

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 10 JULY 2024 AT 9.00 AM

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

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PUBLIC INFORMATION:

This agenda can be viewed online (<https://democracy.newforest.gov.uk>). It can also be made available on audio tape, in Braille and large print.

Members of the public are welcome to attend this meeting. The seating capacity of our Council Chamber public gallery is limited under fire regulations to 22.

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PUBLIC PARTICIPATION:

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Kate Ryan
Chief Executive

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AGENDA

NOTE: The Planning Committee will break for lunch around 1.00 p.m.

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 12 June 2024 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) **SS13 - Land off, Moortown Lane, Ringwood (Proposed Legal Agreement) (Application 21/11723) (Pages 5 - 128)**

Hybrid planning application comprising a total of 443 dwellings: Outline planning permission (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; Full permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development. This application is subject to an Environmental Assessment and affect Public Rights of Way. (AMENDED REASON TO ADVERTISE)

RECOMMENDED:

Delegated Authority be given to the Service Manager (Development Management) to **GRANT PERMISSION** subject to the need to consider; the potential for receipt of the Natural England re-consultation on the shadow HRA and AA; the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the matters set out in the report, to be completed by the end of December 2024; and the imposition of conditions.

(b) **Open Space adjacent to Crow Lane (Proposed Legal Agreement) (Application 23/10707) (Pages 129 - 158)**

The change of use of agricultural land to publicly accessible open space to facilitate Alternative Natural Recreational Green Space ('ANRG'), with associated landscaping, footways and access points

RECOMMENDED:

Delegated Authority be given to the Service Manager (Development

Management) to **GRANT PERMISSION** subject to: the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the matters set out in the report, to be completed by end of December 2024 and the imposition of conditions.

(c) **SS11 Land South of Gore Road, New Milton) (Application 22/10418) (Pages 159 - 200)**

Development of 178 Dwellings, Public Open Space (POS), Alternative Natural Recreational Greenspace (ANRG) and Associated Infrastructure, with Access from Gore Road, New Milton (Outline Planning Application with details only of Access)

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion by of a planning obligation entered into by way of a Section 106 Agreement to secure the matters set out in the report and the imposition of conditions.

(d) **Land adjacent Hill View, Ringwood Road, Sopley (Subject to legal agreement) (Application 24/10173) (Pages 201 - 214)**

Construction of dwelling (Outline application - access, layout and scale only)

RECOMMENDED:

Grant subject to conditions

(e) **The Forge, Christchurch Road, Downton, Hordle (Application 24/10315) (Pages 215 - 226)**

Change of use of garage building from ancillary residential to a short term holiday let (Retrospective)

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion by of a planning obligation entered into by way of a Section 106 Agreement or Unilateral Undertaking to secure the matters set out in the report; the completion of a nutrient (nitrate) mitigation package and the imposition of the conditions set out in the report.

(f) **58-60 Commercial Road, Totton (Application 24/10065) (Pages 227 - 236)**

Demolition of existing building; construction of replacement commercial building (Use Class E and B8)

RECOMMENDED:

Grant subject to conditions

(g) **Land to West of, Whitsbury Road, Fordingbridge (Application 21/10052) (Pages 237 - 312)**

Residential development and change of use of land to Alternative Natural

Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)

RECOMMENDED:

That Delegated Authority be given to the Service Manager, Development Management to **GRANT PERMISSION** subject to the completion by the end of September 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in previous reports and the imposition of conditions.

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, marriage and civic partnership, 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)
Barry Rickman (Vice-Chairman)
Hilary Brand
Kate Crisell
Philip Dowd
Allan Glass
Matthew Hartmann

Councillors:

David Hawkins
Joe Reilly
Janet Richards
John Sleep
Malcolm Wade
Phil Woods

Planning Committee 10 July 2024

Application Number: 21/11723 Outline Planning Permission

Site: SS13 - LAND OFF, MOORTOWN LANE, RINGWOOD
(PROPOSED LEGAL AGREEMENT)

Development: Hybrid planning application comprising a total of 443 dwellings: Outline planning permission (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; Full permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development. This application is subject to an Environmental Assessment and affect Public Rights of Way. (AMENDED REASON TO ADVERTISE)

Applicant: Crest Nicholson South

Agent: Savills

Target Date: 06/05/2022

Case Officer: Robert Thain

Officer Recommendation: Service Manager - Grant

Reason for Referral to Committee: Application relates to one of the Councils Strategic Sites.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development – Local Plan Policy Strategic Site 13: Land at Moortown Lane, Ringwood, Environmental Impact Assessment (EIA), South-West Hampshire Green Belt, Housing Land Supply and NPPF Tilted Balance.
2. Housing Mix and Affordable Housing.
3. Highways, Access, Vehicular Parking and Vehicle Charging.
4. Flood Risk and Drainage.
5. Ecology - Habitat Mitigation and Impact on European Designated Nature Conservation Sites, Phosphates Mitigation, Biodiversity Net Gain and Ecological Reports and Protected Species.
6. Public Open Space and Landscape - Landscaping and Informal Open Space, Arboriculture, Play Spaces and Formal Open Space, and Alternative Natural Recreational Greenspace.

7. Design – Density, Scale and Phase 1 Detailed Design.
8. Heritage Assets.
9. Infrastructure and Developer Contributions - s106 Heads of Terms, Community Infrastructure Levy and Impact on local infrastructure.
10. Other Matters - Impact on Residential Amenity, Environmental Health, Sustainable Construction and Design, Mineral Safeguarding and Community Engagement.
11. Response to Ringwood Town Council and Local Objections.
12. Planning Balance and Conclusions.

2 SITE DESCRIPTION

The Local Plan Strategic Site 13 ('SS13') (Land North of Moortown Lane) is located at the southern end of Ringwood. The application site is almost entirely within the allocation site SS13 except for adjacent highway land. The application site comprises approximately 28.63 hectares of land, with two main land parcels bisected by Moortown Lane.

The northern parcel of the application site (approximately 23 hectares) is predominantly arable farmland. The northern parcel is bound partially by existing allotments and Crow Arch Lane to the north; Liberty's Owl, Raptor and Reptile Centre to the east; Moortown Lane to the south, and existing residential dwellings and a petrol filling station to the west. Located to the north-west of the site is Forest Gate Business Park, providing employment, services and facilities within close proximity to the application site. The existing line of residential development along the western edge of the site is arranged in the form of several residential roads which spur from the main highway Christchurch Road. Those properties accessed from Moorland Gate and from Christchurch Road are oriented with their rear elevations and curtilages adjoining the site boundary, with the properties accessed from Willow Drive generally sitting at 90 degrees to it addressing the site on their flank elevations. Crow Lane to the east of the site has a mix of houses, community and commercial properties. There is an existing Public Right of Way (PRoW), Ref. 195/45/1, which runs on a north-south axis through the eastern side of the northern portion of the application site.

The southern parcel of the application site (approximately 4 hectares) is broadly rectangular in shape and currently used as existing playing fields/sports pitches. Remaining parts of the total site area predominantly comprise highways infrastructure. The southern parcel is bound to the north by Moortown Lane, to the east by a single dwelling, to the south in part by existing allotments and sports pitches associated with the Ringwood Town Football Club. To the west the site is bound by Long Lane.

The perimeter boundaries to the north and south of the site are comprised of hedgerow of mixed native species which to an extent curtail views into the site from the adjoining public highways. One exception to this are gaps in the hedge formed by the existing agricultural points of access. The application site is generally level with an approximate elevation of 19 metres. The north-west site boundary is adjacent to off-site mature trees with a preservation order.

3 PROPOSED DEVELOPMENT

The proposal involves the residential-led mixed-use development of part of the Local Plan Allocation Site 13: Land at Moortown Lane, Ringwood. The proposal is submitted as a hybrid planning application with planning permission sought for the following:

- Outline planning permission for the erection of 293 dwellings (C3) with all matters reserved except access; and
- Full planning permission for the erection of 150 dwellings with associated parking, ANRG, open space, landscaping and sustainable drainage systems (SuDS), alongside the creation of a vehicular junction with Moortown Lane, primary and secondary road infrastructure, creation of public footway and offsite highways improvements.

i. Parameter Plans

The application is supported by five revised Parameter Plans which set out:

- Land Use;
- Movement and Access;
- Building Density;
- Building Scale; and
- Landscape.

The Parameter Plans apply to both the Full application area (Phase 1) and the Outline application area (Phase 2). Any subsequent Reserved Matters application for Phase 2 would have to be in reasonable conformity with the approved Parameter Plans.

The Land Use Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE_004-0107 Rev. A) sets out the distribution of the main land uses including residential development, public open space and highways land within the application site. The Land Use Parameter Plan also confirms the main highways routes including the internal road linking the two residential parcels and roads up to the application site boundaries with residual land within the Local Plan Site Allocation.

The Movement and Access Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0108 Rev. A) sets out the primary and secondary routes, public rights of way, access and crossing points and vehicular access.

The Building Density Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0109 Rev. A) sets out the areas of the proposed higher and lower density across both proposed development phases. The Design and Access Statement (May 2024) sets out that the higher built densities of 35 to 45 dwellings per hectare are located in the centre of the larger housing area and all of the smaller housing area and that lower densities of 25 to 35 dwellings per hectare are on the western, southern and eastern boundaries of the larger housing area.

