'No objection'.

In respect of parking provision for the proposed development, the Council's adopted Parking Standards Supplementary Planning Document (SPD), outlines a requirement in respect of older people's housing (active elderly with warden control) for 1 car parking space per residential unit (with an additional 1 space per unit for cycle parking or parking for mobility scooters).

Whilst the proposed development would provide 12no. car parking spaces for residents, together with parking and charging spaces for recharging battery buggies and cycle parking and is therefore significantly less than the standards set out within the SPD, it is material to the consideration of the proposals that the site of the proposed development is located within an inherently sustainable location close to Lymington town centre with its wide range of services and facilities, accessible via a generally flat and level walk, and there are a good range of public transport links within and beyond the locality and surrounding area. In this respect it is considered that, by reason of the particularly sustainable location of the proposed development, a reduced level of on-site parking provision can be considered acceptable in this case.

Residential amenity

The application site is within the built-up area of the settlement of Lymington, where new development can be considered acceptable in principle, subject to accordance with the policies of the Development Plan and other relevant local and national planning policy guidance. The immediately surrounding area is predominantly residential and therefore a residential use of the application site can be considered a compatible use in principle.

Local plan policy ENV3 deals with design quality, local distinctiveness and has regard to the impact(s) of development on the amenity of adjoining occupiers and uses. In particular, policy ENV3 requires new development to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity.

In respect of the existing dwellings surrounding the application site, the most sensitive in terms of amenity impacts are considered to be the apartment at Buckland House to the south and the dwelling known as The Old Police House to the rear (west). Impacts on other dwellings to the north and east are mitigated substantially by the separation distance to the site (separated by roads) and the mitigating impact of retained mature trees along the east and (partial) north boundaries.

It is considered the main proposed building is set-in within the site boundaries sufficiently far to avoid the undue overshadowing of the adjacent Buckland House (which is on the south side) and The Old Police House and would not have an unduly overbearing impact on these adjoining properties.

In terms of overlooking, from the perspective of Buckland House the south facing elevation of the proposed building is formed by two distinct elements - the closest element to the southern boundary is approximately 4.2m from the shared boundary and approx. 6.3m from the north facing elevation of Buckland House. This element of the building is of three storey height but has limited fenestration above ground floor level (1x kitchen window on each of the first and second floors), and other glazing serving internal communal corridors which can be conditioned to be fitted with obscure glazing to preserve the amenity of adjoining occupiers. The more western element of the south facing side elevation includes more glazing and small balconies, but this element is set back from the shared southern boundary (by approximately 17.3m) and is behind (to the west) of the Buckland House apartments. It is considered the separation distance and relationship between the proposed building and the Buckland House apartments is sufficient that no undue overlooking would result.

From the perspective of The Old Police House, the west facing elevation of the proposed building is staggered in distance from the shared western boundary, increasing from approx. 7m at its closest on the northern end, then setting back sequentially to approx. 10m and finally 24m at the southern end. The closest elements (7m distant and 10m distant from the western boundary) at the northern end of the west facing elevation have no windows above ground floor level, except for glazing to provide light to internal communal corridors (which can be conditioned to be obscure glazed). The more southern element of the west facing side elevation includes more glazing and small balconies, but this element is set back from the shared southern boundary (by approximately 24m). It is considered the separation distance and relationship between the proposed building and The Old Police House is sufficient that no undue overlooking would result.

Along the western boundary of the site are proposed bin store and cycle/mobility scooter stores which, by reason of their modest single storey scale are not considered likely to result in undue amenity impacts.

A Noise Assessment (24 Acoustics, August 2021) has been submitted by the applicant to demonstrate that road traffic noise and noise from the proposed substation would not have undue amenity impacts on future occupiers (and existing adjoining neighbours). The Noise Assessment concluded that the proposed electrical substation would present a very low risk of disturbance and performance specifications have been provided for acoustic double-glazing and ventilation to habitable rooms in the proposed apartments to mitigate traffic noise.

The Council's Environmental Health Officer (EHO) notes in his consultation response that any noise generated from the substation is predicted to be substantially below the existing background sound level and therefore no specific mitigation is required to control noise.

The impact of traffic noise from adjacent roads upon the development is predicted to be significant and likely to exceed desirable internal noise criteria for the new dwellings; therefore mitigation has been proposed which includes minimum specifications for glazing and ventilation on façades along the roadside, to protect the amenity of intended occupiers.

The EHO considers that providing the proposed mitigation measures are implemented, it is expected that desirable internal noise levels could be achieved. The EHO recommends that a suitable planning is attached to any granted permission requiring that proposed measures are implemented in full prior to first occupation.

Impact on trees

The site of the Police Station, Southampton Road, Lymington is subject to a Tree Preservation Order (TPO/0006/15) and includes 2 groups of trees. These groups consist of 5 Silver Maples that are situated on the front eastern boundary marked as G1 within the TPO and 2 Silver Maples and 1 Cedar tree that are situated on the northern boundary towards Queen Elizabeth Avenue and marked as G2 within the TPO.

The applicant has submitted an Arboricultural assessment & method statement (Barrell Tree Consultancy, May 2021).

The comments of the Council's tree officer are as follows:

'There are 2x group tree preservation orders, 1x on the eastern boundary and 1x on the northern boundary of this site. These trees contribute to the amenity of the area and are considered a constraint to development.

In support for this application a Barrell Tree Consultancy Arboricultural Assessment and Method Statement dated 28th May 2021 ref 18327-AA-JB. I am broadly in agreement with the assessment of the trees using BS5837:2012 categorization, 3 out of the 5 protected trees in the eastern group are graded 'B' trees, and all the protected trees (2x Silver Maple trees and 1x Cedar) are graded 'B' trees.

A total of 4 trees have been shown to be removed in order to accommodate this proposal, it is suggested within the submitted tree report that "Loss can be mitigated by new planting". Given the intensity of the development proposed there is very little opportunity for further tree planting. The submitted Landscape strategy drawing JBA 21-183-SK02 only appears to show 2x trees 'Boundary Courtyard trees' given the constraints of the layout these trees would have to be of relatively small stature and are unlikely to contribute to the amenity of the area.

The proposed retirement apartments are shown to be within 6m of the eastern group of trees. This layout is currently outside the crown spread and root protection areas of these trees although specialist precautionary measures have been specified in the submitted tree report. However, these trees are all 'maturing' they are young trees and will grow significantly more than their current dimensions. Silver Maple trees (*Acer saccharinum*) is very vigorous deciduous tree and grows to an ultimate height of greater than 12m with an ultimate crown spread greater than 8m.

These trees will need future management to prevent encroachment/interference with the building. Routinely pruning these trees will reduce the amenity of the trees and may have a detrimental impact on the health of the tree.

Shading from the eastern group of trees is going to be a problem. These trees will block the natural light to the living rooms of the units on the eastern wing. It is likely to cause a future pressure from occupants to with remove or significantly prune the trees fronting along Southampton Road. Given that the proposed building is for retirement accommodation it is not unreasonable to assume that the residents are likely to spend more daytime hours within the living spaces of the apartments and the impact of natural light obstruction will significantly affect the enjoyment the resident has in their home. The internal layout of the apartments show that the windows of the living rooms and bedrooms will be immediately adjacent to these trees, that will not only be blocking morning light but also will be continually encroaching the building. The counter argument is often that local authorities can resist applications to fell or prune where there are important protected tree/s. However, this is not the case where the applicant can demonstrate that enjoyment of their home is significantly affected by a tree/s.

There is a similar relationship between the group of trees on the northern boundary, adjacent to Queen Elizabeth Avenue although there is a slightly larger separation. A limb from the Cedar tree will need to be removed in order to facilitate the construction of the building. Again, the Cedar trees have wide spreading canopies and this tree is likely to have to be continually pruned in order to be contained within a confined space.

Therefore, I object to this proposal on tree grounds as the proximity of the apartments is too close to the maturing protected trees on site and does not allow for these trees to grow into their natural size and form. This is likely to result in the future loss/unsympathetic pruning of these trees and would be detrimental to the amenity of the area. Recent changes to the National Planning Policy Framework has highlighted the importance of trees in the street scene.'

The comments and objection of the Tree officer are noted, however these comments are made specifically in respect of the protection of trees only and must be considered 'in the round' within the context of the development as a whole and in the light of local and national planning policy and guidance. The Tree officer accepts that the proposed development can be built without affecting the viability of the existing protected trees that are scheduled for retention. The Tree officer's concerns and objection relate to the potential for future pressure to prune the trees, possibly resulting in the curtailment of their natural size and form. Whilst this would be regrettable if it were to happen, taking into consideration the positive benefits of the proposed development - making best use of a redundant/vacant site for much needed housing for older people and the background context of the Council's current lack of a 5 year housing land supply, it would not be considered reasonable or appropriate in this case to refuse the application on the stated tree protection grounds.

Ecological impact _

On site protected species

The applicant has submitted an Ecological Appraisal for the site (Tetra Tech, June 2021) and a subsequent Bat Emergence Survey report (Tetra Tech, 23.08.2021) which recorded that during the survey no emergences or other roosting activity was observed and consequently the buildings are considered unlikely to support roosting bats. The report concluded that no further mitigation or actions are required in terms of bats.

The report(s) also put forward a scheme of ecological enhancements which, subject to the conditions recommended by the Council's Ecologist, will ensure the development achieves a suitable level of Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG)

BNG essentially is measured using a DEFRA metric as the site currently exists. It is then re-measured in accordance with a development proposal. The site as developed needs to show a 10% net gain in biodiversity value over the site as exists and undeveloped. This can be achieved in a number of ways such as planting and introduction of bird and bat boxes for example. This concept has been recently introduced through the Environment Bill, and more recently through the new Local Plan and Cabinet Report of July this year which requires schemes of this size to demonstrate BNG. This has pre-empted the Environment Bill enshrining the need to demonstrate BNG into law. Policy STR1 of the Local Plan refers.

Habitat mitigation and off-site recreational impact

Recreational impact from the occupiers on protected areas and species can be managed by a S106 legal agreement or Unilateral Undertaking offering to pay the appropriate contributions. The applicants have agreed to do so in the event of an approval recommendation. Subject to a S106 legal agreement or Unilateral Undertaking being submitted in the event of any appeal no objections are raised.

Nitrate neutrality and impact on Solent SAC and SPAs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4 September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. To ensure the required mitigation is provided, a Grampian style condition is proposed.

Surface water drainage

The applicant has submitted a Surface water Drainage Strategy (Awcock Ward Partnership Consulting Limited, May 2021).

Officers are informed the clay content of shallow strata and raised groundwater at the site precludes the use of soakaways. There are no nearby watercourses and therefore runoff will need to be discharged to a surface water sewer in Southampton Road. It is believed that there is an existing surface water connection to a manhole in Southampton Road.

The proposed drainage strategy for Surface Water as submitted attenuates via cellular storage on site and released to the surface water sewer at a reduced rate. Foul flows generated by the development will benefit from the existing connection to the main foul sewer in Southampton Road.

The applicant proposes that the drainage on site will remain in private ownership once the development is completed and therefore will fall into the responsibility on the Management Company (Millstream Management) who will be responsible for the long-term maintenance of the drainage system as part of the wider management of the site.

HCC Flood and Water Management Team have assessed the submitted Surface Water Drainage Scheme and whilst accepting this in principle, have requested a detailed drainage strategy is submitted for subsequent approval. It is considered in this case the submission and subsequent consideration/agreement of the requested detailed drainage strategy can be suitably covered by a pre-commencement planning condition.

Developer Contributions

As part of the development, the following would be required to be secured via a Section 106 agreement (or unilateral undertaking):

- Air Quality monitoring contribution of £2,720
- Infrastructure contribution of £93,422
- Non-infrastructure contribution of £14,016
- Bird Aware Solent contribution of £13,323
- An appropriate Affordable Housing contribution

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	2882.1	569.5	2312.6	2312.6	£80/sqm	£236,952.55 *
			0	0		£0.00 *

Subtotal:	£236,952.55
Relief:	£0.00
Total Payable:	£236,952.55

11 CONCLUSION

The proposed development is considered acceptable in principle in that it would provide 32 new units of accommodation for older people (for which there is a clear demonstrable need) in a sustainable town centre location, and would make an appropriate (financial) contribution towards the provision of affordable housing in the area.

The proposal is considered acceptable on balance in terms of its scale, mass and appearance and its consequent impact on the existing character of the surrounding area (and adjacent Conservation area) and would not result in undue impacts in terms of amenity, Highway safety or other material considerations relevant to the proposal.

In these respects the proposed development is considered accordant with relevant local plan policies and national planning policy and guidance.