The Building Scale Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0110 Rev. A) sets out that the application site development parcels will predominantly be for residential buildings (houses and flatted blocks) of either 2 or 2.5 storeys. An exception is the small central core of the larger development parcel (which is split between the Full and Outline elements of the application) which is identified for residential buildings of up to 3 storeys.

The Landscape Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0112 Rev. B) sets out the siting of public open space including ANRG, informal open space and play areas.

ii. Phase 1: Detailed Design

The proposal is supported by a Design and Access Statement (DAS) (Pegasus, May 2024) which sets out a detailed summary of Phase 1 of the proposal. The overall Phase 1 housing and public open design is set out in the Phase 1 Masterplan (Pegasus, 27/3/2024, Ref: P21-1078-DE-003-0101-C).

a. Housing Mix

The proposal (Housing Tenure Plan and Design & Access Statement) sets out that the mix for the residential typologies, sizes and details of tenure arrangements for Phase 1 is as proposed in the table below. This includes the delivery of 150 dwellings of which 75 dwellings are affordable housing (social rented, affordable rented and shared ownership) forming 50% of the overall Phase 1 dwellings.

Table 1: Phase 1 Housing Mix

Tenure and Typology	Market	Social Rented (AH)	Affordable Rented (AH)	Shared Ownership (AH)	Total
1 bed flat	0	7	5	0	12
2 bed house	15	11	11	11	48
3 bed house	23	6	10	9	48
4+ bed house	37	2	0	3	42
Total	75	26	26	23	150

b. Access and Movement

Vehicular access to the site will be from Moortown Lane in the form of a priority junction which will include a new pedestrian and cycle crossing to the land south of Moortown Lane. This junction will be delivered as part of Phase 1 and has been designed to accommodate buses and will lead to the principal streets within the proposed development. The key features of the proposed principal site access are as follows:

- A priority junction;
- 3m shared footway / cycleway on the eastern side of the carriageway;
- New “SLOW” road markings on approach to the junction;
- 2.4m x 48m visibility splays in either direction along Moortown Lane; and
- A pedestrian and cycle crossing of Moortown Lane to the land south of Moortown Lane

The proposed development will ensure future vehicle access can be provided to Crow Lane (in the east) and Wellworthy Way (to the north) by delivering a series of connecting roads between Moortown Lane and the edge of the application site land ownership. The DAS sets out that the spine roads will be built to an adoptable standard and offered for adoption to Hampshire County Council (HCC). The extent of the highway adoption will be contiguous with the site boundary and the precise design and alignment of the connecting roads and the point they reach the adjoining land can be agreed to the satisfaction of HCC and NFDC such that they can connect with new roads in the adjoining part of the allocation when that comes forward for development.

The internal layout has been designed in line with the national guidance set out in Manual for Streets. It includes both dedicated footways and shared surfaces. A set of pedestrian and cycle accesses are provided to Moortown Lane and to Crow Arch Lane. The primary street is configured as a 6.75m carriageway to accommodate a bus route, a 3m wide cycle way on one side and a 2m wide footway on the other.

The secondary street network seeks to provide an integrated walkable neighbourhood that could give users of different modes of transport a choice of different routes.

The proposed pedestrian and cycle accesses include:

- A centrally located southern pedestrian and cycle access to the land south of Moortown Lane;
- A south-western pedestrian and cycle access to Moortown Lane close to Christchurch Road including a new length of footway on Moortown Lane to connect to Christchurch Road;
- An eastern pedestrian access to Moortown Lane at the southern end of Footpath 45;
- A northern pedestrian and cycle access to Crow Arch Lane to enable a link to be provided to the public open space north of Crow Arch Lane, onwards to local facilities and ultimately to the Castleman Trail pedestrian and cycle route;
- A further northern pedestrian connection to the allotments on Crow Arch Lane; and Access to the existing Public Right of Way (PROW) footpath 45 walking route from Moortown Lane to the public open spaceland to the north of Crow Arch Lane.

c. Street Hierarchy

A hierarchy of streets is proposed with variation in the street types which seeks to assist in the creation of a legible and permeable development, whilst also providing for, and encouraging pedestrian and cycle movement, and delivering necessary vehicular connections.

The DAS sets out that the development and internal road network will be designed to encourage low vehicular speeds and streets will be defined by the building layout, so that buildings and spaces, instead of roads, dominate the street scene. The design will promote safe walking and high permeability through the site and aims to limit the potential for anti-social behaviour.

Within the site, the primary street will provide the main vehicular access route into the development from Moortown Lane at the south to the two future vehicular access points along the site's northern edge. The primary street is configured as a 6.75m carriageway to accommodate a bus route, a 3m wide cycle way on one side and a 2m wide footway on the other. The route seeks to increase the permeability of the development and enables easy access to dwellings from the primary access point.

A network of secondary routes off the principal street throughout the site has the aim of promoting enhanced connectivity. Tertiary routes and shared surface streets extend out of the secondary movement corridors, which in turn provide access to private drives, facilitating a clear street hierarchy, which aids site-legibility.

d. Parking and Cycle Storage

The DAS sets out that the Phase 1 vehicular parking is proposed to be designed in line with the current guidance contained within Manual for Streets and the NFDC Parking Standards SPD (April 2022). Allocated parking will predominantly be provided on plot, within the curtilage, either to the front or side of dwellings, with individual bays and/or garages set back from the building line, to allow ease of access to dwellings. Garages are provided at a minimum size of 3m x 6m for a single garage and 6m x 6m for a twin garage, to allow sufficient space to accommodate a car.

Cycle parking spaces are provided either within the curtilage of the dwelling, within a garage if available, or within a secure store in the rear garden. Electric vehicle charging will also be provided so that one charging unit is supplied for each dwelling that has on-plot parking. For plots where parking is more remote, ducting will be provided to allow for future connection.

e. Design

The DAS sets out that the design of the development proposals is broadly based on the principle of continuity and enclosure, where perimeter blocks provide a strong frontage to the public realm whilst protecting the amenity of existing residents. The proposal seeks to promote an active street scene and provide frontage and surveillance over public open space.

The majority of the proposed residential dwellings, including the flatted blocks, are 2 storeys in height, with the occasional use of 2.5 storey buildings. There are two 3 storey townhouses in Phase 1. The western and south-western sections of Phase 1 will be predominantly 2-storeys in height, with occasional use of 2.5 storey units and the northern edge of Phase 1 that will overlook the proposed central green space will be up to 3 storeys.

The DAS sets out that variety in the heights and massing of the residential buildings will be achieved through a range of house types and sizes, ranging from 2 and 3 bedroom terraced and semi-detached dwellings, through to larger 4 and 5-bedroom detached houses. The DAS sets out that development will achieve an average density of 38 dwellings per hectare (dph).

Three distinct character areas are proposed for Phase 1. The first character area ('Crow Gardens') comprises built form at the perimeter of the development, at the interface between the proposed dwellings and the public open space. Plots in this area are generally larger, with mainly large, detached family houses, which are facing and defining the proposed public open space and Moortown Lane. The second character area ('Crow Boulevard') is set along the principal vehicular route of the development, arranged in a broadly linear form along this street from Moortown Lane at the south to the site's northern edge. Being the main access route within the development, this character area incorporates a formal appearance, featuring a combination of, flats, detached and semi-detached plots with a consistent building line. The third character area ('Moortown Suburbs') forms the main part of the development and set in the inner, central areas of the proposed built-up area. It incorporates a mix of mainly semi-detached and terraced dwellings.

f. Public Open Space

The application is supported by a Landscape Masterplan and Alternative Natural Recreational Greenspace (ANRG) Strategy and Open Space Strategy. The Phase 1 Public Open Space (POS) comprises:

- An informal green edge to the north of Moortown Lane;
- A more formal pocket park, public open space and smaller informal spaces in the housing area;
- 4.37 ha of Alternative Natural Recreational Greenspace (ANRG) sited on a north-south axis in the centre of the application site.
- Two large play areas immediately to the east of the Phase 1 housing comprising a Neighbourhood Equipped Area for Play (NEAP) – a play space for older children – and a Local Equipment Area for Play (LEAP) – a play space for younger children.
- A set of large infiltration swales to accommodate surface water drainage.

iii. Supporting Information

The application is also supported by a comprehensive suite of supplementary reports including the following (latest iteration set out):

- Planning Statement, Savills, December 2021
- Design and Access Statement, Pegasus, May 2024
- Appendix 8.3 Shadow Habitats Regulation Assessment (SHRA), edp, May 2024
- Drainage Strategy Addendum, 27 March 2024, Hydrock
- Biodiversity Net Gain Assessment, edp, January 2024
- Reptile Mitigation Strategy, edp, February 2024
- Ecological Baseline, edp, January 2024
- Green Infrastructure Strategy, edp, January 2024
- Addendum Agricultural Note, edp, January 2024
- Landscape and Ecological Management Plan, edp, January 2024
- Transport Information Update Parts 1 and 2, I-Transport, January 2024
- Highways and Transport Update Parts 1 to 11, I-Transport, April 2023
- Energy and Sustainability Statement, AES Sustainability Consulting Ltd, November 2023
- Desk Study and Ground Investigation Report, Wilson Bailey Geotechnical and Environmental, May 2022
- Building for a Healthy Life Assessment, Pegasus, May 2024
- Environmental Statement, Campbell Reith, December 2021

4 PLANNING HISTORY

Application Ref: 06/88357

Use as 6 junior and mini football pitches; changing facilities.