13 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion by the applicant/land owner of a planning obligation entered into by way of a Section 106 Agreement to secure appropriate habitats mitigation contributions (as identified in the officer report), measures to achieve Biodiversity Net Gain for the development and an appropriate contribution towards the off-site provision of affordable housing; and
- ii) the imposition of the conditions set out below:

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans:

PA 01 REV B	PROPOSED SITE PLAN
PA02 REV B	PROPOSED GROUND FLOOR PLAN
PA03 REV B	FIRST FLOOR PLAN
PA04 A	PROPOSED SECOND FLOOR PLAN
PA05 A	PROPOSED THIRD FLOOR PLAN
PA06 A	PROPOSED ROOF PLAN
PA09 A	PROPOSED ELEVATIONS 3
10109LY-PA00	SITE LOCATION PLAN
10109LY-PA08	PROPOSED ELEVATIONS 2
JBA 21/183 - SK01	CONSTRAINTS & OPPORTUNITIES
JBA 21-183 - SK02	LANDSCAPE STRATEGY
10109LY-PA07	PROPOSED ELEVATIONS 1

HERITAGE STATEMENT
TRANSPORT STATEMENT
DRAINAGE STRATEGY
ARBORICULTURAL ASSESSMENT & METHOD STATEMENT
TREE PROTECTION PLAN

ARCHAEOLOGICAL DESK-BASED ASSESSMENT
STATEMENT ON AFFORDABLE HOUSING
GEO DESK STUDY APPRAISAL
DESIGN & ACCESS STATEMENT
PLANNING STATEMENT
ECOLOGICAL APPRAISAL
TOPOGRAPHICAL SURVEY
NOISE ASSESSMENT (ref: R9201-1 Rev 0, 24 Acoustics Ltd dated 27 August 2021)

Reason: To ensure satisfactory provision of the development.

3. No development shall take place, (including any works of demolition), until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved CMS shall include scaled drawings illustrating the provision for:

- 1) The parking of site operatives' and visitors' vehicles;
- 2) Loading and unloading of plant and materials;
- 3) Management of construction traffic and access routes;
- 4) Details of construction access and construction vehicle tracking;
- 5) Storage of plant and materials used in constructing the development;
- 6) Details of the method of cleaning wheels and chassis of all HGVs, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site demolition, excavation, preparation and construction.

The agreed CMS shall then be adhered to for the duration of construction of the development hereby permitted.

Reason: In the interests of amenity and Highway safety, in accordance with the provisions of local plan policy ENV3.

4. Prior to demolition of the existing building(s) at the site, the tree protective measures recommended by the Barrell Tree Consultancy Arboricultural Assessment and Method Statement (reference: 18327AAJB dated 28 May 2021) and the Tree Protection Plan (reference: 18327-3) shall be installed and thereafter retained for the duration of the construction period for the development hereby approved. No fires, building operations, storage of goods including building materials, machinery and soil, or discharge of any chemical substances, including petrol and diesel, shall be undertaken within the tree protection zones or within the canopy spreads, whichever is the greater, nor shall any change in soil levels or routing of services within those defined areas be carried out.

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Development shall accord with the submitted details of external materials to be used in external facing walls, roofs, doors and windows, unless otherwise approved in writing by the local planning authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Before development (other than demolition) commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. Prior to occupation of the development hereby approved the parking spaces, access(es), manoeuvring space, visibility splays, bin store and cycle/motorised scooter store (with electric charging points) shown on the approved plans shall be provided. The parking spaces shall be retained and kept available for the parking of residents and their visitors only.

Reason: In the interests of amenity and Highway safety, in accordance with policies ENV3 and IMPL2 of the Local Plan 2016-2036 Part One: Planning Strategy.

9. The first floor and second floor window(s)/openings serving internal corridors within south and west facing elevations of the approved building shall be permanently glazed with obscured glass.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

10. The building shall not be first occupied until

- (a) details of the treatment of the southern and western boundaries have been approved in writing by the Local Planning Authority, and
- (b) these means of enclosure/details have been implemented in accordance with the details thus approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

11. The sheltered apartments comprising the development hereby permitted shall only be occupied by persons of sixty years or over, and the spouse or partner of such a person and in the event of the death of such person, the spouse or partner of such person shall be permitted to remain within the retirement apartments irrespective of whether they are aged sixty years or over.

Reason: To ensure that occupancy is in accordance with the approved details and identified need and to ensure that the parking provision is sufficient to meet the demand of this type of use thereby complying with the Parking Standards SPD and Policy HOU3 and of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

12. Before development commences, a detailed scheme of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

13. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved. The submitted details shall include:

- a. Maintenance schedules for each drainage feature type and ownership;
- b. Details of and timescales for implementation of protection measures;

The agreed maintenance and protection measures shall be implemented thereafter in accordance with the approved details, schedules and timescales.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

14. The rating noise level from the proposed substation, determined in accordance with the requirements of BS 4142: 2014 + A1:2019 *Methods for rating and assessing industrial and commercial sound* shall not exceed the prevailing representative background noise level by more than minus 10 dB in any external amenity space or at the nearest habitable room window (under free-field conditions) at The Old Police House or any apartment at Buckland House.

Reason: In the interests of amenity, in accordance with local plan policy ENV3.

15. No construction works above damp proof course level shall take place until a Biodiversity Net Gain (BNG) Management Plan has been submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years). The management plan should include:
 - Methods and timetable for delivering BNG;
 - Responsibilities for delivering BNG – during and after construction;
 - Description of the habitats to be managed;
 - Clear timed and measurable objectives in the short, medium, and long-term for BNG - Detail objectives for all habitats (target condition);
 - A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
 - Details for a formal review process when objectives are not fully reached / roles and responsibilities;

The agreed BNG and management plan shall be implemented and maintained in accordance with the agreed timescales and schedules unless otherwise agreed in writing with the local planning authority.

Reason: To ensure biodiversity net gain for the development, in accordance with local plan policy ENV1, saved local plan policy DM2 and the aims and objectives of the NPPF.

16. No clearance of vegetation clearance (e.g. trees, shrubs and scrub) or building demolition that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation/building for active birds' nests immediately before the vegetation is cleared or works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest(s) on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of nature conservation and in accordance with saved local plan policy DM2 of the Local Plan Part 2: Sites and Development Management.

17. Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the LPA for the inclusion of integral Swift Bricks within the building(s). The agreed scheme shall show the number, specification of the Swift Bricks and where they will be located, together with a timetable for implementation and commitment to being installed.

Following completion of the dwellings and prior to their first occupation, a report from an appropriately qualified ecologist confirming that all integral Swift Bricks have been installed as per previously agreed specifications and locations together with photographic evidence shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of nature conservation and in accordance with saved local plan policy DM2 of the Local Plan Part 2: Sites and Development Management.

18. Prior to first occupation of any flat, electric vehicle charging points shall be installed in accordance with a scheme that shall have been submitted to and approved in writing by the LPA. The approved scheme shall be retained and maintained in perpetuity unless otherwise agreed in writing by the LPA.

Reason: To ensure suitable provision is made for Electric vehicle charging, in accordance with the requirements of Policy IMPL2 of the Local Plan 2016-2036 Part One: Planning Strategy.

19. Prior to the occupation of approved development the mitigation measures set out within chapter 5 of the approved noise assessment (ref: R9201-1 Rev 0, 24 Acoustics Ltd dated 27 August 2021) shall be implemented in full and maintained for the life of the approved development.

Reason: In the interests of amenity, in accordance with the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy.

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

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

Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

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

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

21. Before development (other than demolition) commences, scale drawn details (plans and elevations) of the proposed refuse/bin store and the proposed mobility scooter and cycle store buildings, together with samples or exact details of the facing and roofing materials to be used for these buildings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details thereby approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Warren Simmonds

Telephone: 023 8028 5453



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New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

December 2021

Former POLICE STATION
 SOUTHAMPTON ROAD
 LYMINGTON SO41 9GH
 21/10938

Scale 1:1250

N.B. If printing this plan from
 the internet, it will not be to
 scale.

Planning Committee 08 December 2021

Application Number: 21/11170 Full Planning Permission

Site: RINGWOOD TOWN FOOTBALL AND SOCIAL CLUB, LONG
LANE, RINGWOOD BH24 3BX

Development: Replacement of the sub-standard pavilion/changing facilities on the site; Construction of a new FTP (Football Turf Pitch) with LED floodlighting; Improved car parking/infrastructure; Change of use of arable to sports use to include improvements to an existing arable field to allow future sports use; appropriate landscaping enhancements.

Applicant: Ringwood Town Council

Agent: PCH Associates Ltd

Target Date: 12/11/2021

Case Officer: Richard Natt

Extension Date: 14/12/2021

1 SUMMARY OF THE MAIN ISSUES

- 1.1 The following matters are considered to be the main issues to be taken into account when determining this application.

The main issues in this application are:

- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area;
- Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- Principle/Policy/Strategic Site Allocation
- Landscape and visual impacts
- Whether the development proposals would have an acceptable impact on the character and special qualities of the New Forest National Park, having regard to the development's design quality and its landscape and visual impact
- Transportation & Highway issues
- Neighbour amenity
- Ecology
- Impact on flooding/drainage

- 1.2 This matter is before Committee as the application is considered a departure from policy.

2 SITE DESCRIPTION

- 2.1 The application site lies to the south of Moortown Lane and south of the built up area up area of Ringwood. The site occupies the land to the east of Long Lane and to the west of Green Lane. The site lies within the designated Green Belt. The application site is in the ownership of Ringwood Town Council.
- 2.2 The site extends to approximately 5.4 hectares in size and is slightly irregular in shape and comprises two rectangular areas which are offset from one another. This includes Ringwood Town Football Club to the south west and the other parcel to the north east comprises existing grassed football pitches and a paddock currently accommodating livestock (agricultural use). All parcels of land are physically attached and connected to each other.
- 2.3 Within the grounds of Ringwood Town Football Club, there is the main 11 aside playing pitch with floodlighting (6 floodlights in total rising to around 15 metres in height), dug outs and stand. Alongside this, there is a single storey pavilion building used for changing rooms and clubroom, together with a small training pitch. A separate rifle range building lies north of the pavilion building. A gravel surfaced car park lies to the west of the playing pitch. Access is currently gained from Long Lane.
- 2.4 To the north east of Ringwood Town Football Club pitch and within the application site, there are existing grassed playing pitches, which include a 11 aside (adult) and a 9 aside (junior) pitch, together with two mini football pitches. There are no buildings or structures within this part of the site and the land is laid to grass.
- 2.5 Existing hedgerows rising to around 2 metres in height bound the curtilage of Ringwood Town Football club and the existing playing pitches and paddock to the north east. In relation to the areas surrounding the site, directly to the north of Ringwood Town Football Club are allotments, which do not form part of the application site. To the north of the existing grassed playing pitches, are further grassed football pitches and they are accessible from the application site. It is noted that the existing car parking facilities at Ringwood Town Football Club are used by people using these grassed pitches. To the south of the site are fields. There are a few scattered dwellings to the north east and east of the site along Moortown Lane and Green Lane, the closest residential property being 'Four Views' which has its rear garden bounding the north east of the application site.

3 PROPOSED DEVELOPMENT

- 3.1 This planning application relates to a proposal to replace the existing pavilion/changing facilities on the site, the construction of a new Football Turf Pitch (FTP pitch) with LED floodlighting, re-configured car parking area, the change of use of agricultural land to playing pitches and landscaping enhancements. For the purposes of this report, the proposed artificial pitch has been referred to as FTP.
- 3.2 The application has been submitted by Ringwood Town Council in partnership with AFC Bournemouth Community Sports Trust and Ringwood Town Football Club. New Forest District Council and Hampshire Football Association have also been involved in the proposals for the site. The overall proposal is to enhance the existing sporting facilities at the site and is aimed at providing a community based facility which will be managed by AFC Bournemouth Community Sports Trust.

- 3.3 In more detail, this planning application proposes the following works:
- An artificial (synthetic turf 3G) pitch with 6 floodlight (LED) masts rising to 15 metres in height.
 - Fencing around the perimeter of the artificial pitch rising to 4.5 metres in height with 500mm high retaining boards, constructed from Polyester PowderCoated Green fencing.
 - The construction of a new pavilion building (demolishment of the existing single storey pavilion building) to accommodate changing rooms, club room, store and office).
 - Change of use of land used for agricultural use to sports pitches.
 - Reconfiguration of car parking spaces to create a new surface car park comprising 85 new spaces (56 in tarmac and 29 on grasscrete) which includes 6 new DDA car parking spaces, 6 electric charging points and cycle stands.
- 3.4 The proposed FTP and floodlighting would be sited centrally on the site, on part of the land currently used as grassed playing pitches. The footprint of the FTP will result in the loss of grassed playing pitches including an adult 11 aside and 9 aside pitch. The two mini playing pitches will be re-orientated to an east-west direction in the remaining area of the playing field and as such, the FTP would not occupy all of the land currently used as playing pitches.
- 3.5 The FTP will be marked out with smaller sided pitches (9 x 9, 7 x 7 and 5 x 5) as well as a full-size adult pitch to ensure it can be used flexibility for a range of age and ability groups. It is proposed to use the FTP seven days a week, between the hours of 08:00 and 22:00. The FTP will be managed by AFC Bournemouth Community Sports Trust in which they will operate the site from an office within the proposed pavilion building.
- 3.6 In relation to the works proposed at Ringwood Town Football Club, the proposed pavilion building would replace the existing changing rooms and clubroom building. The new pavilion building would be sited immediately to the north east of the existing stadium pitch, and the existing changing room and clubroom would be demolished to make way for the reconfigured car parking area.
- 3.7 The proposed pavilion building would occupy a similar sized footprint compared to the existing building, although the level of internal floor space would increase by approximately 166 square metres, which is due to the first floor accommodation being provided. Other than a small office area being provided within the building to accommodate staff from AFC Bournemouth Community Sports Trust to manage the site, the internal rooms would be similar to the existing building ie. changing rooms, toilets, club room etc. It should also be noted that the pavilion building will be available for all users of the site, together with other wider community functions.
- 3.8 The proposed building would be just under 8 metres in height and designed with a simple pitch roof design constructed with a brick plinth and Marley Cedral Dark Grey cladding 'timber effect' under a tiled roof on the main section.
- 3.9 Other than the 1.8 metre-high fencing along the western boundary of the playing pitch, and the new car parking arrangements, it is not proposed to alter or make any changes to Ringwood Town FC playing pitch and the

existing stand, floodlighting and dugouts will remain. The existing access from Long Lane would remain with some a slight cut back of the existing hedgerow to improve visibility. Moreover, it is not proposed to make any changes to the Firing range building.

- 3.10 The proposal also seeks to change the use of the existing agricultural land to the north east to create additional grassed playing pitches. The extended area is considered to be of sufficient size such that a range of football pitch types could be accommodated including an 11 aside sized pitch or a range of smaller sided pitches.
- 3.11 How the proposals have been put forward for the site, how it will be managed/ used and long-term strategy
- 3.12 The proposal to develop the facilities and land at Long Lane into an enhanced sporting facility has been planned over the last few years. Although several key stakeholders have been involved in the process, the long-term vision for the site has been heavily led by AFC Bournemouth Community Sports Trust, Ringwood Town Council and Ringwood Town Football Club, together with Hampshire FA and NFDC. AFC Bournemouth's Community Sports Trust will have a base on site and ensure that these facilities are used by all ages and abilities of the local Community.
- 3.13 As stated above, AFC Bournemouth Community Sport Trust will manage and operate the site (on a long term lease from Ringwood Town Council), in which part of the pavilion building will be used as a base for Trust staff. AFC Bournemouth Community Sports Trust is the charitable 'arm' of AFC Bournemouth, and is currently active throughout Bournemouth, Poole and surrounding areas including the western part of the New Forest Area, delivering work across its four key objectives: *Education, Health, Participation, and Inclusion*. As part of their work, full time staff are employed delivering a variety of sessions a week, working in partnership with schools, organisations and business, coaching, teaching, and engaging with people across all age ranges.
- 3.14 It should also be noted that the FTP and associated grass pitches, will continue to be used by Ringwood Town Football Club including their youth teams for training. The facility (pitches and club house/community space) will also be used by other local teams, Schools, and organisations/community groups from Ringwood. The development proposed will enable Ringwood Town FC to expand the number of teams it operates and the range of football activities it promotes - making its offer to the people of Ringwood and surrounding areas more diverse and inclusive.

PLANNING HISTORY

Extension of existing car park to provide 33 additional spaces; fence (92552)
Granted with conditions on the 26th November 2008

Relief from Condition 1 on planning permission 65533 (69528)Refused on the 17th August 2000. Appeal dismissed.

Erect 6 x 15 metre high pylons supporting floodlights (65533) Granted with conditions on the 24th February 1999

Change of use from agriculture to football pitches (49272) Granted with conditions on the 13th May 1992

Fix additional lights to new pylons to illuminate training areas (47024) Refused on the 10th April 1991

Clubhouse (RFR 12456/1) Granted with conditions on the 30th August 1968

Change of use from allotments to sports ground (RFR/12456) Granted with conditions on the 30th August 1968

5 PLANNING POLICY AND GUIDANCE

Site constraints/ designations

Strategic Allocated Site (SS13 Land at Moortown Lane)
Part of the site is located within Flood Zone 2 (area within the north eastern part of the site)
Green Belt
Outside settlement boundary

The Core Strategy (Saved policy)

CS7: Open spaces, sport and recreation

Local Plan Part 2 Sites and Development Management Development Plan Document (Saved Policies)

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM8: Protection of public open space, private playing fields and sports grounds and school playing fields
DM25: Recreational uses in the countryside - including horse-keeping/riding

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR3: The Strategy for locating new development
Policy STR8: Community services, infrastructure and facilities
Policy ENV2: The South West Hampshire Green Belt
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy CCC1: Safe and Healthy Communities
Policy CCC2: Safe and Sustainable Travel
Strategic Site 13: Land at Moortown Lane, Ringwood

Relevant Advice

National Planning Policy Framework 2021

Para 7 - sustainable development

Paras 92-93 - promoting healthy and safe communities.

Paras 98-99 - opportunities for sport/ open space recreation

Planning Practice Guidance on Noise 2014

Advises LPAs on the determination of applications where noise is an issue. Noise can override other planning concerns, but neither the Noise policy statement for England nor the National Planning Policy Framework (which reflects the Noise policy statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development.

Noise Policy Statement for England 2010

The Noise Policy Statement for England sets out the long term vision of government noise policy, to promote good health and a good quality of life through the management of noise.

Sporting Future: A New Strategy for an Active Nation - December 2015

It is government's ambition that all relevant departments work closer together to create a more physically active nation, where our children and young people enjoy the best sporting opportunities available and people of all ages and backgrounds can enjoy the many benefits that sport and physical activity bring, at every stage in their lives.

Sport England Advice - Playing Fields Policy and Guidance 2018

Sport England on this occasion are a non-statutory consultee but their response to a planning application affecting sports facilities should be considered material.

- " Objective to maximise opportunities for sport and physical activity for all
- " To enhance opportunities through better use of existing provision
- " To provide new opportunities to meet the needs of current and future generations

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: No comment as they are the applicant

7 COUNCILLOR COMMENTS

Cllr Darren Loose: Support. Being a resident, Councillor, business owner and volunteer of the football club I know how much this is needed for the future of the club. The local children will have first class facilities all year round thanks to the support of all the interested parties inc Ringwood Town Council and AFC Bournemouth Community Trust. This will be a benefit not just for now but for many years to come.

8 CONSULTEE COMMENTS

Ecologist: No objection subject to conditions

Environmental Health (Pollution): No objection subject to condition

This department has no concerns regarding this application so long as noise and light from the site is suitably controlled. The information submitted shows management controls on noise and light spillage plans which indicate that controls on site are in line with what would be expected to prevent significant adverse impact

from this development. This includes a condition to restrict hours of use between the hours of 8am and 10pm Mondays to Sundays and that any lighting installed at the hereby approved development shall not exceed the maximum values of vertical illuminance on properties in accordance with Environmental Zone E2 .

Environment Agency: No objection subject to condition

We would not wish to see any ground raising on existing land below the 1 in 100 year flood level including 40% climate change (no ground raising on land below 18.49mAOD). Any landscaping or pitch levelling or drainage works should take account of this requirement. We advise that any new built development associated with this proposal (i.e. pavilion, rifle range, MUGA etc.) has a minimum finished floor level of 18.79mAOD (i.e. 300mm freeboard above the 1 in 100 year flood level including 40% climate change. It appears that this would be possible given the existing ground levels.

Sports England: No objection

Natural England: No comment to make

HCC Minerals: No objection subject to condition

Hampshire County Council Lead Local Flood Authority: No objection subject to condition

HCC Highways: Comment

Parking is a matter for NFDC to consider.

Detailed tracking and emergency access arrangement plans have been submitted to support the application. The Highway Authority's advice is that there are no fundamental concerns with the internal layout from a highway safety perspective.

The proposal will result in the increase in traffic generation. Long Lane is a narrow single lane in which it is difficult for two vehicles to pass. It is understood that the Planning officers cannot support the widening of the lane, and as such the Highway Authority would therefore like to see improvements/enhancements to the passing places along Long Lane, which can be secured via a Grampian condition. However, the Highway Authority would require that the applicant needs to be made aware of the requirement to carry out any works on the highway to the appropriate standard laid down by and under a licence agreement with the highway authority. The applicant will need to provide a plan showing the proposals to the existing passing places.

HCC Minerals: No objection subject to condition

Given that the proposals include redevelopment of existing facilities and minimal built form, the extent of mineral sterilisation on site is below the viable threshold for prior extraction. Therefore, we do not consider prior extraction to be suitable in this case. However, the site could still provide opportunities for suitable mineral material, such as digging footings, excavations, or landscaping work, that could be processed and ideally, used on this application site. We request a condition to be included in any permission to be delivered through submitted construction management plans, requiring a statement outlining a method for ensuring that such minerals that can be viably recovered during the development operations are so recovered and put to beneficial use

9 REPRESENTATIONS RECEIVED

For: 158 letters of support

- The proposal will provide improved facilities that will inspire the current teams, attract new members and would be a significant benefit the local community.
- Existing facilities and buildings are in poor state of repair.
- Proposed facilities will allow all year-round use.
- The design sits well within the site and the new parking design improves access into the site, therefore improving safety off the narrow access road.

Against: 3

- How does AFC Bournemouth FC Community intend to incorporate these new facilities for the use and encouragement of local youth and local players? There is a strong youth setup at Long Lane, and I can see this getting pushed aside by the AFCB Community setup as they will be sourcing the funding. Good idea in principle, but in practice could be a long-term difficulty.
- 15m tall floodlights will have the potential to cause considerable sky glow effects and light pollution when viewed from within the National Park, which is nearby to the east of the site. The submitted ecological report indicates that the site provides forage habitat and potentially a roost for bats. The floodlights have the potential to cause disturbance to bats and other night time animals and insects, so it is important to be certain that the hours of use will be restricted by an enforceable condition.
- We were promised that there would be no further development on this site, which is a sensitive area – farm land, agricultural land, Green Belt. Impact from light pollution and damage to local environment, noise pollution. Concerns regarding involvement of Bournemouth. Dorset has many of its own football grounds it could develop for use of its own club.
- Highway safety is a big concern. Long Lane is in essence a single width road with pull-ins. Furthermore, with the lack of visibility splays, of note when leaving the allotments and also at the junction with Moortown Lane this situation leads dangerous, unsighted manoeuvres. This is popular cycle route. Surely improvements to site visibility should be included as part of this scheme and improvements to widen the short section of Long Lane up to the junction. This is a collaborative scheme involving the Local Authority and Town Council.
- Parking is a concern. Will there be measures in place to prevent parking down Green Lane and Long Lane? Parking on the verges is bad for wildlife, an also makes access with farm machinery which many of the neighbours require on a regular basis.

Observations/ representation: 2 letters

One comment below from user of Allotments

- The boundary treatment between the site and allotments to the north. At present there is a hedgerow which is scrubby in places and includes a gap through. Is this informal access to be closed off or retained? With increased used of the facility and hours of use as a result of the improvements, could

improvements to the boundary with the allotments be made to improve security, such as incorporating open metal fencing with improved hedge planting.

One comment below from a land promoter/developer who has land interests immediately south of the above application site

- The prospect of optimising the development capacity of the allocation by locating the open space provision within the retained Green Belt south of Moortown Lane was the outcome of the local plan process and it is now enshrined within policy SS13 (Land at Moortown Lane, Ringwood, para ii) that land to the south of Moortown Lane is allocated for “supporting uses to enable allocated land north of Moortown Lane to deliver the minimum number of homes [at least 480] required” including “the provision of natural recreational greenspace and public open space (including outdoor sports facilities)”.
- In this respect the above application complies with policy. It represents ‘appropriate development in the Green Belt and is supported in principle.
- The main concern however is to ensure that the development of these recreation facilities does not prejudice or preclude the effective delivery of the additional open space and Alternative Natural Recreational Greenspace (ANRG) to be provided in accordance with Policy SS13. This is important, to maximise the potential and delivery of sites which have been removed from the Green Belt to meet local housing needs, at a time of a housing delivery shortfall.
- It is understood that land promoters (St Congar) have held consultation on proposals for c491 homes - indicating the ‘existing pitches’ south of Moortown Lane being retained. This is unlikely to provide for the additional need for open spaces and recreation facilities of all types that will be necessary to support that development. It is also unclear whether the land reserved for a new school, as part of SS13, will be delivered.
- The demands for further open space and recreation provision (on top of those already served by the Ringwood Town FC and Social Club site and as now proposed) need to be effectively planned for and delivered. Whatever the additional open space/ ANRG requirement for the SS13 residential development (which will need to be located south of Moortown Lane), this must be on land under Pennyfarthing Homes control.
- We are keen to ensure that any intervening development, including land shown on the above application, should not prejudice such comprehensive development of the land covered by SS13.
- The eastern part of the current application site (which abuts Green Lane), is shown on the plans, as “Existing field to be used for additional sports pitches. To be levelled and improved as necessary. ”Connectivity between different types of open spaces, accessibility and a strong landscape framework for the delivery of the strategic allocations are important elements of the Local Plan strategy. On that basis we ask the Council to recognise and ensure that any development in this application does not prejudice the delivery of wider strategic objectives for additional open space and ANRG.