Land off Moortown Lane, Ringwood

Granted Subject to Conditions (13/11/2006)

Application Ref: 21/10339

EIA Screening Opinion: Development of the land for up to 491 dwellings, access, public open space, natural recreation greenspace, landscaping and drainage

Land off Moortown Lane, Ringwood

EIA Required

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

Listed Buildings and Conservation Areas Act 1990

S66 duty - special regard to desirability of preserving the building or its setting etc.

Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

Relevant Government advice

National Planning Policy Framework December (NPPF) (December 2023)

Planning Practice Guidance (PPG)

National Design Guide (2021)

Manual for Streets (2007)

Building for a Health Life (Home England) (July 2020)

Core Strategy 2009 (Saved Policy)

CS7: Open Spaces, Sport and Recreation

Local Plan Part 2 2014 Sites and Development Management Development Plan Document (Saved Policies)

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM5: Contaminated land

Local Plan Review 2016-2036 Part One: Planning Strategy

Strategic Site SS13 Land at Moortown Lane, Ringwood

STR1: Achieving Sustainable Development

STR5: Meeting our housing needs

STR8: Community services, infrastructure, and facilities

STR9: Development within a mineral safeguard area

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

ENV2: The South West Hampshire Green Belt

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

HOU1: Housing type, size, and choice

HOU2: Affordable Housing

CCC1: Safe and Healthy Communities

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

IMPL2: Development standards

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites (2021)
- SPD Housing design, density and character (2006)
- Developer contributions towards air quality
- Ecology and Biodiversity Net Gain Interim Advice Note
- SPD Air quality in New Development (2022)
- Ringwood Town Access Plan (March 2011)
- Ringwood Local Distinctiveness (July 2013)

Neighbourhood Plan

Ringwood Town Council post Examination Neighbourhood Development Plan.

A report was taken to NFDC Cabinet on 1/5/2024 which sought approval for the modifications recommended by the Examiner of the Ringwood Neighbourhood Development Plan and agreement that the Neighbourhood Development Plan can proceed to a local referendum. The referendum is proposed to be held on 4 July 2024 and hence whether or not it will be formally adopted. Officers understand that the result may be taken to NFDC Full Council on 8 July 2024.

The 1/5/2024 Cabinet report set out in paragraph 4.5 that (emphasis added):

It should be noted that now the Examiner's Report has been received there is a 'duty to have regard' to the post-examination Neighbourhood Development Plan (NDP). Therefore, it is a material consideration in the determination of planning applications in Ringwood Parish. If the Referendum result is a 'Yes', and once the Council has formally adopted the NDP, it will become part of the NFDC Local Plan and hold full weight in determining planning applications in Ringwood Parish.

There are twelve policies within the post-examination Ringwood Neighbourhood Development Plan (set out below):

- R1: A Spatial Plan for Ringwood
- R2: Maintaining a Successful and Prosperous Town Centre
- R3: Making Better Use of Opportunity Areas in the Town Centre
- R4: Shops and Parades Within and Outside Defined Local Centres
- R5: Smaller Housing
- R6: First Homes
- R7: The Ringwood Design Code
- R8: Building for a Healthy Life
- R9: Conserving Local Heritage Assets
- R10: Creating a Green Infrastructure and Nature Recovery Network
- R11: Zero Carbon Buildings
- R12: Encouraging Active and Healthy Travel

Post-examination Ringwood Neighbourhood Development Plan policies R1, R5, R6, R7, R8, R9, R10, R11 and R12 are considered relevant to this proposal in terms of the 'duty to have regard' and as such are addressed under each relevant sub-section of the Planning Assessment.

The post-examination Ringwood Neighbourhood Development Plan also includes several appendices. Appendix A (Ringwood Strategic Masterplan) relates only to Policy R3 and the town centre. Appendix B (Ringwood Design Guidance and Code, November 2022) seeks to amplify Policy R7 and hence there is a duty to have regard to these documents in line with the NFDC May 2024 Cabinet Report. Reference has been made to Appendix B in the Planning Assessment where

relevant. Appendix C is the NFDC Local Distinctiveness SPD and hence is already a material consideration. Appendix D is a list of local heritage assets to support Policy R9 and has been referenced in the Heritage Asset sub-section of the Planning Assessment.

Hampshire Minerals and Waste Plan (October 2013)

Other relevant documents

NFDC Corporate Plan 2024 to 2028.

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

Comments were received from Ringwood Town Council (RTC) in April 2022, February 2024, May 2024 and June 2024. The June 2024 and May 2024 comments are reproduced in full for Members of the Committee. The RTC comments of February 2024 and April 2022 are summarised below and available to view in full on the NFDC website.

June 2024

The assessment indicates that the provision of 30% affordable housing makes the site viable. However, no information has been provided to explain why the 50% policy requirement is not achievable.

There are several inaccuracies and contradictions in the applicant's Viability Assessment. Perhaps the most glaringly obvious is in Table 4.11.1 of the BNP Paribas (BNP) assessment dated December 2023, where ~£2M is missing. Such errors cast doubt on the accuracy of other figures in the report and whether it was seriously reviewed by Crest-Nicholson (C-N). It is clear from the DixonSearle Partnership (DSP) review dated May 2024 and related documents, such as the construction cost review by ERM dated 13th February 2024, that a number of other figures in the BNP assessment have been questioned and extra information requested, suggesting that NFDC consultants are far from comfortable with them.

It is also concerning to this Council that the C-N cost plan summary from 17th August 2022 (in ERM document, Appendix 2), quote, "contained insufficient detail to carry out meaningful review". If C-N have underestimated the costs, not due to unpredictable variations or abnormalities, but due to a lack of due diligence, the fault should not be put at the door of affordable housing provision.

It is difficult for a layperson, or even a councillor on the NFDC Planning Committee, to understand the figures as presented. It would be beneficial if the summary spreadsheet tables followed a standardised format as an NFDC reporting requirement.

The emerging Ringwood Neighbourhood Plan includes a policy (R6) requiring a minimum of 25% of new affordable homes to be First Homes. No First Homes have been provided for by the applicant, and there is no mention of them in either report. Given that the developer would receive an additional income of several million pounds sterling from this provision, which would have a positive impact on the viability, we question why this has not been challenged by NFDC.

We are pleased to see the applicant has now provided a Building for a Healthy Life

(BfHL) assessment, as required by Policy R8 in the Ringwood Neighbourhood Plan. However, with every element scoring a green light, this is contrary to the assessment carried out by the Town Council and at odds with comments made by NFDC's landscape and environmental design officers. We suggest that the applicant's assessment is far from impartial and should be challenged. Perhaps an independent assessment could be sought by NFDC, someone that is an expert in the field, such as David Birkbeck, who carried out a review of the Rendlesham scheme (DC 19/1499/FUL) for East Suffolk Council and is a co-author of BfHL.

May 2024

This is Ringwood Town Council's further response to planning application 21/11723, agreed by Full Council on 28 February 2024 and amended on 3 May 2024. It follows the Council's original response made in April 2022. We have considered the amended plans and further documents, note the amendments and that the Ringwood Neighbourhood Plan is scheduled to go to a referendum in July 2024 and it should accordingly be given significant weight.

We remain of the strong view that the application should be refused (R4). We have not had sight of the Officer's report and note that some requested documentation and responses from several statutory consultees are outstanding even now. We therefore reserve the right to make further comments in respect of any additional information received relating to this application.

Given the vast number of documents relating to this application, we have endeavoured to address only our principal concerns and not matters of detail. We will be represented at the NFDC Planning Committee when the application is considered and invite members to ask questions to clarify any matter not specifically addressed.

Vehicular Site Access

The issue of site access is not a reserved matter. The proposal is contrary to the policy set out for SS13 in the Local Plan, specifically because the only access will be from Moortown Lane – as the name suggests, a lane along which two Heavy Goods Vehicles cannot pass. At the Public Inquiry into the current Local Plan, the Inspector was specifically invited to exclude an access into this site from the north-west corner but declined to do so.

The land in question is under the control of HCC and designated as an employment site, although no application has been forthcoming. It appears that the applicant has failed to reach any agreement with HCC that would allow construction of this access, let alone any access onto Crow Lane. The argument will no doubt be that the application should not be refused "simply because" the applicant has failed to secure these agreements but the outcome will be that all vehicular traffic will need to access and egress the site via Moortown Lane.

This is a fundamental issue. It is unrealistic to suppose that all residents living on this site will walk or cycle to take their children to school or to do their shopping.

The proposed "improvements" to the junction with Christchurch Road and elsewhere could only be "secured" by a financial contribution under a S106 agreement but that does by no means guarantee they will be delivered. For example, when consent was granted for the Lidl store on Forest Gate Business Park, this included a s.106 agreement for a contribution towards a pedestrian crossing. It transpired that the contribution was woefully inadequate and no controlled crossing was ever built (let alone a "Toucan crossing" as is now proposed). There are similar examples relating

to the Beaumont Park estate, with two key footpaths as yet undelivered. Further, previous applications have demonstrated that “improvements” to other junctions are not practically feasible. Having reviewed the latest comments from HCC Highways and the Schedule of Highway Works, we note with considerable dismay and concern that it is now proposed there be no requirement to complete any of the highway improvements before the first occupation of dwellings in Phase 2. If consent is granted, we would request a condition that all proposed highway improvements be implemented before occupation of any proposed dwelling.