10 PLANNING ASSESSMENT

Introduction

10.1 The main issues in this application are:

- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area;
- Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- Principle/Policy/Strategic Site Allocation
- Landscape and visual impacts
- Whether the development proposals would have an acceptable impact on the character and special qualities of the New Forest National Park, having regard to the development's design quality and its landscape and visual impact.
- Transportation & Highway Issues
- Neighbour Amenity
- Ecology
- Impact on flooding/drainage

10.2 Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies

10.2.1 Guidance in relation to development within the Green Belt is contained with Chapter 13 of the NPPF, the advice within which is broadly echoed within Policy ENV2 of the Local Plan. The NPPF and Policy ENV2 attaches great importance to Green Belts and advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.

10.2.2 The site lies within the Green Belt where national policy states the construction of new buildings, save for a few exceptions, should be regarded as inappropriate. Inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances.

10.2.3 Paragraph 149 of the NPPF states that the construction of new buildings in the Green Belt is inappropriate, but lists exceptions, which include provision of appropriate facilities for outdoor sport and outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

10.2.4 Paragraph 150 states that certain other forms of development (engineering operations) are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. In addition, guidance states that material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) are not inappropriate development.

- 10.2.5 For the purposes of paragraphs 149 and 150, it is considered that the proposed pavilion building, fencing, and lighting columns would constitute a 'building operation' within the Green Belt. The laying of the artificial pitch and vehicle parking area would constitute an 'engineering operation'. The proposed change of use from agricultural to playing pitches is not inappropriate development in the Green Belt.
- 10.2.6 It is considered that both the proposed pavilion building, artificial pitch with its associated fencing and floodlighting and engineering operations comprise facilities for outdoor sports/recreation and therefore looking at the provisions of paragraphs 149 and 150 of the NPPF the main consideration in determining whether the proposed development does not represent inappropriate development is whether it preserves the openness of the Green Belt, and does not conflict with the purposes of including land within it.
- 10.2.7 Given that the proposed car parking is of similar size to the existing car parking arrangements and the layout of a artificial pitch with the fencing being a weld mesh fencing and therefore would not be a solid structure, it is considered that this part of the proposal would preserve the openness of the Green Belt.
- 10.2.8 It is also considered that the proposed pavilion building would be of similar scale and size compared to the existing building, and together with its sloping roof and its siting, would preserve the openness of the Green Belt and does not conflict with the purposes of the Green Belt.
- 10.2.9 However, given their height, prominence and the context of the landscape, which is flat and open, it is considered that the proposed floodlighting would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it. Whilst it is accepted that the proposed floodlighting are slender structures, the existing floodlighting at the football ground can be observed from a long-range distance and the new floodlighting will only add to their presence.
- 10.2.10 As such, it is considered that the proposed development which entails the floodlighting masts would amount to inappropriate development in the Green belt. This conflicts with the aim of the Green Belt Policy to keep land permanently open and will result in some urbanising development that will clearly be at odds with this purpose. Therefore very special circumstances (VSCs) need to be demonstrated before the development can be approved. The applicants has put forward VSCs in which they state will outweigh the harm of the proposal by reason of its inappropriateness and any other harm. This is assessed in greater detail below.
- 10.3 What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?
- 10.3.1 The NPPF sets out the 5 main purposes of the Green Belt. In this case, it is considered that the proposal will conflict with one of the purposes, which seeks to safeguard the countryside from encroachment. The proposed development would undoubtedly change the appearance of the land with new floodlights, and when considering their height, number, and siting, this would amount impact on the openness of the Green Belt. It is recognised that the proposed floodlighting masts are slender in design, and as such, the extent of harm is low to moderate.

10.4 Would there be any other non-Green Belt harm?

10.4.1 The principle of the development

10.4.2 The site is located outside the settlement boundary where restrictive policies to protect the countryside apply. As set out in the local plan, the land comprising Ringwood Town FC main playing pitch, the firing range and car parking is identified as '*existing public open space*'. The part of the site comprising the proposed FTP and the area of land that is proposed to change from agriculture to playing pitches is located within land identified in the local plan as '*proposed public open space*'.

10.4.3 The site also lies within the boundary of Strategic Site 13 '*Land at Moortown Lane Ringwood*', which is allocated for a residential led development. To the north of Moortown Lane, the policy states that the residential development is to be provided, whereas the land in the Green Belt to the south of Moortown Lane is allocated for the provision of natural recreational greenspace and public open space (including outdoor sports facilities), to enable allocated land north of Moortown Lane to deliver the minimum number of homes required.

10.4.4 There are also further relevant local plan policies. Saved Core Strategy Policy CS7 and Local Plan Part 2 Policies DM7, DM8 and DM 25 state that improvements made to enhance recreation, play and sports facilities within communities will be supported.

10.4.5 Newly adopted Policy STR8 Community services, infrastructure and facilities is also applicable and highlights the need to ensure the provision of adequate infrastructure and services to meet the current and future needs of residents and businesses in the Plan Area. The policy states that the Council will support proposals for the provision of education, health, social and other community services that are located to be accessible to all sectors of the community.

10.4.6 Paragraphs 92-93 of the NPPF is relevant and encourages development which enables and support healthy lifestyles through sports facilities, a reduction in crime and disorder, and promoting social interaction. Para 98 encourages opportunities for sport and access to a high-quality network of facilities for sport and physical activity, and an ability to accommodate the needs of a community. The NPPF goes onto state that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless; the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

10.4.7 In assessing the proposal against policy, and in relation to the replacement of the pavilion and improved car parking facilities, on the basis that this does not affect the quality or quantity of playing pitches and would provide wider improvements to the facilities and to help support their functions, this element of the proposal is acceptable and accords with local and national policy (subject to other planning assessments on character, Green Belt, Noise etc).

10.4.8 In relation to the proposal to change the use of the land from agriculture to playing pitches and the FTP, the local plan allocates the land for proposed

public open space. It is noted that the local plan does not specifically define playing pitches as public open space and it must be recognised that the use of the FTP, whilst available for the public, will be through a booking system. In terms of the grassed playing pitches, these will also be available for matches but must be booked. Importantly, if games are not being played, the land is accessible for the public to walk and enjoy, play football or use for other recreational activities. This will be no different to how any other recreation ground functions.

- 10.4.9 Accordingly, whilst the land will be available for the public to use as public open space, it must be recognised that the FTP can only be used through a booking system and the rest of the grassed areas are not available for the public to use if matches are being played, which is likely to be at weekends. Again, in relation to the grassed playing pitches, this will function in the same way to other recreational grounds where there are playing pitches and the public can use when no matches are being played. As such, the proposal is not strictly policy compliant with the local plan policy which allocates the land for public open space.
- 10.4.10 Against that, the local plan, including the policy criteria set out in the site allocation SS13, does recognise and support proposals that improve and enhance recreation, play and sports facilities within communities. This is echoed in the NPPF which encourages opportunities for sport and access to high quality network of facilities for sport and physical activity, and an ability to accommodate the needs of a community.
- 10.4.11 A further consideration is that, in the New Forest area, and as set out in the local plan, backed up by the comments from the Football Foundation, there is a clear deficit of artificial pitches in Ringwood and the New Forest. All weather pitches are a facility that provides significant benefits given that they are available to the community, can be used for different size games (11, 7 or 5 aside), available throughout the day and evening, every day of the week, and during all weather conditions. The proposal will certainly contribute to this need.
- 10.4.12 As such, and in assessing the policy position, including the deficit in Ringwood of football pitches, the proposed FTP and playing pitches will provide overriding benefits to sporting activity for the area, including all ranges of ages and abilities, teaching, education and coaching initiatives. Moreover, and in response to the concerns raised that the management of the site through AFC Bournemouth Sports Trust could prohibit the playing pitches being used by the local community and local clubs, a planning condition can be imposed for the submission of a Community Use Scheme. This will set out the details of pricing policy, hours of use, access by non-Ringwood Town Football Club and Bournemouth Community Trust users/non-members and the development shall not be used otherwise than in strict compliance with the approved agreement. Through the imposition of this condition, this will secure well managed safe community access to the sports facility.
- 10.4.13 It is also considered that the proposal does not prejudice the objectives of the strategic site at Moortown Lane, which clearly highlight the land to the south of Moortown Lane to provide playing pitches to support the new housing development. As stated above, the grassed playing pitches will be available for the public to walk and use for recreational purposes and the delivery of Strategic Site development will actually enhance the connectivity and pedestrian and cycle link into land subject to this application. Indeed,

the applicants proposal includes a footpath and cycle link within the existing grassed playing fields to ensure that, in the long term, there is connectivity between all sites to the south of Moortown Lane and importantly the delivery of SS13 is not prejudiced.

10.4.14 In summary, whilst the proposal is not strictly in line with local plan policy in that part of the proposal does not provide public open space, there are other policies that support community and sporting facilities. Moreover, given that the public will still have access to use most of the land as open space, and considering the significant deficit of playing pitches in the area and the wider benefits to the community, the proposal would be acceptable in principle and accords with policy when considered as a whole.

10.5 Landscape/ Visual matters

10.5.1 The site lies within a sensitive location, lying outside the settlement boundary and within the Green Belt. The character of the area is rural with very few existing dwellings, several agricultural fields and narrow country lanes bounded by hedgerows with no pavements. The existing football pitches, allotments and Ringwood Town Football Club make up a significant portion of this land, in which the most noticeable features are the existing buildings and floodlighting masts.

10.5.2 The open and flat landscape which characterises this area is important in terms of affecting the landscape and maintaining the green belt edge. Equally, the boundary of the New Forest National Park lies approximately 320 metres to the east of the site at its closest point. Views of the site tend to be relatively short, in which the existing floodlighting masts can be viewed from the country lanes to the south of the site.

10.5.3 It is accepted that the cumulative impact of the new buildings, structures and its overall use will result in a change in the character and appearance of the site. Although the existing hedgerows would screen most of the proposal, the main visual impact will be the new pavilion building and the flood lighting masts. In addition, when the floodlighting's are in operation, there will be a degree of impact on the dark skies.

10.5.4 The proposed pavilion building would be sited more centrally on the site and would be slightly larger in scale than the existing building, although the footprint of the buildings would be similar. Whilst the proposed pavilion building will result in a greater visual impact compared to the existing building, this will not be significant. Its siting would be more central on the site, positioned away from the lanes and the design of the building with its sloping roof and all the first floor accommodation provided in the roof space, would result in a building that appears single storey scale.

10.5.5 Visually the proposed building would be of a simple design with a pitched roof, constructed from 'timber' effect cladding under a clay tiled roof. It is considered that the proposed building would make a positive enhancement given the poor condition and appearance of the existing building.

10.5.6 Concerning the proposed floodlighting masts, the number and size would match that on the existing Ringwood Town FC pitch. As such, the proposal would provide 6 floodlighting masts and when added to the existing 6 masts on Ringwood Town Football pitch, in total, will result in 12 floodlighting masts across the site.

- 10.5.7 It is acknowledged that floodlighting masts generally are an urban feature that would not ordinarily be found within a rural context. Equally, given their height floodlighting masts are normally considered to be visually intrusive features that would be harmful to sensitive rural areas. However, consideration needs to be given to the fact that the site already contains floodlight masts on the existing football pitch and the proposed FTP and floodlighting masts would be sited in the central part of the field, away from the lanes and less visually prominent
- 10.5.8 Whilst it is acknowledged that the proposed floodlights would still be apparent from outside the site and there will be a degree of harm, the columns on which they are positioned are relatively slim, and there would be spacing between them. In addition, they would appear as an integral part of the existing floodlighting on the site. Accordingly, whilst the proposal will result in additional harm on the landscape character of the area, they will not appear unduly harmful in their setting and visual impact will be moderate.
- 10.5.9 The proposed car parking re-configuration would be very similar to the existing situation, the main difference is that the car parking spaces will be formally laid out. In addition, given the increase in the use of the site, the extent of the car park will be more intensively used throughout the day and evening, compared to the existing situation which tends to be busy on match or training days. Given the high hedges along Long Lane, views of the car park would be minimal and the use of a grasscrete surface on part of the will be sympathetic to this rural context.
- 10.5.10 In terms of the impact of light pollution, the design of the floodlighting using the proposed LED system meets the standard for both pitch illuminance and control of obtrusive light. Indeed, the lighting is designed using a flat glass design, that enables the glare and spill to be well contained around the perimeter of the pitch with minimal impact on the surrounding landscape.
- 10.5.11 In summary, whilst it is recognised that the overall proposals will result in a change and a degree of harm in the context of the area, it is not considered to be significantly harmful and needs to be balanced against the need to provide the proposed facility and against the plan, when considered as a whole. In addition, a landscaping condition can be imposed to ensure that the existing hedgerows can be retained and enhanced, together with new planting.

10.6 Impact on National Park

- 10.6.1 There is a statutory duty for the Local Planning Authority to have regard to the purposes of the adjacent National Park, and it is therefore important that what is proposed has an acceptable impact on the setting of the New Forest National Park.
- 10.6.2 The proposed development lies within 320 metres of the New Forest National Park boundary and the key issue to assess would be the impact upon the wider landscape (particularly with regards to any impacts associated with external lighting).
- 10.6.3 Given the undeveloped nature of the site with its open paddocks, trees and hedgerows, it is accepted that the proposal could have a greater impact on the New Forest National Park and its setting, with particular regard to light pollution and visual impact from the flood lighting. The distances from the floodlighting to the National Park is more than 470 metres away and given these distances and that there are already existing floodlight masts on the site, the proposal would appear in combination with these lights.