Pedestrian and cycle access

Again, the applicant has failed to secure the necessary consents to ensure compliance with policy requirements to (for example) provide reasonably accessible links to local schools (Poulner Infant and Junior Schools in particular) but also to local shops – e.g. Lidl on Forest Gate Business Park. (Note – there was an indication in one of the applicant’s transport documents that the Poulner schools were no longer to be treated as catchment for this site, but that information could not be verified.)

The proposals for the junction with and then crossings across Christchurch Road are simply not practical nor achievable.

Other pedestrian routes from the north and east of the site are not properly defined. Policy R1 (Clause D) of the Ringwood Neighbourhood Plan states: “The harmful effects of traffic congestion, especially traffic with an origin and destination outside the town centre, will be tackled through the promotion of other means of moving about the town including the delivery of effective walking and cycling measures to better connect the new communities at Moortown Lane and Hightown Road.”

There is no clear means by which this policy will be met; there is no connection from the north of the site to Wellworthy Way and the proposed connection to Christchurch Road to the South of the site does not appear to be suitable for walking or cycling and requires crossing the increasingly busy Christchurch Road.

Housing

Whilst the commitment to 50% affordable housing is welcomed, the proposed mix of housing, both affordable and otherwise, is not policy compliant. The proportion of 1 and 2 bedroom dwellings for the first phase is 40% (60 of the 150 dwellings). This is not in accordance with Policy R5 of the Ringwood Neighbourhood Plan (RNP), which states that the figure is greater than 50% of schemes of five or more dwellings. There are no First Homes proposed in Phase 1, contrary to Policy R6 of the RNP, which requires that a minimum of 25% of new affordable homes shall be provided as First Homes.

Policy R11 of the RNP requires that “wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year. Whilst we are encouraged by the potential for inclusion of PV panels we note there is no definite commitment at this stage to comply with this requirement.

However, we note with concern that the overall proposal now provides for only 30% of the units as affordable housing due to issues of viability. No viability assessment is available on the portal, but this significant change makes the outline proposal contrary to policy.

Design Issues

The Town Council's view is that the proposed development (particularly regarding the detailed application) is unacceptable. We refer here to the observations of the Urban Design Officer regarding numerous aspects not least "street scenes", the density of the proposals which are far too high for an "urban edge development" which has hitherto been Green Belt land.

There is a great deal wrong with the proposals but to cite but one example, please consider the western edge of the proposed development. The existing dwellings (which are quite substantial properties that, thanks to the topography sit considerably lower than the ground level of the development site). They would not only be overlooked by the proposed housing but the proposed style of houses along this edge would be entirely out of keeping with the immediate locality. There appears to have been no consideration of how existing power cables will be accessed nor the effect on drainage.

We have little doubt that if the application here was to build a single dwelling (let alone a dozen or so) backing on to the existing properties, considerable concerns would have been raised about "overlooking/loss of privacy" and "loss of amenity".

There should in our view be a clear "gap" and "green space" between the existing dwellings any proposed new housing. Paragraph 139 of the NPPF states that "development that is not well designed should be refused".

The applicant has not submitted a Building for a Healthy Life assessment, as required by Policy R8 of the Ringwood Neighbourhood Plan. In the absence of this, the Town Council and members of the RNP team have undertaken a BfHL assessment, which forms part of the Town Council's response – this is the same as that submitted in February as there has been little change in the design), which indicates the development is not well designed. On that basis, the application should be refused.

Density

The Local Plan envisaged a minimum of 480 dwellings on the total strategic site but this was on the basis that land south of Moortown Lane would form part of the allocation. This is no longer the case and the consequence is a significant increase in density, which is not appropriate in this location on the edge of the Green Belt.

"Open Spaces – ANRG etc."

The Town Council welcomes the exclusion of the "Ten Acre Field" in the applicant's strategy. However, the proposal to include land adjacent to Crow Lane as part of its proposal is simply wrong (please refer to the Council's comments on planning application 23/10707) and for the purpose of this application should be ignored. The application is not compliant with policy and for this reason alone should be refused.

Drainage

The applicant appears not to have considered properly how water currently drains from the site nor the effect of its proposals on adjoining properties. Much further investigation needs to be undertaken in this regard. Hampshire County Council, as the Lead Local Flood Authority, requested specific information in their original response dated 28/01/2022. They responded further on 20/06/2023 stating that information on infiltration testing and groundwater monitoring to support the drainage strategy had still not been provided. The most recent response dated

05/02/2024 states that this information remains outstanding. Given the increased level of flooding in the area, it is of great concern that the applicant has failed to provide the required information and to demonstrate an adequate drainage strategy for the site. There is an opportunity to bring back into use the currently redundant Moortown Lane Flood Relief Drain if this development proceeds. We would welcome a conversation with HCC as the Local Lead Flood Authority and the applicant as to how this might be achieved.

Conclusion

The Town Council recognises that, both nationally and locally, there is a housing shortage, particularly for younger people who find it difficult to the point of impossibility to step on to the “housing ladder”. We also appreciate the pressure on the Planning Authority as it is not currently meeting its targets for both building new dwellings or affordable housing, and that it does not currently meet its 5- year supply of land allocated for housing. However, there are yet again so many issues with the present application, both outline and detailed, that we urge that the application be refused and the applicant be in effect invited to go back to the drawing board.

February 2024

Additional comments made by RTC in their February 2024 representation not included in their subsequent May 2024 representation:

Landscaping

Policy R10 of the emerging Ringwood Neighborhood Plan states that “all proposals should protect and maintain trees and hedgerows; provide for the planting of new trees for flood management and carbon sequestration purposes; and include hedgerows and bulb and wildflower planting where it is compatible with the street scene.” We note the intention is to maintain most of the hedgerows and to plant new trees, however we would ask for more details of bulb and wildflower planting in the area.

Archaeology

It would appear that the site has some archaeological significance but precisely what that might be, has not been disclosed. The Town Council requests that there should be fuller disclosure regarding this aspect and appropriate conditions attached to any consent.

February 2022

Principle of Development

Whilst the Local Plan identified the land included within the application as appropriate for housing (and employment) development, this was on the basis that appropriate infrastructure be included in any proposal. The application fails to comply with this policy requirement on a number of matters:

- No community facility is proposed within the site and no proposal has been made regarding any “off-site” provision. RTC is not in a position to suggest any “off-site” provision and looks to the applicant to make appropriate proposals.

- The proposal does not include any provision for a primary school (see further below regarding transport in particular). RTC does not consider it appropriate that any land currently used for formal recreational activity should be re-designated as a school. If (and the Education Authority's response is awaited) it is necessary or appropriate to designate land for the construction of a Primary school, it is the view of RTC that this must be provided within the site in the applicant's ownership, excluding any land that is currently used as formal recreational space (i.e. the football pitches south of Moortown Lane).
- The application also fails to take into account that Ringwood currently does not meet national criteria regarding formal recreational space. The proposal as it stands would reduce the number of football pitches currently available and makes no provision for either replacing that same nor increasing the provision as would be required should this proposed development be approved. The proposal taken as a whole does not provide sufficient informal green space to meet policy requirements and its design (see further below) is also problematic.

Housing Mix and Types

- The open market housing mix only proposes 20% of 1-2 bedroom sizes, compared with Policy HOU1 which requires 30-40%. This failure to match the requirement would mean that, of the 168 dwellings proposed in phase 1, there would be a shortage of some 25 dwellings likely to be more affordable to people - particularly those with Ringwood connections - to start a home. There is very little in this application that benefits the well documented housing needs of our local community, and the diminution in this developers plans for fewer smaller, less expensive housing is unacceptable.
- Although the proportion of subsidised Affordable Housing in the proposal of 47% is nearer the Policy requirement of 50%, the recently commissioned Ringwood Housing Needs Assessment (attached) suggests the split of types should be 50% Affordable to Rent/50% Affordable to Buy, rather than Policy guidance of 70%/30%.
- We recommend this proposed 50/50 mix of Affordable tenures as being more suitable for the subsidised housing sector on this SS13 site.
- The application is unacceptable because it does not: Provide sufficient open market housing for one and two bedroom apartments and flats (Indeed, there appear to be no proposals for such housing within the detailed application); Provide for larger affordable housing such as 4 bedroom houses;
- RTC would in any event ask for a s.106 Agreement to ensure that all manner of affordable housing is provided before open market housing is offered for sale/occupied.

Design Considerations – Site layout

RTC have significant reservations about the design (particularly in relation to the detailed application).

- Very inward looking and quite inappropriate for a development on the fringes of the Town, bordering as it does to Green Belt land and in very close proximity to the National Park – there would be no (or very limited) views from within the development to the open areas;
- The density of proposed housing in the detailed application (40 per hectare) is significantly greater than what has been approved (and now built) at Beaumont Park (Linden Homes at 32-33) and the proposed development at the "Taylor Wimpey" site (also referred to as "Hightown", "Nouale Lane" and strategic site 14) at 35 per hectare;

- The detailed application provides little (if any) opportunity for soft landscaping and one is left with the impression that the “side streets” will probably be obstructed by parked cars;
- There is a large tree and copse in the middle of the site which is a nesting site for a pair of breeding buzzards. It is understood that this tree would be felled which would be regrettable to say the least – we suggest that a TPO be made to prevent this.
- The proposals do not adequately provide for preservations of existing hedgerows nor the provision of additional tree and other planting.
- The “green spaces” are remote from the proposed housing and few if any are incorporated within the detailed application and there is what might be described as a “hard edge” around the housing site with no “soft transition” to the open areas. This is particularly the case along the western boundary.
- The proposals do not take into account the impact of the proposed development on the National Park, particularly but not limited to light pollution.