- 10.6.4 Based upon the submitted technical lighting report, the overall extent of lighting proposed is such that the proposal would not cause unacceptable sky glow, and as such, the proposal will not have a harmful impact upon the special qualities of the New Forest National Park. The floodlighting can provide half pitch switching with the ability to dim the lighting to reduced illuminance level and there is the ability to automatically control the curfew time of the floodlighting would be provided with the proposed system and programmed in line with planning conditions.
- 10.6.5 Moreover, given the effectiveness of the design of the flood lighting using a flat glass hood, which reduces light spill, a planning condition can be applied that ensures that flood lighting are implemented in accordance with these details and no changes are made to the lighting or structure unless planning permission has first been obtained.

10.7 Transportation & Highway Issues

Access and traffic generation

- 10.7.1 In relation to the policy context Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 107 of the NPPF specifically addresses car parking. It does not provide suggested standards, but instead sets out that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, the availability of and opportunities for public transport and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Local Plan Policy CCC2: 'Safe and sustainable travel' requires new development to provide sufficient car and cycle parking, including secure cycle parking.
- 10.7.2 Access is currently gained from Long Lane, which is a narrow rural lane bounded by hedgerows and no footpaths. Long Lane connects onto Moortown Lane which is also a rural lane with no footpaths. Christchurch Road is the main road which connects most of Ringwood, but also to Christchurch to the south. The application site is around 470 metres to Christchurch Road. There are no bus stops within the vicinity of the site.
- 10.7.3 In terms of car parking, there are currently no designated spaces within the site, but the applicant states that the existing car parking arrangement enables up to around 85 car parking spaces (including the overflow). It is noted that, in the absence of markings, it is not possible to confirm an exact number of spaces, although, it is evident that the existing car park is a poor quality and uneven surface. It should also be noted that there are no Disabled parking spaces, cycle spaces or other electric charging points, together with limited emergency vehicle access.
- 10.7.4 The proposal seeks to utilise the existing access from Long Lane to serve all facilities on the site including the firing range, Ringwood Town Football Club, grassed playing pitches and the FTP. The proposal seeks to provide a much better parking facility for the site with up to 85 spaces to include disabled and 6 EV charging points, connection to the Ringwood Town via a future footpath/cycle way, the provision of 30 cycle shelters and improved emergency vehicle access to the site. It is also important to note that the proposal retains the existing overspill car park, which can accommodate approximately 40 vehicles. In total, the proposal could provide up to 125 car parking spaces.

- 10.7.5 In terms of the increase in the use of the existing access, the applicants Transport Statement states that historic TRICS data for football pitches indicate there is minimal trip generation throughout a day. It estimates that between 5pm and 6pm there will be 10 trips and this increases to 13 trips between 6pm and 7pm. There is a further increase to 20 between 7pm and 8pm and this falls to 18 between 9pm and 10pm.
- 10.7.6 It is considered that at less than 20 trips in peak times, this proposal will not have a severe impact on the Local Highway. Whilst Long Lane is a narrow lane in which there are difficulties for two vehicles to pass, Long Lane is very quiet and there is a distance of around 270 metres between the site access and junction with Moortown Lane (which is a wider two-lane road). In addition, it is noted that there are two informal passing places along Long Lane between Moortown Lane and the site access. In terms of the visibility from the site entrance onto Long Lane, the applicant proposes to cut a short section of the hedge to improve the visibility.
- 10.7.7 Whilst the proposal will not significantly intensify activity on the site or result in a material increase in traffic generation on the local highway network, the Highway Authority had initially requested that the applicant explores the possibility to improve Long Lane to allow for two-way vehicular movement. In response, Officers recognise that Long Lane is narrow, however the lane has a strong rural character defined by its hedgerows, and there are concerns that this would unsympathetically urbanise this rural character. Moreover, based upon the overall traffic generation from the proposal, it will not be reasonable or proportionate for this development to make such a contribution for these works to be carried out and as such, will not meet the planning test set out in the NPPF.
- 10.7.8 Importantly, the Highway Authority have not said that the widening of Long Lane is essential. As such, and recognising that Long Lane is narrow, it is considered that there is potential to improve, enhance or widen the existing two passing places along Long Lane. The Highway Authority agree that such improvements will address their concerns in respect of increase traffic generation along Long Lane and accordingly, it is reasonable to impose a Grampian planning condition that requires the full details of the works to improve the passing places are submitted which consider the highway boundary, hedgerow loss, surfacing and passing places that are long enough to cater for private vehicles.
- 10.7.9 Personal Injury Accident is included within the Transport Assessment and the data indicates that there has been a total of three incidents within the wider area during the 5-year period, which have been categorised as slight. In reviewing the records, the three recorded incidents occurred at the North East of the site, all on Crow Lane. No accidents on the roads that immediately surround the site (Moortown Lane, Long Lane, Green Lane). As such, the records do not, therefore, contain any patterns that might suggest any areas of highway safety concern within the area.
- 10.7.10 Detailed tracking and emergency access arrangement plans have been submitted to support the application. The Highway Authority's advice is that there are no fundamental concerns with the internal layout from a highway safety perspective.

Sustainability

- 10.7.11 The application site is poorly accessed for pedestrians, cyclist and public transport, and there is a reliance on accessing the site by car or other vehicles. Whilst it is unfortunate that the site is poorly connected for pedestrians and cyclist, based upon the scale of development, it would not be reasonable or feasible to create a footpath along Long Lane and Moortown Lane to link existing footpaths in Ringwood to the site. In addition, the creation of a footpath along these lanes would result in the loss and damage to hedgerows that would be detrimental to the rural character of the area.
- 10.7.12 The proposal will provide 6 electric charging points, which is a significant benefit. Moreover, in the long term, and as part of any future proposals for the residential development to come forward to the north/south of Moortown Lane, there is a clear opportunity through the masterplanning to incorporate footpath, cycle and crossing connections that not only link that development to the sporting facilities to the south of Moortown Lane but also the wider part of Ringwood. Improvements to public transport including bus facilities near or along Moortown Lane is likely to come forward as part of the strategic site developments.
- 10.7.13 The applicants proposed site plan indicatively shows a footpath and cycleway within the application site that connects right up to the existing playing pitches on the land to the north of the application to the site. This will mean that safe and direct footpaths and cycle paths can be put in place to deliver long term footpath/cycle links between the site and rest of Ringwood. In addition, this will ensure that there is good connectivity between the land to the south of Moortown Lane in delivering the objectives of the strategic site allocation.

Car parking

- 10.7.14 Given the rural context of the site, its isolated location and lack of public transport/ footpath connections to the site, it is important that the site provides sufficient car parking to serve all facilities on the site. For the avoidance of doubt, the car parking at Ringwood Town Football Club is also used by the existing football pitches on the land directly to the south of Moortown Lane. As such, this facility needs to be considered as part of the car parking assessment.
- 10.7.15 Taking each individual use alone, it is considered that there is sufficient car parking. However, the most important matter is to ensure that there is sufficient car parking spaces available during the 'peak' times or when the different facilities are being used at the same time. Accordingly, to help understand the 'peak' times or the 'worst' case scenario, the applicant has helpfully provided details of the maximum number of users and the core times of the facilities that will be using the site. This is set out in the table below:

Rifle range

- The maximum number of users is 20 users.
- No on-site staff
- Core hours of use Tuesday and Friday evenings - 5pm to 10pm and Wednesday - 9am to 12pm

Ringwood Town Football Club match days

- The maximum number is 30 players/staff and 30 spectators
- Three games per week on main pitch, which includes one match midweek, one on Saturday afternoon and one on Sunday
- The majority of travelling teams car share to get to the venue, on occasion mini bus transport is used
- Training for the sides is included within the plan of the new FTP

Pavilion building/ functions

- The maximum number is 100 users
- The pavilion will form a base for AFC Bournemouth CST.
- A maximum of 7 staff will be located on the site at anytime.
- The function room in the building, will this be used for birthday parties, events/celebrations etc or mainly as a bar/club for players/ spectators before and after games/ using the facilities
- The functions would not take place at the same time as a Ringwood Town matches and when the grass pitches are being used.
- For a function such as this, there would likely be a maximum of three staff on site

FTP

- The maximum number is 60 users
- The FTP will only be able to accommodate limited numbers.
- The FTP can accommodate 4nr mini soccer pitches at a maximum. In the highly unlikely event that everybody drove to the site this would be just over 60 spaces.

Other playing pitches (grassed pitches)

- The Long Lane and Moortown Lane pitches are used extensively (particularly on Saturday mornings for Youth and Sundays).
- Based on the combined area of the sports pitches which is approximately 6ha, this equates to a need for 72 spaces and these can be accommodated on the site in a sporadic manner.
- The grass pitches are not used at the same time as the rifle range or when Ringwood Town FC are playing.

Assessment of the car parking

10.7.16 The Councils 'Parking Standards Supplementary Planning Document (SPD)' provides a recommended car parking provision for sports/playing fields of 12 spaces per hectare of pitch area. In total, there will be 6 hectares of playing pitches, which includes the land immediately to the south of Moortown Lane. This would equate to 72 car parking spaces. The parking standards do not include rifle range facilities, football stadiums or club house facilities and as such, these must be considered on a site-to-site basis and the information provided by the applicant.

10.7.17 Based upon the applicant's information, for most of the time, the site will not be intensively used, and all facilities operate during different times. Weekends will clearly be the busy times when the grassed playing pitches will be used and the main Ringwood Town Club Football playing pitch. However, the FTP does enable many youth teams that normally train on the playing fields weekends to be able to use the FTP and train during the

week. It should also be noted that the grassed playing pitches would be predominately used in the morning at weekends, whereas the Ringwood Town Football Club play in the afternoon.

10.7.18 Bournemouth Community Trust who will be managing the site confirm that there will not be a time where all the facilities on the site are used at the same time. In assessing the car parking facilities, it is considered that there is sufficient car parking spaces to serve all users of the site and through the management of the site, the car parking can be appropriately managed during peak times. Furthermore, this planning application proposes to significantly increase the number of car parking spaces and given that this proposal only entails a new FTP and new grassed pitch, it is considered that the proposal will provide a considerable improvement to car parking on the site.

10.8 Impact on the living conditions of the neighbouring properties

10.8.1 It is considered that the main impact relates to the proposed FTP, and in particular, whether the light pollution caused by the proposed flood lighting and the increase in noise and disturbance due to the increase in activity on the site would be harmful to neighbouring residential properties.

10.8.2 There are a few scattered dwellings located on the east side of Green Lane. There is a further dwelling known as 'Four Views' which is located on the corner of Moortown Lane and Green Lane. This property is the closest resident to the application site.

10.8.3 Because of the distances involved, it is considered that the new pavilion building, car parking, floodlight masts and associated perimeter fencing would not give rise to an unacceptable impact on the light, outlook or privacy of the neighbouring properties. The nearest structure is the artificial pitch, and the distance to the nearest residential property at 'Four Views' is more than 150 metres away to their rear boundary.

10.8.4 In addition, the proposal to change the use of the agricultural field to additional playing pitches would not rise to an unacceptable impact to the neighbouring properties. Whilst it is accepted that the use of the field as playing pitches will increase the noise and disturbance to the neighbouring properties, the land is allocated in the local plan for proposed public open space, where there is an expectation that the land will be used for playing fields. Moreover, the land will be laid to grass and used as either one large pitch or small pitches, however, it is not considered that this will be intensively used to result in any adverse harm.

10.8.5 Turning to the main issue, which is the effect of noise, disturbance and light pollution from the proposed artificial pitch and its associated flood lighting, a detailed lighting assessment has been submitted to demonstrate the extent of light spillage and efficiency of the light spillage. The report concludes that the design of the lighting is such that light spillage is reduced to only the artificial playing pitch and whilst some marginal overspill to the hedgerows, there is no light over spill to the nearest resident which is located more than 150 metres away to their boundary and more than 190 metres away from the house.