Transport

- Applicants cannot deliver the link road through the site and land ownership outside their control and as such does not achieve the policy objective.
- The proposal does not meet the policy objective of a link from the A31 to Christchurch Road.
- Does not achieve a sustainable cycling and walking strategy including to schools in Ringwood traffic assessment surveys are out of date and conducting when traffic volume were lower.
- Proposed junction at Moortown Lane and Christchurch are unsatisfactory. Not enough room for traffic and pedestrians, A retaining wall would be urbanising.
- Impact on junctions and roundabouts between site and A31 and lack of scope to improve them.
- Pedestrian crossing point across Christchurch Road would not be feasible.

Nature Conservation and Ecology

- ANRG does not meet policy requirements and Mitigation SPD due to road crossing it.
- Proposes a net gain in biodiversity but trees and hedgerows will be lost and deer graze on the site.
- Site would be barrier to wildlife.
- Access to utility infrastructure for maintenance.
- Site layout has little opportunity for landscaping and planting..
- Reduced opportunities for planting within gardens.
- No phosphate mitigation details.

Public Open Spaces

- RTC questions whether the scheme provides sufficient informal space.
- RTC also extremely concerned that the scheme relies on utilisation of existing formal recreational space.

Flooding, Drainage, Water Supply and Foul Water

- The scheme is deficient in that it suggests that each property should have its own soak away in rear gardens – this would severely limit the opportunity to plant trees in rear gardens.

- No swells or SUDS are proposed and surface water from the roads is to be held in crates. This proposal is a lost opportunity to increase biodiversity by the creation of ponds or small lakes
- Existing field drains flow through the listed building known as Moortown House and cause flooding.
- Local water pressure issues and water supply issues and no information on foul drainage.
- Local sewage treatment works at capacity.
- Impact on Crow Lane flood relief drain.

Residential Amenity

- Impact on existing residents along the western boundary of the site
- Water utility company would require a “corridor” that is at least 10 metres wide along the route of the water main
- No assessment of odour or noise
- The detailed layout also leads RTC to suppose that there will be substantial on-street (or worse, on pavement) parking once the houses are occupied.
- RTC is surprised that the current proposal is to develop that part of the site closest to Moortown Lane first given possible amenity issues.

Residential Amenity

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- The detailed layout also leads RTC to suppose that there will be substantial on-street (or worse, on pavement) parking once the houses are occupied.
- RTC is surprised that the current proposal is to develop that part of the site closest to Moortown Lane first given possible amenity issues.

Sustainability

- Noted that the proposal is simply to construct properties to existing Building Regulation standard, even though Crest Nicholson confirmed to RTC that they intended to build to a higher standard and indeed, have done so elsewhere.
- Does not provide for solar panels, sub-optimal orientation, gas-powered heating with no heat pumps, no grey-water recycling; traditional and carbon intensive build methods. The lack of SUDS is also regrettable in terms of sustainability.
- More information on gravel extraction needed.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

The following comments in summary have been received. Comments listed below have been reviewed and updated following the most recent amended plans submitted in 2024.

HCC Highways – no objection subject to obligations and conditions

Revised development and on-site highway matters

A Stage 1 Road Safety Audit (RSA1) has been provided for the internal layout. Within the RSA1, three problems were raised. Subsequent design amendments have been carried out and the Safety Auditor has confirmed these amendments satisfactorily address the problems raised. The Highway Authority (HA) accept the proposed internal layout, subject to the following comments being addressed at the S38 detailed design stage where roads are being offered for adoption. Vehicle tracking will finalised during the adoption process.

For roads to be offered for adoption, the proposed surface material and construction build-ups need to be in accordance with HCC highway adoptable standards and standard construction details. Adequate road markings and signage should be provided for review at the detailed design stage. The proposed internal spine roads will be provided to the boundary of the site to facilitate future connection to the two parcels which complete the SS13 NFDC Local Plan allocation. These roads should be designed and constructed to adoptable standards and offered for adoption.

Moortown Lane/ Christchurch Road Improvement

The HA previously requested additional information be provided to provide the HA with certainty that the works can be delivered within the highway boundary or land within the control of the applicant. The applicant has provided additional information which provides sufficient reassurances to the HA that the proposed scheme is deliverable. The HA therefore confirm that design of the improvement works at the Moortown Lane/ Christchurch Road priority junction is considered satisfactory.

Pedestrian/ cycle routes through the site

The applicant's transport consultant has confirmed as part of earlier responses that the primary and secondary footpaths to the east of the site will be available for use by cyclists, this should be secured through a suitably worded condition to be dealt with at the reserved matters stage.

The HA previously requested a pedestrian and cycle link be provided as part of the phase 1 works between the Moortown Lane emergency access and the primary street access to Moortown Lane. The applicant advised that due to the phase 1 layout and drainage proposals a dedicated link could not be provided in this location. An alternative pedestrian and cycle route on land south of Moortown Lane was proposed providing a link between the site access and Long Lane (drawing ITB12364-GA-077). Although this alternative link was not included as part of the RSA for the site, the designer has since confirmed that a suitable footway and cycleway link, deliverable to HCC standards, can be provided at this location. The HA note that this provision, as well as providing suitable access for future residents to the football club and Long Lane, also provides a connection from the site to likely future Local Walking and Cycling Improvement Plan route via Long Lane.

The HA understand that the phase 1 drawing for the internal pedestrian and cycle links has been updated to ensure that the pedestrian and cycle links to the agreed allotment access (drawing ITB12364-GA-008H, see comments below) are provided prior to first occupation. This should be secured through planning condition to ensure these links are available for use in perpetuity.

Moortown Lane Site Access and PROW access

A plan (ITB12364-070A) has been provided which shows the widening of Moortown Lane between the junction with Christchurch Road and the proposed site access, which is acceptable to the HA. The HA acknowledge that the requirement for a bus to pass along Moortown Lane is no longer part of the public transport strategy for

the site; however, the HA consider with the information available that the widening should still be implemented. Overrunning of the existing verge is visible and the additional development traffic would exacerbate this. Furthermore, the tracking provided is tight. Given the level of development proposed, vehicles will need to pass often, including regular instances of two delivery vans (or other large vehicles) passing and the HA feel this should be comfortably accommodated without damage to the verge or carriageway edge. The applicant has agreed to implement these improvements to Moortown Lane, which should be secured through S106 Agreement obligation. However, the HA may be willing to explore monitoring of this section of Moortown Lane through the first phase of the development to confirm the requirement for widening; this can be discussed as part of S106 negotiations should the site come forward.

Christchurch Road/ Moortown Lane pedestrian and cycle scheme

Costs for the indicative walking and cycling scheme (ITB12364-GA-060) along Moortown Lane and Christchurch Road are now accepted by the HA. A proportionate contribution for the applicant to provide towards the scheme has been agreed.

Crow Arch Lane pedestrian and cycle access

A revised drawing of the pedestrian and cycle access alongside the allotments and linking to Yarrow Lane (Drawing ITB12364-GA-008H) was provided to the HA for review. Due to design changes resulting from the Road Safety Audit the visibility splays for pedestrians were shown to be below Technical Guidance Note 3 (TG3) requirements, therefore requiring a Departure from Standard (DfS). The DfS was considered by HCC departure board and approval in principle of the DfS been issued. This approval notes some minor amendments that may need to be addressed by the applicant at the S278 detailed design stage.

The design review of Drawing ITB12364-GA-008H also highlighted the following comments which will need to be addressed at the S278 detailed design stage. The Designer's response regarding the width of pedestrian crossing on Yarrow Road has been accepted by the Safety Auditor. However, this has not been fully addressed and may need further consideration at the S278 detailed design stage. An appropriate dropped kerb access and warning tactile paving is required where the cycleway from the Castleman Trail joins Yarrow Lane. Details of the suitability of the proposed works for allotment access and tie into Crow Arch Lane have not been included in the RSA review. This should be considered as part of the future S278 works on Crow Arch Lane should the development come forward.

Traffic Impact

The traffic impact has previously been agreed at all appropriate locations with the exception of the B3347/ The Furlong roundabout junction. The HA can confirm that this junction modelling is now considered acceptable. A mitigation scheme has been proposed, shown on plan ITB12364-GA-043B, widening the Southampton Road arm of the junction to allow a longer length of two-lane approach. The proposals have been costed and this cost agreed with the HA. A contribution of this value is considered adequate mitigation.

Routes to Schools

The improvements on the routes to Ringwood Schools (ITB12364-GA-049) and the McColls/ Morrisons Daily store are acceptable to the HA. Due to the catchment school potentially changing in future, the HA have agreed to take a contribution

towards walking and cycling improvements on the routes between the site and catchment schools and school travel planning measures. This is considered adequate mitigation.

Crow Lane Crossing (Castleman Trail)

The HA accept the proposed crossing improvements on Crow Lane detailed on drawing ITB12364-GA-080B to access the proposed public open space detailed in planning application reference 23/10707. The HA require the visibility splays should be based on record speeds and would expect to see 54m both ways with a minimum offset of 300mm in accordance with TG3. These works should be secured through an appropriate S106 planning obligation.