- 10.8.6 The floodlights will be operable via a timer to ensure they switch off at stipulated times. The Environmental Health Officer does not raise any objections and considers that the proposed flood lighting would not result in an unacceptable impact on residents and a condition would need to be imposed to require the flood lighting to be implemented in accordance with the submitted details and specification. As such, it is not considered that the proposals would result in any adverse impacts to the occupants on these neighbouring properties in terms of light intrusion.
- 10.8.7 Concerning noise, the nearest residential properties to the FTP are 'Four Views' and the dwellings and along the eastern side of Green Lane. The distance between the FTP to the boundary of 'Four Views' measures more than 150 metres and around 190 metres to the house. The dwellings along Green Lane are sited more than 200 metres away.
- 10.8.8 In assessing the impact of noise and disturbance caused by the proposed facility, currently, the existing grassed playing pitches can be used during the day time and summer evenings, and as such, there is already a degree of noise generated from the site. The proposal to replace the existing grassed pitch with an artificial pitch which can be used up onto 22:00 seven days a week and useable in most weather conditions, will clearly intensify the use of the site and generate an increase in noise levels.
- 10.8.9 During the lighter summer evenings, the proposed facility could be used without the need for flood lighting and this would be the same situation as the existing playing field. Whilst the facility will be used more intensively, given the distances involved, in which the nearest residential property is more than 150 metres away to their boundary, it is not considered that during the longer (daylight) days between May and September, the proposal will result in significant harm to their living conditions.
- 10.8.10 During October and April between 18:00 and 22:00, the evenings are dark, and it is at these times the proposed floodlighting would be available for use and the proposal would intensify the level of activity on the site. However, during the darker winter evenings the residents would be likely to be inside their houses and would be less likely to be outside in their gardens and as such, is unlikely to cause unreasonable disturbance to occupiers of the nearest residential properties.
- 10.8.11 In assessing the impact of the proposal, it is accepted that there would be an increase in noise and disturbance, the most significant impact would be when the facility is used during the evening in the winter because, of the flood lighting. However, during the darker winter evenings the residents would be likely to be inside their houses and would be less likely to be outside in their gardens. Overall and taking into consideration that the Environmental Health Office does not raise any objections, it is considered that the proposal would increase the level of noise and disturbance to the nearby residents but this is considered to be within acceptable limits.
- 10.9 Sustainability
- 10.9.1 The proposal seeks to provide sustainable initiatives. In the absence of gas supply to the site and in order to avoid the use of fossil fuels and mitigate the use of electricity to be imported from the grid, the proposal includes the use of PV, LED lighting and appropriate lighting controls and Heat Pump technology. The proposal also incorporates electric charging points.

10.10 Ecology

- 10.10.1 The submitted application is accompanied by an Ecological Report. There are no designated sites within the site boundary, the closest of which is Avon Valley SPA, Ramsar and SSSI which is located 460 metres to the west.
- 10.10.2 The main assessment of the report relates to the impact on protected species, which include foraging and roosting bats, reptiles, badgers, and nesting birds.
- 10.10.3 No Badger setts or foraging signs were identified within the site during the habitat survey. A significant amount of the existing hedgerows will be retained. The applicants Ecological Report states that whilst this could be of use to invertebrates, the low species diversity means that these areas are unlikely to be utilised by a diverse assemblage of rare or nationally important invertebrates.
- 10.10.4 No bats were confirmed either egressing or re-entering the building during the surveys. At least nine bat species have been confirmed using habitats within the site during the manual foraging and static monitoring surveys. The majority of these are common and widespread species using the hedgerows along northern, southern, eastern, and western boundaries. The Councils Ecologists considers that an appropriate level of survey effort has been employed and as such, it can be concluded that the existing building does not currently support roosting bats.
- 10.10.5 The lighting assessment shows that several boundary features used by bats will be subject to increased light spill. The main period where the lights will be in use corresponds to the winter period when bats are hibernating and as such impacts would be unlikely due to a lack of bat activity. Some inferences for bat activity can be made given the presence of existing lighting on the existing pitch. Light adverse species such as brown long-eared, barbastelle and greater horseshoe currently use the site despite the seasonal use of this existing lighting. Subject to securing the mitigation detailed in the applicants Ecological Report, on balance, and despite a small residual impact, the Councils Ecologist has no objections to the proposals. This includes lighting being restricted for use no later than 22:00.
- 10.10.6 Assessment of impacts
- 10.10.7 Without mitigation, compensation and enhancement, the Ecological Impact Assessment recognises that the development would have a negative ecological impact. As such, a number of key mitigation and compensation proposals are put forward.
- 10.10.8 Bat bricks or boxes incorporated into new buildings within the scheme, situated close to (and facing) hedgerows and tree lines with recorded bat activity. Planting within the site should utilise species considered beneficial to wildlife. Planting night scented flowers would also be beneficial to foraging bats.
- 10.10.9 It is proposed to repair the defunct hedgerows on site will provide additional habitat for invertebrates, which will in turn provide a food source for reptiles, birds, bats and hedgehogs.

10.10.10 In relation to birds, it is recommended that any vegetation clearance work is undertaken outside of the bird nesting season. Avon Valley (SPA, Ramsar, SSSI) is located within 500m of the site boundary, as such there is potential for construction activities to provide an impact via noise disturbance to species using the protected site. It is recommended that a Construction Environmental Method statement is produced to ensure that noise is reduced as far as practicable during construction works.

10.10.11 Overall, with the mitigation and compensation measures that are proposed, it is considered that the ecological interests of the site would be adequately safeguarded, and negative impacts would be adequately mitigated. This said, future management will be critical to securing long-term benefits and this can be secured through conditions.

10.11 Flood Risk

10.11.1 The application is accompanied by a Flood Risk Assessment. Part of the eastern site, which includes the existing agricultural fields is located within the Flood Zone 2 for fluvial flooding. The rest of the site is located within Flood Zone 1, which is at low risk. No significant risk from other source – surface water, groundwater, sewers, or reservoir flooding has been identified.

10.11.2 The Planning Practice Guidance for 'Flood risk and coastal change' puts amenity open space, nature conservation and biodiversity, outdoor sports and recreation as 'Water-compatible development' within the Flood risk vulnerability classification and as such, the proposal would be appropriate use in Flood Zone 2.

10.11.3 The key consultee the Environment Agency is satisfied that the FRA demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of national policy and guidance.

10.12 Drainage

10.12.1 The application is accompanied by a Surface and Foul Water Drainage Strategy. The site's surface water from the FTP will go to a drainage trench and the foul water to sewage waste treatment system. All surface water from the road, car parking spaces and buildings would be intercepted and directed into a single soakaway located to the west of Ringwood Town FC playing pitch.

10.12.2 The key consultee the Lead Local Flood Authority at Hampshire County Council is satisfied that the applicants surface water drainage strategy is acceptable and consistent with policy.

10.13 Are there any considerations which weigh in favour of the development?

10.13.1 The applicant has provided the following details in relation to 'need' as part of the submission that very special circumstances (USCs) exist which justify allowing inappropriate development in the Green Belt.

10.13.2 The submitted VSCs are as follows:

'the proposal constitutes a new artificial playing pitch with floodlighting's and new pavilion building in the Green Belt, and that the proposal makes a significant contribution to the local community, economy, environment and local employment'.

- 10.13.3 The supporting statement states that the proposal will benefit the wider community. The proposal will provide access to pitch facilities that can be used during the daytime and evening, throughout the winter, and under different weather conditions and as such, can be used much more intensively all year round. The applicant also states that there are no other alternative sites that can provide these facilities within Ringwood.
- 10.13.4 The facilities will be available to surrounding schools, community, and club for use as much as possible on a managed basis. Teaching, coaching and different educational initiatives will make use of the facility. The development proposed will enable Ringwood Town FC to expand the number of teams it operates and the range of football activities it promotes making its offer to the people of Ringwood and surrounding areas more diverse and inclusive.
- 10.13.5 Sports England in the consultation response refer to comments from the national governing body 'The Football Foundation' on behalf of the FAA, *'there is a clear deficit of 3G artificial pitch provision in the area and there are no 3G artificial pitch provision in the west of the District'*. Sports England state that within the New Forest there is a demand for nine 3G pitches and the current 3G pitches currently reaches 3.25 pitches, however, only serves the east of the District. The proposal would go far in reducing this deficit. Moreover, Sports England have highlighted the fact that the New Forest has a significant deficit in 3G Artificial pitches and raise concern that there will be increase demand for football due to the new housing sites coming forward.
- 10.13.6 The supporting statement goes onto state that there are wider environmental benefits created by the proposal. The existing facilities are in poor state of repair and the replacement facilities will link to the Governments' strategy for decarbonisation by utilising electricity as much as possible and heat pumps/PV. The scheme minimises the impact on the wider environment by only cutting back a small area of hedgerow to improve visibility on Long Lane. A small section is also removed to accommodate the new access to the FTP and the remainder of the existing hedgerows and vegetation will be retained. To compensate for the small loss of vegetation, landscape enhancements would take place elsewhere on the site.
- 10.13.7 The applicants state that the site currently provides the only provision in the town for football, including the Wessex League men's team and the many junior teams, both boys and girls. The whole site will be managed by AFC Bournemouth Community Sports Trust on behalf of the town council. Ringwood Town FC's use is stated and agreed in partnership with the adult and junior clubs. This will be safeguarded in the Community Use Agreement and reviewed by the Community User Group on an ongoing basis. This project is also accompanied by a development plan and a usage plan which will include programmes to provide new opportunities for local residents, particularly targeted groups such as female residents and residents with a disability. Through partnership with the AFCBCT wider social programmes will be explored and included in the offer. These will look to tackle issues such as obesity, community safety.
- 10.13.8 The supporting statement highlights the social and economic benefits. The scheme will provide employment for several additional football coaches and the facilities will be available for all ages including people

with disabilities. It is anticipated that the scheme would create the need for 3nr additional coaches. The site would also be open in the evening so additional management staff would be needed.

- 10.14 Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm
- 10.14.1 As set out above, the proposed development amounts to inappropriate development in the Green Belt, which by definition is harmful to the Green Belt. Substantial weight attaches to any harm to the Green Belt. However, while the proposal would lead to some loss of openness, which adds to the harm to the Green Belt, albeit to a limited extent because of the floodlighting masts.
- 10.14.2 With respect to 'any other harm, the proposed development would result in some harm to the rural character of the area, given the fairly open and flat nature of the land, however, a detailed landscaping scheme can ensure the protection and retention of hedgerows within the site provided through planning conditions together with further wider landscape enhancements. There would be some impact on residential amenity, but this would not be severe and sufficient car parking will be made available. New electric charging points will be provided and the proposed building would be constructed using sustainable initiatives. The proposal will provide some ecological enhancements, but it has to be noted that the lighting will result in some impact on foraging bats on the hedgerows immediately adjacent to the floodlighting.
- 10.14.3 In respect of those matters which weigh in favour of the scheme, the applicant has provided evidence in relation to the need for the artificial pitch. Such a deficit of 3G Artificial pitches is also highlighted by the Football Foundation and Sports England, which fully endorse the proposal. Local Plan Policies and the NPPF also seek to support development that enhancing sporting facilities. It is also important to note that there is no other alternative location that can provide such sporting facilities within or close to Ringwood. The site is the only appropriate and available location to provide such facilities and this must be given significant weight.
- 10.14.4 As such, the most significant benefit is the creation of a sporting facility for the community where there is a clear deficit in the town and New Forest. This has to be given significant weight. This sporting facility will provide significant benefits for health, social, community, education and economic. Officers are not aware of any other matters raised in representations that would weigh against the scheme.
- 10.14.5 Are there 'very special circumstances to justify allowing inappropriate development in the Green Belt?
- 10.14.6 In light of the above, it is concluded that 'very special circumstance's do exist, in terms of need, lack of alternative sites and benefits to the local community to warrant a departure from established and adopted Green Belt policies. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance.

11 CONCLUSION

11.1 This report has set out that the proposal represents inappropriate development in the Green Belt that is harmful to openness by definition and to the purposes of including land within the Green Belt. It must be recognised that the extent of harm is caused by the floodlighting mast and it is considered that this impact is low to moderate. With this borne in mind, it is considered that very special circumstances have been demonstrated that outweigh the harm to the Green Belt and any other harm and as such there is no reason to withhold the granting of planning permission for this proposal.

12 OTHER CONSIDERATIONS

12.1 Other matters

Human Rights

12.2 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

12.3 Equality

12.4 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans:

MCA MUK2571-11.R1
MCA-MUK2571-10
MCA-MUK2571-11
PL-05. R04.R4
PL-06. R06.R4
PL -01.R05.R6
21046-D-500-P2
21046-D-501-P2
332-1_PL-01.R05
332-1_PL-03.R06
332-1_PL-03.R05
332-1_PL-04.R3
332-1_PL-05.R3
332-1_PL-06.R3
332-1_PL-07.R4

Reason: To ensure satisfactory provision of the development.

3. The Pavilion building hereby approved shall be constructed from the following materials, unless otherwise agreed in writing by the Local Planning Authority.

Facing brick: Ibstock Dorset Red Mortar Grey Black
Facing Cladding: Marley Cedral Dark Grey smooth
Roofing: Redland Rosemary Clay Classic -Heather Brindle
Roofing: Bauder Single Ply Thermofol PVC

The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. No use shall be made of the approved Football Turf Pitch nor shall the approved lights be switched on, at any time other than between the hours of 08:00 and 22.00 Mondays to Sundays.

Reason: To safeguard the amenities of nearby residential properties, to safeguard protected species and light pollution in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

5. The floodlighting hereby permitted shall be installed and operated in accordance with the approved Floodlighting Performance Report, design and specification by Christy Lighting Masts Ltd Dated 19-07-2021 and references PL-04.R03, MCA-MUK2571-10 C and shall continue to be operated in accordance with these details including the drawing/lighting contours, unless otherwise agreed in writing by the Local Authority.