Bus Service

The applicants Technical Note details that the previously proposed bus strategy was no longer supported by the bus operator. As an alternative the applicant has agreed to provide a contribution to fund the running of a taxi share to serve the site. In order to instil sustainable travel patterns, the HA would want to operate this service from early in the build out of the development until post final occupation and is satisfied the contribution will facilitate this.

Schedule of S278 highway works

A technical note detailing the Schedule of S278 Highway Works dated 12th March 2024 has been submitted. The document appears to be in accordance with previous discussions between the HA and applicant but will be discussed and formally agreed as part of the S106 negotiations.

Schedule of S106 highway contributions

The HA and applicant have agreed an acceptable contribution of £1,040,588 to be secured by S106 Agreement towards walking and cycling improvements on Christchurch Road, multi-modal transport improvements to reduce vehicular traffic using the B3347/ The Furlong junction, walking and cycling improvements on the routes between the site and catchment schools, school travel planning measures and passenger transport services benefiting the site. In addition, the Travel Plan has been agreed and will need to be secured via S106 Agreement along, including the £1,500 approval fee, £15,000 monitoring fee and £75,550 bond/ surety.

Recommendation

Hampshire County Council as Local Highway Authority raises no objection to the planning application submit subject to the following S106 obligations and inclusion of the below conditions.

S106 Obligations

- A contribution of £1,040,588 to be secured by S106 Agreement towards walking and cycling improvements on Christchurch Road, multi-modal transport improvements to reduce vehicular traffic using the B3347/ The Furlong junction, walking and cycling improvements on the routes between the site and catchment schools, school travel planning measures and passenger transport services benefiting the site.

- Submit and implement a Full Travel Plan, payment of the Travel Plan approval (£1,500) and monitoring fees (£15,000) and provision of a £75,550 bond/ surety to ensure implementation of the Full Travel Plan.

Monitoring of Moortown Lane through the first phase of development to determine whether widening is necessary. Implementation of the site access works, off site pedestrian and cycle improvements on:

- Moortown Lane Site Access (ITB12364-GA-032D)
- Moortown Lane emergency, pedestrian and cycle access (ITB12364- GA-025E)
- Moortown Lane proposed eastern pedestrian access (ITB12364-GA031E)
- Widening of Moortown Lane (subject to monitoring through Phase 1 of the development) (ITB12364-070A)
- Allotment Access/ Crow Arch Lane/ Yarrow Way (ITB12364-GA-008H)
- Moortown Lane/ Christchurch Road junction works (ITB12364-GA023E)
- Crow Arch Lane pedestrian improvements (ITB12364-GA-038E)
- Crow Lane Crossing (ITB12364-GA-080B)
- Pedestrian/ cycle route Between Moortown Lane and Long Lane (ITB12364-GA-077)

Conditions

Primary and secondary footpaths to the east of the site will be available for use by cyclists. The internal pedestrian and cycle links between Phase 1 development and the allotment access (drawing ITB12364-GA-008) should be provided prior to first occupation and available for use in perpetuity.

The proposed internal spine roads will be provided to the boundary of the site to facilitate future connection to the two parcels which complete the SS13 NFDC Local Plan allocation.

A Construction Traffic Management Plan shall be submitted to and approved by the Planning Authority in writing before development commences. This should include construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The agreed details shall be fully implemented before the development is commenced.

Lead Local Flood Authority (LLFA) – no objection subject to conditions

Further information has been provided on infiltration rates, along with additional explanation on groundwater and exceedance flow routes. The drainage layout and calculations have been updated to suit. The details are acceptable to the LLFA, and conditions are required due to the hybrid nature of the application.

Countryside Services (Public Right of Way) - no objection, subject to obligations and conditions

Detailed comments on Ringwood Footpath 45 and Ringwood Bridleway 509/Castleman Trail and Ringwood Footpath 41a footbridge.

Local Education Authority - no objection subject to obligation

Based on the need for a 1fe expansion only (pro rata, per pupil generated by the development) Full application: 138 eligible dwellings x 0.3 = 41.4 primary age children 41.4 x £20,804 = £861,286 Outline application: 257 eligible dwellings x 0.3 = 77.1 primary age children 77.1 x £20,804 = £1,603,988 Total contribution required: £2,465,274.

HCC Public Health - comments

Detailed comments on healthy homes, sustainable transport and active travel, green and open space, and healthy neighbourhoods.

HCC Minerals and Waste – no objection subject to condition

Detailed comments received in May 2022 and November 2023 from the HCC Minerals and Waste team. Suggested condition set out.

Natural England – comments

European designated sites - Habitats Regulations Assessment

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Deterioration of the water environment River Avon Catchment - Phosphate Budget

Natural England acknowledges that a nutrient budget assessment has been carried by Tetra Tech (May 2024). The proposals result in an increase in 28.05 kg TP/yr with options land 27.88 kg TP/yr. The nutrient budget states to offset the increase in phosphate as the result of the development, credits will be purchased from Bicton Fish Farm. Providing this is secured by an appropriately worded condition, Natural England welcomes this.

New Forest Recreational Impacts

Recent analysis shows that new residential development within a 13.8 km buffer zone of the New Forest designated sites is likely to have a significant effect on the sites via recreational impacts (including disturbance, trampling, eutrophication amongst others), alone and/or in combination with other plans or projects. Larger developments (e.g. EIA development) beyond this zone but within 15 km may also contribute to recreational impacts on the designated sites. This application is situated within 13.8 km zone and will result in an increase in residential accommodation. Natural England is aware that your authority has an adopted a strategy to mitigate against adverse effects from recreational disturbance on European sites. Providing that the applicant complies with your adopted strategy, Natural England is satisfied that the applicant has mitigated against the potential

adverse effects of the development on the integrity of the European sites and has no objection to this aspect of the application.

Alternative Natural Recreational Greenspace

We note that there is a provision of Alternative Natural Recreational Greenspace (ANRG) incorporated into the site proposals. The area of ANRG, is required to be created within the site in accordance with the New Forest District Council's Recreation Mitigation Strategy (2021). In order to deliver ANRG provision of 8 ha per 1000 of additional population at the proposed residential development. The required area of ANRG to support the development is 9.54 ha, the proposed development is aiming to deliver 12 ha of ANRG, which Natural England welcome. We understand a financial contribution will be made towards Access and Visitor Management and Monitoring to monitor the designated sites and recommend and potential alterations in management if required.

Phasing of ANRG

Phasing the areas of ANRG in line with the phasing the of the development is recommended, to support and provide recreation mitigation from the beginning. A phasing plan is recommended to be created and signed off by the New Forest District Council. The phasing plan should set out areas of development and mitigation being brought forward at different times in line with the development.

Future Management of ANRG

The designated ARNG on site which has been provided for mitigation purposes, must be secured for its intended purpose in perpetuity which is 90 years. A management and monitoring plan is required to ensure that the ANRG is functional for the entire 90 years. The monitoring management plan, should include details such as maintenance of pathways, replacement of dog bins, furniture, management of recreational spaces etc. This is recommended to be submit to the LPA and secured by a suitable worded condition. Ideally the land designated for ANRG will be transferred to public ownership/control. It is for you as competent authority to be satisfied the mitigation land will be appropriately secured, monitored and is enforceable. Funding and responsibilities should be outlined. A suitable long term management and monitoring plan should be agreed that ensures it will remain effective over the lifetime of the development it serves.

Nationally Designated Sites - Sites of Special Scientific Interest (SSSI)

Some of the above impacts may also affect the New Forest SSSIs. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice.

ANRG and Biodiversity Net gain Guidance

ANRG can be included in developers' BNG calculations up to a maximum value of no net loss, as calculated by the biodiversity metric. This means that 10% of a developer's BNG units must come from other, additional activities. Additional habitat creations or enhancements within a ANRG, which go over and above the site's existing requirements to function as a ARNG in perpetuity, could contribute to a developer's BNG beyond no net loss. Any proposed habitat enhancements or creations within a ANRG must not undermine the ANRG original design principles

and purpose, such as deflecting people and pets from visiting a the New Forests designates sites. Consideration should also be given to other ecosystems services provided by the ANRG. Careful design and an appropriate management plan will make sure BNG does not compete with these.

The area of ANRG is required to be secured for 90 years in perpetuity, whereas BNG is required to be secured for 30 years. It is recommended that management plans are carefully set out according to the time scales and requirements. Biodiversity net gain assessments should be accompanied by a management and monitoring plan outlining management requirements for 30 years.

Ideally developers and LPAs, Habitat sites strategic solutions should work alongside strategic licensing and BNG in a combined approach to deliver for the natural environment in a place. Where applicable, enhancements or additional features delivered for BNG, should be informed by local nature or wildlife strategies and priorities, such as LNRS.

Sustainable Drainage System (SuDs)

The detailed design of a Sustainable Drainage System (SuDS) should be submitted and agreed with New Forest District Council. This should include evidence to show that the proposed SuDS scheme will ensure there will be no deterioration in water quality [or changes in water quantity] in discharges from the site. Information on the long-term management and maintenance (including funding) of the SuDS for the lifetime of the development should also be secured prior to the commencement of any works.

Biodiversity Enhancements

The New Forest District Council Policy ENV1 : Mitigating the impacts of development on International Nature Conservation sites, outlines that all applicants will be required to demonstrate the impacts of their proposal on biodiversity, and for certain types of development by submission of an Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity. It is recommended that the local plan authority secures this.

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal.

Opportunities for enhancement might include:

- Incorporating bat, bee or bird boxes into 50% of new dwellings, locations decided by the LPA / ecologist.
- Enhancing hedgerow with native species planting.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings;
- Designing lighting to encourage wildlife;
- Planting night blooming plants to attract bats and insects;
- Aquatic planting within the SuDS to enhance the waterbodies for amphibians

Protected Species

Natural England has produced standing advice¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 4.0 and is available as a beta test version.

Sensitive Lighting Strategy

A sensitive lighting scheme should be designed and implemented to maintain and retain dark corridors used as an important commuting corridor for bats as well as other protected and notable species. The Bat and Conservation Trust have produced a guidance document *Bats and Artificial Lighting in the UK*. Outlining building regulations for domestic buildings specify that 150 watts is the maximum for exterior lighting of buildings but this does not apply to private individuals who install their own lighting. The building regulations for domestic buildings specify that 150 watts is the maximum for exterior lighting of buildings but this does not apply to private individuals who install their own lighting. There are a number of British Standards that relate to various components of lighting (set out). Further general advice on consideration of protected species and other natural environment issues has been provided.

Environment Agency – no objection subject to conditions

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning conditions (finished floor levels; no operational development within Flood Zones 2 and 3) are included.

Historic England – no objection

Sport England – no objection

Sport England notes that the proposed development will omit the existing playing field/pitches in the south of the site and there is no plan to redesignate and landscape any of the playing pitches as alternative natural greenspace or include a MUGA. Sport England welcomes the retention of the existing playing pitches and on that basis we are happy to withdraw our objection to the application.

Active Travel England – comments

Active Travel England Standing Advice Note: Active travel and sustainable development provided.

NFDC Ecologist – no objection subject to condition

Lifespan of Ecological Reports

The ecological survey information has been gathered between 2019 and 2021 with an update walkover survey being undertaken in October 2023. The data is on the cusp of acceptability, however, I am broadly happy that the ecological baseline is adequately captured to make an informed planning decision with respect to ecology and do not feel undertaking additional surveys at this stage would be proportionate

given the amount of work done to date. The proposed development is phased. The EclA states that “All necessary surveys are considered to be sufficiently up-to-date at the time of submission to determine the application. However, where relevant and depending on development timescales and phasing, certain detailed species surveys may require updating prior to commencement of the relevant phase of development.” Given the time elapsed since the surveys were undertaken, I would suggest that proportionate update / verification surveys would likely be required to inform future phases of development as suggested in the ECIA. Suggested condition set out.

Phosphates

It is now proposed to purchase the necessary phosphate credits from Bicton. This is acceptable. I previously very much shared the views and concerns of Natural England on the reliance on water saving devices (Cenergists HL2024) and the use of a lower bespoke water use value in the calculation. Whilst I support incorporation of water saving measures, for the purposes of HRA I would not be comfortable with this due to the inherent uncertainty and lack of information provided. As such, I am pleased to see that the phosphate calculations and sHRA have been updated to use the 120l per person per day (from 103 previously). This addresses my previous concerns on this point.

Habitats

Habitats Biodiversity Net Gain (BNG) assessment I am happy with the approach to the BNG assessment and note that additionality has been transparently addressed which is welcomed. The assessment demonstrates that the proposed development would result in a policy compliant net gain of biodiversity of > 10% for area based habitat and linear units. Given this is a hybrid application, should permission be granted, it would be necessary to re-run the metrics at the respective reserved matters stages to ensure that the gains predicted at outline stage remain deliverable. This requirement should be secured. The BNG assessment states that full details of the management of the habitats within the Site will be provided within a Landscape and Ecology Management Plan (LEMP) secured by suitably worded planning condition. A LEMP covering Phase 1 has been submitted. The LEMP and the need for subsequent revisions required for further RMA should be secured. This will be critical to the successful delivery and long-term (covering a minimum 30 years) provision of BNG. It will be necessary to secure the long-term management and monitoring of BNG through any planning permission, I suggest this is achieved through use of a s106 agreement.

The LEMP includes in Table 7.1 a summary of monitoring actions. This includes reporting the results of monitoring surveys with a monitoring report being submitted to the council annually (This meets our minimum monitoring reports at years 2, 5, 10, 20 and 30 for BNG purposes). The BNG monitoring report should be produced by a suitably qualified and experienced ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;

- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images.

Protected Species

Chapter 8 of the Environmental Statement states that protection of species during construction will be delivered through the provisions of the ECMS. The ECMS will be informed, where necessary according to the time that has elapsed and protected species interests, by update surveys. This and the measures set out in relation to birds, bats, badger, hedgehog are agreed. A number of ecological enhancements are proposed including bat boxes, bird boxes, hibernacula, invertebrate hotels, hedgehog highways etc. Suggested condition set out.

The reptile mitigation strategy submitted provides more detail and I am largely in agreement with the approach. Section 2.33 to 2.35 provides additional response to comments raised by Naturespace and the age of the survey data / likelihood of GCN being impacted by proposals. I am content with the rationale presented i.e. that even if present an offence is highly unlikely in the work area and that favourable conservation status Of GCN is unlikely to be affected.

Birds

I previously commented that the number of bird nesting enhancements and associated details were insufficient. The ES chapter has not been updated, however, the EDP LEMP now states the following: "With reference to New Forest District Council's NFDC'S expectations and within the Environmental Statement which requires one bird box per dwelling, a total of 150 swift boxes (finish to match that of the building if integrated) will be installed. Boxes will be mounted following manufacturer's specifications, out of direct sunlight on aspects of the building that provide some cover from surrounding vegetation to offer shelter to birds but with a clear flight line to/from the entrance (uncluttered). Boxes should be positioned between 2m and 5m from the ground to deter predators" This is welcomed and addresses my previous concerns for the first phase. This would be expected for subsequent phases also. The schedule of enhancement measures should be completed prior to commencement.

Bats

The Ecology ES Chapter 8 correctly identifies the requirement for a sensitive lighting strategy given the confirmed presence of light sensitive bat species on site. Suggested conditions set out.

I previously commented that the number of bat roosting enhancements and associated details were insufficient. The ES chapter has not been updated, however, the EDP LEMP now states the following: "With reference to NFDCs expectations and within the Environmental Statement which requires one bat box per dwelling, a total of 150 integrated bat boxes will be installed within the new buildings. Boxes will be mounted following manufacturer's specifications, ideally orientated to face south with a clear flight line to/from the entrance (uncluttered). Boxes should be positioned between 3m and 5m from the ground to deter predators". This is welcomed and addresses my previous concerns for the first

phase. This would be expected for subsequent phases also. The schedule of enhancement measures should be completed prior to commencement.

Badgers

A main (S1) and an outlier (S4) Badger sett were recorded as present on-site. These setts are located in areas of ANRG and can currently be maintained. However, a pre-construction badger survey is required to establish the current status of badgers on-site at the time of construction and inform mitigation necessary at that time. Suggested condition set out.

It is noted that in Section 3.20 of the LEMP that it states “No badger setts were recorded within the Site itself”. I am assuming this means within Phase 1, the setts are however right on the boundary of Phase 1 and should be taken account of accordingly.

NFDC Housing Initiatives Manager – comments

It is noted that due to issues of viability, the site will deliver 30% of the units as affordable housing. The affordable housing will be delivered in line with the tenure split set out in planning policy, with 35% Affordable Rent, 35% Social Rent and 30% Shared Ownership, which is welcomed. We would expect to see the proportion of each tenure reflected in phase 1 and 2 of the site. The proposal to deliver 75 units of affordable housing within the 1st phase of the scheme, with a size and tenure split as indicated is acceptable. The delivery of the remaining 58 affordable dwellings in phase 2 is accepted.

NFDC Trees - No objections on tree grounds subject to conditions .

NFDC Play Officer - comments

The revised plans (April 2024) are warmly welcomed. It is positive that the Developer has taken on board many of our comments and suggestions. CS7 requires 1048m² for Phase 1, and the Developer has proposed a delivery of 2860m² (NEAP of 1338 m² with 208m² basketball court, LEAP of 1095m² with 154 and 65 in the wildlife area). This over/advanced provisioning looking towards Phase 2 is very much welcomed. While appreciating Phase 2 is not yet designed, the Developer should take into account their future housing and layout to ensure that the whole development is CS7 compliant.

NFDC Landscape – comments

Latest detailed comments received on 9 May 2024. There has been progress since the previous submission and much of the submission suggests a commitment to delivering a good landscape structure outside of the developed part of the site. There remain a number of minor issues including some information lacking, preventing unequivocal support in terms of landscape. Mostly such elements can be considered through planning conditions if the Council was to grant this application.

In terms of landscape impact and design, the issues of over-riding concern however are shared urban and landscape design concerns and relate to the design of streets and spaces within the developed area itself. In particular, the plans as submitted are not in accordance with para 136 of NPPF which states that planning decisions should ensure that new streets are tree-lined. It is not considered that there is currently sufficient information to recommend this application for approval.