Reason: To safeguard the amenities of nearby residential properties, to safeguard protected species and light pollution in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

6. No development shall take place until full details of both hard and soft landscape works, including the trees and hedgerows to be retained have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; and structures (eg refuse or other storage units, lighting). Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of the pavillion building or artificial pitch, which ever is the sooner. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. The Football Turf Pitch and Pavillion building hereby permitted shall not be occupied until the spaces shown on plan 332-1_PL-03.R05 for the parking of motor vehicles have been provided. The spaces shown on plan 332-1_PL-03.R05 for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the development hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. Prior to the first occupation of the pavilion building or artificial pitch hereby approved, which ever is the sooner, the detailed design of the cycle parking facility including the specification shall be submitted to and approved in writing by the Local Planning Authority. Before the first occupation of the pavillion building or artificial pitch hereby approved, the cycle store shall be installed in accordance with the approved plans and thereafter retained, maintained and kept available for the occupants of the development at all times.

Reason: To promote sustainable mode of travel.

9. Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The agreement shall apply to the Artificial Grass Pitch, any ancillary accommodation and the car park, and include details of pricing policy, hours of use, access by non-Ringwood Town Football Club and Bournemouth Community Trust users/non-members, management responsibilities and include a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement, unless otherwise agreed in writing by the Local Authority.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with development plan policy.

10. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by Geosphere Environmental dated 11/06/21 and the following mitigation measures:

- a) The finished floor levels of the pavillion building and football artificial pitch shall be set no lower than 18.79mAOD

The mitigation measures shall be fully implemented prior to first occupation of the development and thereafter retained.

Reason: To minimise the risk of flooding to the proposed development and future occupants and to comply with Chpt 14 of the NPPF in relation to planning for flood risk and climate change.

11. Prior to the commencement of development, including site clearance, further details of biodiversity mitigation, compensation and enhancement shall be submitted to, and approved in writing by the Local Planning Authority. These shall include measures as outlined in the Preliminary Ecological Appraisal (PEA) undertaken by Geosphere Environmental, dated 15/06/2021 and updated report dated 11/10/2021/. Moreover, prior to the commencement of development, including site clearance, a Construction Environmental Management Plan, shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the details and recommendations as approved in the strategy and none of the development hereby approved shall be first used until the approved ecological enhancements have been fully implemented in accordance with the ecology enhancement strategy with any amendments agreed in writing. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

12. No building hereby permitted shall be occupied or at no time shall the artificial pitch first come into use, until drainage works have been implemented in accordance with Drawing No's 21046-D-501-P1 and 21046-D-500-P2. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development, unless otherwise agreed in writing by the Local Authority.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

13. Prior to the commencement of development a Materials Management Plan - minerals (MMP-M) shall be submitted to and approved in writing by the Local Planning Authority jointly with the Mineral Planning Authority (Hampshire County Council): The MMP-M shall contain the following information:

- I. The MMP-M will estimate; based on particle size distribution testing, the extent to which on site materials extracted during the proposed development would meet specifications for use on site.
- II. The MMP-M will outline the amount of material which could be reused on site; For material which cannot be used on-site, the MMP-M will specify its movement to an aggregate processing plant.

The development shall then be carried out in accordance with the approved MMP-M. During the construction phase, the applicant/developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant through to the Local Planning Authority and the Mineral Planning Authority, or upon request of either the Local Planning Authority or Mineral Planning Authority.

Reason: The recovered mineral could be either re-used on site, which provides a reduction of excavation waste removed from site as well as inbound materials for construction uses associated with reduced costs, as well potential to export off site to a local mineral operator for further treatment.

14. Before development commences, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve that part of the development, shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in accordance with policy expectations.

15. No development hereby permitted shall be commenced until the detailed design of the enhancement and improvements works to be carried out to the passing places along Long Lane between the site and the junction of Moortown Lane has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The development hereby permitted shall not be first occupied until the works for passing places are completed in accordance with the approved details, unless otherwise agreed in writing by the Local Authority.

Reason: In the interests of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

16. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a method statement detailing timing of events, all changes of existing surfaces and plans showing the protective fencing or other measures required for the avoidance of damage to retained trees all in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". Such fencing shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The tree protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing without the prior written agreement with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Richard Natt

Telephone: 023 8028 5448

NFDC



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

December 2021

Ringwood Town Football
and Social Club
Long Lane, Ringwood
21/11170

Scale 1:2100

N.B. If printing this plan from
the internet, it will not be to
scale.

Four Views

Football Pitches

Allotment Gardens

Track

L Twr

L Twr

L Twr

Stand
L Twr

L Twr

L Twr

LONG LANE

GREEN LANE



NFDC

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Planning Committee 08 December 2021

Application Number: 21/11230 Variation / Removal of Condition

Site: 33 ALBERT ROAD, NEW MILTON BH25 6SP

Development: Variation of condition 5 of 18/10965 to allow tuition 1545-1915 Mon-Fri in term time and 0915-1245 Mon-Fri in school holidays, 0930-1600 on Saturdays and 1:1 tuition outside of these times

Applicant: Mrs Wells-Bryant

Agent: Draycott Chartered Surveyors

Target Date: 21/10/2021

Case Officer: Vivienne Baxter

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) principle of the proposal
- 2) impact on the residential amenities of the area
- 3) highway safety and parking matters

This application is to be considered by Committee because there is a contrary view from the Town Council.

2 SITE DESCRIPTION

The site lies within the built up area of New Milton in a residential area. It contains a two storey detached house with associated garage and outbuildings. To the rear garden area, is a swimming pool housed under a retractable canopy. The rear part of the garage and a summer house are used in association with a commercial swimming tuition business at the premises and the frontage is surfaced in order to accommodate parking for those having lessons.

3 PROPOSED DEVELOPMENT

The proposal entails a variation of condition 5 of the original approval allowing swimming tuition. The condition is currently worded as follows:

No teaching activity shall take place on the site in connection with the approved use other than between the hours of 1545 and 1915 Monday to Fridays and 0930 and 1600 on Saturdays, not including recognised public holidays.

The applicant has requested that the Monday to Friday sessions are moved to 0915-1215 in school holidays and that one to one tuition is also allowed outside of the overall opening hours.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
18/10965 Use as swimming tuition business; retractable pool cover; changing room extension; parking & access alterations	02/10/2018	Granted Subject to Conditions	Decided
15/11405 Use as swimming tuition business; retractable pool cover; garage extension; parking	13/04/2016	Granted Subject to Conditions	Decided
15/11406 Two-storey rear extension; Juliet balconies; side and rear extension to existing detached garage	10/12/2015	Granted Subject to Conditions	Decided
85/NFDC/30118 Addition of kitchen, bedroom/study and cloakroom.	02/10/1985	Granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness
Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness
SPD - Parking Standards

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

Relevant Advice

Chap 12: Achieving well designed places

Constraints

Aerodrome Safeguarding Zone

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council

STRONGLY OBJECT (Non-Delegated)

Members felt that the existing condition 5 should remain due to existing effects on neighbours.

The existing condition 4 appears to not be enforced regarding parking therefore this matter will be referred separately to Planning Enforcement.

Following re-consultation:

New Milton Town Council

STRONGLY OBJECT (Non-Delegated)

Members continue to be extremely concerned about existing impact to neighbours regarding noise and parking. The Noise Impact Assessment has not altered that position and has highlighted that the suggested Noise Management Plan was missing from this submission of additional information.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways

No objection

NFDC Environmental Health (Pollution), Appletree Court

Objection

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 21

- more convenient for children
- its a calmer environment for children
- important to support small and local businesses
- the site includes ample parking which is never a problem
- earlier holiday lessons would be preferable
- lessons would be when others are working
- there aren't enough swimming teachers locally
- fewer parking issues during the day
- swimming schools are more beneficial to pubs, etc. which are open longer
- there are other facilities close to Albert Road which result in heavy parking not just a swimming school
- gives children and adults confidence
- vital facility
- applicant encourages customers to use the drive for parking

Against: 17

- traffic movements have increased
- inconsiderate parking blocking drives
- no objection to lessons, just parking and safety concerns
- staff and client numbers should be restricted
- applicant has been operating outside of the permitted hours anyway
- many local residents in the area are retired and not at work during the day
- many recent arrivals in the road have 4 or more vehicles per house including pick ups and vans
- the requested opening hours are already resulting in problems
- business should not be run in a residential area
- noise during the day is unbearable
- cars park on the pavements
- parking could prevent emergency service vehicles from getting through

- no confidence in the applicant obeying any conditions
- lessons have occurred after 7.30/8pm
- the whole proposal needs to be looked at again
- light pollution from swimming pool now evenings are darker
- there are potentially up to 4 instructors taking lessons
- noise will still occur unless a purpose built structure is provided

In addition to the comments received, the applicant has responded to the objections stating the following:

- lessons do not occur after 8pm although the office hours are until this time
- current hours would be swapped in the holidays
- the pool is not used commercially on a Sunday but we are able to use the pool for our own purposes, including friends at this time
- the majority of local residents work during the day and therefore the proposal would improve the parking situation
- we are in touch with the Council and other bodies to try and reduce noise
- there are always places to park in Albert Road, Vincent Road is more difficult
- Albert Road is used by school children on their way home
- parents are requested not to block drives and park in the drive

10 PLANNING ASSESSMENT

Background

Permission was first granted for the retractable canopy and use of this pool for tuition purposes at Committee in April 2016. At that time, the permission was granted with conditions restricting both hours of operation and permanence as follows:

No activity shall take place on the site in connection with the approved use other than between the hours of 0930 and 1430 Monday to Fridays and 0930 and 1600 on Saturdays, not including recognised public holidays.

The use of the swimming pool for commercial purposes shall cease on or before August 31st 2017 or within 12 months of the commencement of the use whichever is the sooner.

At the time of its consideration, the Highway Authority provided the following advice:

'Concerns were raised by local residents that on street parking in the roads in the vicinity of the site was oversubscribed and that the proposals would exacerbate these problems due to the lack of sufficient parking within the site.

It is noted that during the day time on street parking in the vicinity of the site is not significantly oversubscribed and that at this time the problem is limited to the roads closer to the station and the cut through at the eastern end of Albert Road where some vehicles park to use the railway station.

The highway authority understands that the period of operation will be limited to cease by 14.30 on weekdays and by 16.00 on Saturdays and that a maximum of 4 pupils will be attending lessons at any one time.

On site parking provision will be provided for a total of 6 cars - 3 for the use of the existing dwelling (which would be in accordance with the SPD) and 3 for the use of the swimming pool, additionally 3 long stay and 4 short stay cycle parking spaces will be provided at the site.

It is the Highway Authority's view therefore that these arrangements will not result in any significant inconvenience to users of the adjacent highway.

In acknowledgement of local concerns however it is further understood that any permission would be limited to a 12 month period to allow the affects of any activity to be monitored and reassessed should this prove necessary.'

A permanent consent was subsequently applied for and at that point, the Town Council were in support of the proposal and 2 letters of support from local residents were received. There had been no complaints received in respect of noise or parking difficulties. The permanent consent was granted in October 2018 with the condition restricting operating hours as follows. This decision was based on the information provided at the time which clearly stated one employee on the application form.

No teaching activity shall take place on the site in connection with the approved use other than between the hours of 1545 and 1915 Monday to Fridays and 0930 and 1600 on Saturdays, not including recognised public holidays.

Principle of Development

The site has a permanent consent to be used for swimming tuition on Saturdays and during the late afternoon/early evening Monday to Friday. There are no objections to the principle of changing the hours subject to considering the residential amenities of local residents and the impact of the proposal on the parking situation and highway safety. It is noted that complaints have been received since the initial permanent consent where the hours during the week were amended to later in the day.

Residential amenity

The initial temporary consent was for Saturdays and during the day Monday to Friday. When permanent consent was granted, the Monday to Friday hours changed to after school hours and this clearly has had an impact on the residential amenities enjoyed by neighbouring residents. The proposal would enable these after school hours to be relocated to earlier in the day during school holiday times which would be beneficial to local residents. The applicant has also advised that she does not intend to operate lessons in every school holiday, omitting Christmas, Easter, February half term and parts of the summer holidays.

The proposal also includes one to one tuition outside of the permitted hours. There has been no specific details of how often this would occur or whether it would be every day where the pool is able to be used commercially. However, further to a noise complaint received in respect of the premises earlier this year, noise monitoring has been done in September and, more recently, in mid-November, the latter being with the knowledge of the applicant. The outcome of this monitoring is that noise attributable to swimming tuition (outside of the permitted times) is audible in neighbouring gardens and whilst noise levels during the permitted times was managed well, it is considered that the additional hours for one to one tuition should not be permitted at this stage until suitable and sufficient controls are in place to control noise.

Highway safety, access and parking

The site benefits from a drive which can accommodate three cars together with a frontage wide enough to accommodate three more cars. This was a requirement of the previous consent and it is understood that the applicant requests her customers

use this area first before considering parking in Albert Road. The Highway Authority has raised no objections to the variation of condition.

Many of the objections received from local residents refer to the parking difficulties in this part of Albert Road. The information provided by both local residents and the applicant would suggest that many households in the immediate area have more than one vehicle, some having three or four and these are regularly parked in the road which does not help parking at this site. To compound the difficulties noted, there is a public right of way at the northern end of Albert Road which provides a link to the railway station and parking may occur in the road as a result of this.

It is not a planning matter to try and resolve all parking issues within this part of Albert Road and as the Highway Authority has not raised any objection to the proposed changes to the operating hours of the business, it would be difficult to substantiate a reason for refusal on this ground.

11 CONCLUSION

The site has a permanent consent for swimming tuition during certain times. Given the noise implications with increasing these hours, it is considered appropriate to allow changes to the existing number of hours but no more. Not only would this be more beneficial to residents in terms of potential noise and disturbance but it would alleviate the parking issues in the early evening which have been referred to in many objections received. As there would be no increase in the overall permitted hours of use, it would not be appropriate to request a noise management plan at this time.

12 OTHER CONSIDERATIONS

N/A

13 RECOMMENDATION

GRANT the VARIATION of CONDITION

Proposed Conditions:

1. The development permitted shall be carried out in accordance with the following approved plans:

location plan
016 site plan - existing.

Reason: To ensure satisfactory provision of the development.

2. The spaces shown on plan 036 (parking plan) for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the existing dwelling and business hereby approved (3 each) at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan Part 1: Planning Strategy.

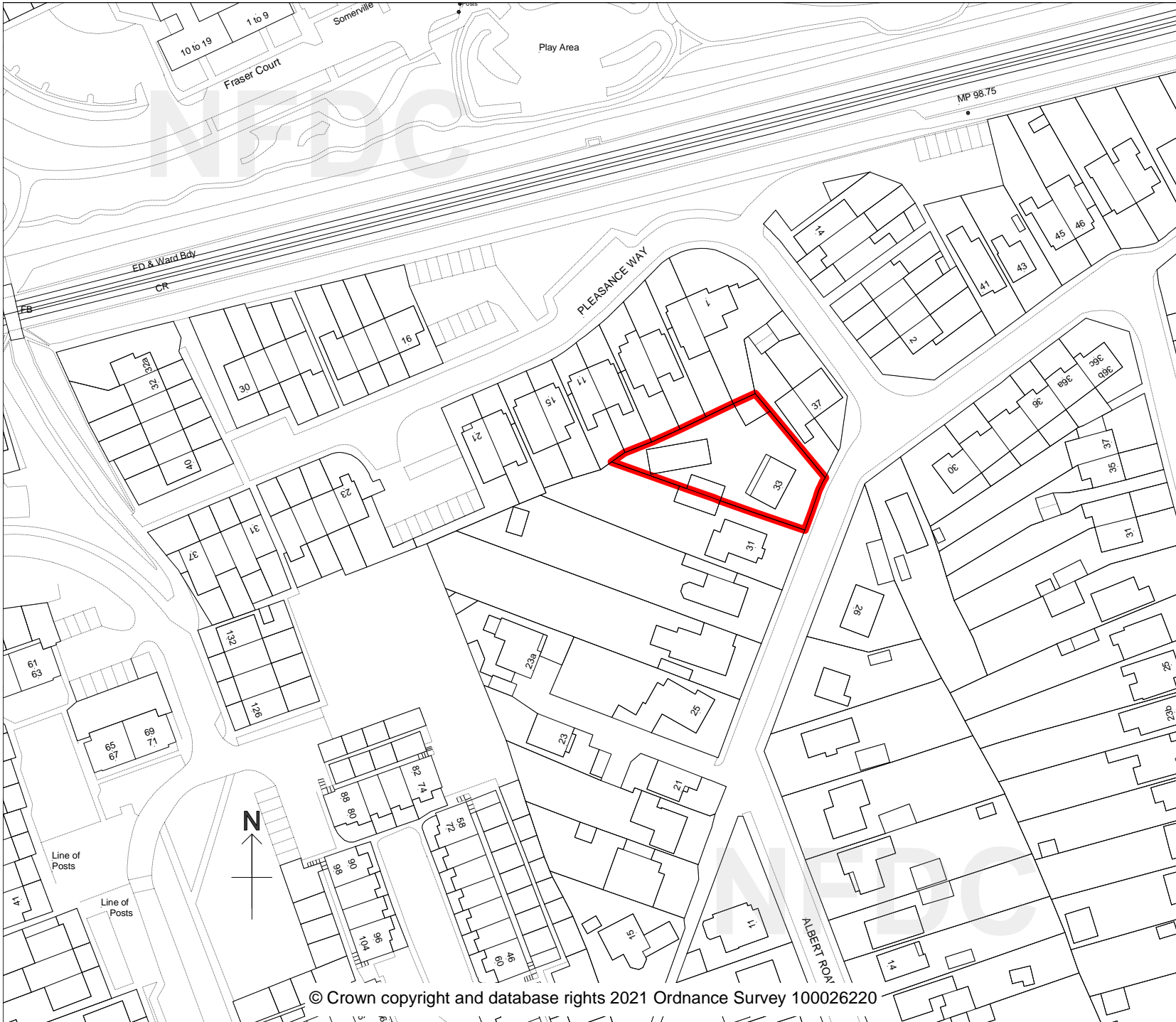
3. No teaching activity shall take place on the site in connection with the approved use other than between the hours of 0915 and 1245 Monday to Friday during Hampshire Local Education Authority school holiday time or 1545 and 1915 during Hampshire Local Authority school term time Monday to Friday and 0930 and 1600 on Saturdays, not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1: Planning Strategy.

Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



New Forest

DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

December 2021

33 Albert Road
 New Milton

21/11230

Scale 1:1250

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 the internet, it will not be to
 scale.

Planning Committee 08 December 2021

Application Number: 21/11219 Full Planning Permission

Site: THE WHITE HOUSE, 1 FOREST LANE, HARDLEY, FAWLEY
SO45 3NA

Development: Two storey rear extension & detached garage

Applicant: Mr. Pratt

Agent: Sanders Design Services Ltd

Target Date: 18/10/2021

Case Officer: Andrew Sage

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the character and appearance of area and street scene
- 2) Impact on a non-designated heritage asset

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Fawley Parish Council.

2 SITE DESCRIPTION

The application site is a nineteenth century two-storey cottage known as the 'White House' in the built-up area of Hardley, Fawley. The property is an attractive traditional cottage of simple form and proportions, typical of vernacular Forest cottages. The dwelling is white rendered with simple gable roof with a slate roof, chimneys on either gable, a centrally located porch/entrance to the front and retains a number of original features. To the rear of the building was a flat-roofed single-storey extension dating from 1980 that has recently been demolished.

The property sits at the front of a fairly large plot on Forest Lane, an unmetalled cul de sac that was formerly a rural lane, that has been stopped up at the junction with the Long Lane approach road to the Hardley roundabout. Forest Lane has mixed residential development on the south side of the street, with a block of woodland on the opposite side of the road that screens the road from the Hardley Roundabout. The apparent semi-rural character of the area is impacted by noise from the busy A326 and the Hardley roundabout, which provides access to the nearby Hardley Industrial Estate.

3 PROPOSED DEVELOPMENT

Permission is sought for the construction of a two storey rear and side extension; demolition of existing single storey rear extension; and construction of new detached garage.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
80/NFDC/18220 Additions.	08/01/1981	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Development Plan Policies and Constraints

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

Policy DM1: Heritage and Conservation

Relevant Advice

Chap 12: Achieving well designed places

Chap 16: Conserving and enhancing the historic environment

Constraints

NFSFRA Surface Water

Small Sewage Discharge Risk Zone - RED

Plan Area

HSE Consultation Zone

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council

No 3 We recommend permission subject to the biodiversity check being approved by officers.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Southern Water

Comment Only

HCC Rights of Way

The application makes no reference to Bridleway 36 or the Solent Way which are the proposed vehicular access to the development site. Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

- i. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must always remain available for public use.
- ii. All vehicles would be accessing the site via a public?bridleway and should give way to public users, which could include horse-riders and cyclists, at all times.
- iii. Any damage caused to the surface of the public Right of Way by construction traffic will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.

- iv. There must be no surface alterations to a public Right of Way without the consent of Hampshire County Council as Highway Authority. To carry out any such works without this permission would constitute an offence under s131 Highways Act 1980.
- v. No builders or contractor's vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the bridleway so as to obstruct, hinder or provide a hazard to users.

9 REPRESENTATIONS RECEIVED

No representations received

10 PLANNING ASSESSMENT

The scheme proposes demolishing the existing single-storey rear and side extensions and replacing these with a two-storey rear and side extension of a simple gabled form substantially larger than the retained part of the original dwelling. The development would have a large external chimney to one side with a ground floor bay window to front.

The principle of extending the house would be acceptable, subject to compliance with policies.

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality through creating buildings and places that are sympathetic to their environment and context, that respect and enhance local distinctiveness, character, and identity.

Policy DM1 requires development to conserve and seek to enhance the historic environment and heritage assets with particular regard to local character, setting and the historic significance and context of heritage assets.

Planning practice guidance indicates that in some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications. In this instance as a result of its largely original condition and rarity as an example of a late-nineteenth century Forest cottage within the Hardley/Holbury area, 'The White House' is considered to be a non-designated local heritage asset.

Paragraph 203 of the National Planning Policy Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Design, site layout and impact on local character and appearance and heritage assets.

The existing property as described above is a traditional cottage of a simple nineteenth century vernacular form of modest proportions that sits close to the historic street frontage. The property is identifiable on the 1895 Ordnance Survey map and is a remnant of a loose cluster of late-nineteenth century commonside development of irregular pattern that has been subsumed by mid- and later-twentieth century residential, industrial and highways development. Despite this later development the dwelling is visible from several areas around the application site

including from the frontages of the remaining late- nineteenth century dwellings facing the A326. The proposed development will be prominent in these views and block the view of the existing dwelling from these locations.

The proposal includes the removal of the flat roofed 1980 extension to the rear of the property that is out of keeping with, and has a negative impact on, the historic character of the original property. However, the impact, as detailed below, of the proposed extension on the historic character of the property does not outweigh the benefits of repairing any harm arising from the existing extension as it does not 're-instate' any significance lost as a result of that earlier extension.

The proposed extension will be twice as wide and 40% deeper than the host dwelling. As a result of the additional depth the roof of the extension will be significantly larger and 0.7m higher than the original and will dominate the original dwelling. The design, scale and massing of the extension does not respect the character or historic value of the of existing dwelling; being of a scale that will be disproportionate to, and significantly detract from the historic character of the original; and introduce design elements such as the bay window and external and oversized chimney breast that do not have regard for the historic character of the property. The proposal therefore fails to conserve the significance and context of the original dwelling.

Notwithstanding the historic value of the retained part of the dwelling, the proposed rear extension, whilst sited to the rear of the dwelling, is of such a scale it will appear so disproportionate and imposing in relationship to the existing dwelling that it will have a negative impact on the street scene and result in development that is unsympathetic to its environment and context and does not respect the character or identity of the local area.

Due to its simple and single-storey design and subservient scale the impact of proposed garage on the character of the property, street scene and local area is considered acceptable.

Rights of Way, highway safety, access and parking

Bridleway 36 and the Solent Way run along the unmade road at the front of the site and will be the vehicular access to the development site. In order to safeguard the right of way its users Hampshire Countryside Service have requested that a number of informatives be included should permission be granted for this application. The proposed informatives are considered proportionate in this case.

The scheme would not give rise to any unacceptable impacts on highway or pedestrian safety. Sufficient access, and on site parking will be provided to meet the needs of the development.

Residential amenity

Due to its siting the scheme would preserve the amenity of neighbours.

Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Had the scheme been acceptable in all other respects, a condition could have been imposed to secure additional planting of native species of shrubs and trees and the addition of bird boxes and bee bricks as a proportionate measure to address biodiversity net gain.

Developer Contributions

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Self Build (CIL Exemption in place)	237.53	103.3	134.23	134.23	£80/sqm	£13,753.41 *
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Subtotal:	£13,753.41
Relief:	£13,753.41
Total Payable:	£0.00

11 CONCLUSION

The proposed scale and mass would result in an extension would be so disproportionate to the original dwelling that the impact on the character of the area and dominance within the street scene justify a refusal in this instance.

The proposed extension would dominate the historic building, failing to preserve its special historic value, in doing so it would fail to preserve the character of the area. These impacts would amount to less than substantial harm, but without sufficient public benefit to outweigh the harm.

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance and government advice. On this occasion, having taken all these matters into account, it is considered that there are significant issues raised which leads to a recommendation of refusal for the reasons set out above in this report.

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. By reason of its excessive scale and mass, and unsympathetic design the proposed extension would result in an unduly visually intrusive form of development, disparate and incongruous in its setting, which would have a consequent adverse impact upon the character of the original dwelling and appearance of the area, furthermore by virtue of its height and width would appear imposing within its setting detrimental to the existing street scene.

Therefore the proposed development would be contrary to Policy ENV3 of the Local Plan 2016 - 2036 Part 1: Planning Strategy for the New Forest District outside the New Forest National Park

2. Due to the size, scale and design of the proposed extension it would unduly rival the dominance of the original house, disproportionate to its scale and form to the detriment of its significance as a unlisted heritage asset and therefore its contribution to the character and appearance of the area. The less than substantial harm would not be outweighed by any public benefits.

The scheme is therefore contrary to DM1 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and the NPPF.

Further Information:

Andrew Sage

Telephone: 023 8028 5780

NFDC



New Forest DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

December 2021

THE WHITE HOUSE
1 FOREST LANE
HARDLEY, FAWLEY SO45 3NA
21/11219

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.



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