Officers have set out how the proposed ANRG provision would be acceptable. The intentions for the design of overall greenspace provision, however, leave some concerns that could have been alleviated through a landscape framework drawing, upon which more detailed information could have been supplied through reserved matters (for the outline areas) and conditions (for the detailed area). There is clearly an intention to create interesting and exciting places through the designs but there are too many concerns to approve the drawings at this stage. We describe our various concerns, together with some suggestions for these. Revisions are needed or information could possibly be detailed by condition.

NFDC Environmental Design - objection

Detailed objection on design grounds. Contrary to Local Plan Policies ENV3 and STR1 (ii). Detailed objection comments on Alternative Natural Recreational Greenspace and Green Infrastructure, connections, building densities, scale, street design, boundary treatments, storage, tree planting, character areas, architecture, layout, sustainable drainage and residential amenity.

The application design throws up some functional issues within its layout, does not take proper cognisance of locally distinctive character or try to offer a strong enough sense of character in itself and that whilst the main green infrastructure offer can be really attractive; within the development envelope itself, there are many examples of buildings, streets and spaces that will not be attractive. There are several elements of the site-specific policy where this design falls short but by failing these three aspects of good design (functional, appropriate and attractive) the application fails policy ENV3.

Overall, though, the design includes the opportunity for well laid out green space and good green infrastructure. This does require some further work which can be the subject of conditions but in essence, is broadly welcomed. In terms of the developed areas:

- There is a simple clarity to the street alignments with sweet curves which are refreshingly uncontrived, setting a basic concept that could have driven a real strength in the 'sense of place' here.
- The same clarity of design underlies the primary footpath network and the form of public space.
- Placemaking areas as depicted on the masterplan are too weak.
- Streets are harsh, car dominated and despite some recent amendments which improve the scheme, often still contain hard standing in overly large expanses. There is not enough opportunity for personalisation, greenery and tree planting offered on many of the streets and there are functional issues of people needing to manoeuvre, which are likely to lead to considerable on-street parking, resulting in pressure to obscure pavements or remove what little front gardens may be proposed.
- Garden groups are often too confined to allow taller shrub and/or tree cover to either create a foil between backs or punctuate the skylines to reduce the impact of layering – the impression of more and more built forms seen behind, between and over with no respite.
- Neither densities nor building heights for the parameter plans are justified through the DAS and are demonstrably inappropriate in places within the phase 1 masterplan.

- The density plan does not make clear what is meant by the three categories, whereas the illustrative material and phase 1 masterplan show a persistent failure to provide appropriate intensity of development patterns.
- The western edge is not sufficiently sympathetic to existing residential patterns.

The development area does not take the opportunities for creating beautiful streets and places and does not consider the site's context or local character thoroughly enough to provide a development that sits well in its host environment or one that provides an attractive extension to this part of Ringwood. This is not insurmountable and whilst it appears to be the product of over intensification and overuse of standard suburban house types, this is actually more a result of the failure to follow existing guidance in the form of the Council's SPD on Housing Design Density and Character or Ringwood Local Distinctiveness and also the failure to innovate and create a special place through appropriately ambitious design aspirations, good architecture and good street design.

Alternative Natural Recreational Greenspace (ANRG) and Green Infrastructure

This is largely well provided for – please refer to the landscape focussed comments provided.

Connections

To ensure that the green spaces and amenity are properly linked, it will be important to secure well-designed crossing points for roads within the site as well as for Moortown Lane at both the location proposed and one further east where the PROW crosses from the ANRG space southwards. There is also a very important pedestrian link, connecting this site's ANRG with that of the incomplete Ring3 development north of Crow Arch Lane. Currently this is curtailed by a poorly located play area on that site. Please ensure that mechanisms are put in place to rearrange space to enable this link to connect into the GI of that site, once that land is made available to the council.

Density

The proposal seeks to deliver 443 of the expected minimum 480 houses. However, with the remainder of the site unaccounted for as yet. If developed out at these densities there could be approximately a further 110 dwellings delivered on the remainder of the site (a 73 dwelling increase). In addition, the land-take in this layout suggests less land being taken up, in order to relieve the need to include large areas of the allocation site south of Moortown Lane. The result is a very much greater intensity of development than was considered in the design exercises undertaken at allocation stage. Design exercises that did take local context fully into consideration thus leading to the local plan's envisaged minimum dwelling numbers.

There is no objection in principle to increasing dwelling numbers, provided that this is accompanied by a demonstration of good design quality that ensures successful delivery in accordance with other local plan policies and guidance - notably Policy ENV3, Ringwood Local Distinctiveness SPD and Housing Design Density and Character SPD. The parameter plan has no clear rationale or justification through the supporting information and is at odds with local densities.

Scale

In terms of design, the appropriateness within the landscape, or along the countryside edge, of the proposed storey heights has not been explained or justified. From examining the local character, it is apparent that most if not all buildings are low lying across this and adjacent areas of the river terraces. However, there is no part of the application to suggest that the designer acknowledges the local use of bungalow and 1 ½ storey buildings, some of which have been noted as particularly distinctive in the area. Three storey development has been proposed but has not been identified as either appropriate or characteristic in the area. Notwithstanding that, it might have been made more acceptable if justified through aspirations for some real 'place making' but in this instance is not

Detailed Design Comments

The intensity of development in the local area has not been analysed, either in terms of density or urban grain. The proposal is for a persistent increase in the intensity of development over that which is apparent locally. Some increase needn't necessarily be a problem, if a strong design rationale creating varied character, based in local context can be implemented. However, it will need justifying through the quality of design and no attempt to justify it has been made. What is proposed, though is an homogenous over intensification with no contrasts, no real highlights and no real sympathy with local character. Depths of blocks (many of them perimeter blocks) are rather shallow, making the delivery of functional streets, spaces and appropriate intensities of built form, difficult to achieve with dwellings of this depth. Block depths do not allow tree cover in a way that supports local distinctiveness. The intensity of development along every street is unrelentingly mediocre with little space in front of buildings to allow for the various uses that the street envelope should cater for, in a way that promotes the design of healthy streets (see Healthy Streets | Making streets healthy places for everyone). Wherever one stands, the effects of layering, underpinning a sense of intensity will be all pervading.

Street Hierarchy

There is little to differentiate one street from another in terms of hierarchy so that the opportunities to create a strong character and sense of place are missing. For example, there are no streets which one might call 'tree lined' in accordance with the NPPF para 136.

Boundary Treatments

The proposal shows boarded fence in a number of locations which are not appropriate.

Storage

There is no bin storage designed into the dwelling envelopes or shown in the rear garden spaces. Assuming that rear gardens is the intended location for bins to be put away between collections. It needs to be clear where and how comfortable and convenient rear garden access is intended.

Tree Planting

None of the streets are what one could consider tree lined in accordance with the NPPF aspiration. There is little room for tree planting either in rear garden groups or within courtyards behind some of the more intensely developed areas. Even where

front gardens are intended to be a little deeper, there is still very little room for tree planting within the development envelope. There is a series of small green lung type spaces proposed within the development envelope which could help but it is not clear from the detailed area that they will be designed out with the appropriate quality. One such area contained by the houses numbers 82,83, 100 and 111-115 and 141 is not strong enough. These spaces appear as leftover ground rather than as valuable public greens, one of which has inexplicably been chosen as the location for an electricity substation which appears at random alignment to the streetscape - leftover space simply stuffed with planting to keep people out rather than to enhance.

Character areas

The design and access statement expresses the applicant's recognition of local character. However, this document appears to eschew the accepted and adopted assessment of local character, carried in the council's local distinctive SPD. No attempt to suggest any 'key defining elements' of local character is made.

Whereas one might draw some very valuable aspirations from such an exercise, possibly leading to justifying a lifting of building density and (in places) intensity together with the realisation of opportunities to create genuine character within the scheme and including an appropriate new countryside edge, no such aspirations are drawn.

To help define the character of each area, the applicant has attributed special characteristics to particular buildings – 'accent' and 'landmark' buildings. Such an approach can work in combination with a good level of 'background' consistency, clearly defined street characteristics and some clear reference points for the design of such buildings – either as part of groups or as references to locally characteristic building cues.

It is unclear as to what drives the design of the accent and landmark buildings the special characteristic seem to be merely cosmetic for the most part and only partial at that. The approach taken, whereby a front facing façade may have a treatment in terms of cladding, render or linear detail, which is different from other buildings of the same design will inevitably appear contrived.

The applicant has explained the special character as being either 'accent' or 'landmark' buildings. In reviewing the accent and landmark these do not lift the character sufficiently, and do not pick up on local and contextual buildings to derive design cues.

Architecture

The use of traditional detailing can be successful if drawn from local characteristics and if used on buildings of traditional form and massing. However, if the detailing is inconsistent within the building, or suggests through its proportion and scale that it is false then the whole presumption that one is creating a traditional character is undermined. This is the case here.

Consistency in architectural language is important. The assumption made across the whole scheme is that rear aspects of houses do not matter and as a result we have buildings with all the richness that could have been given, through the use of detailing and materials, all stopping a metre or two round the corner from the front façades. This has an undeniable air of falseness. It does not carry the character or the sense of place through to those actually living in the neighbourhood so that courtyards, garden spaces, oblique views along streets and layered views through

gaps, all display a reduction in quality away from the street façade. This does not support local distinctiveness - this is not 'building beautiful'.

There are many prominent examples such as plots 82, 83 and 100 and 101 but in fact the entire collection displays the impoverishment of the sides and rear aspects of buildings.

The distribution of chimneys appears to be somewhat random.

NFDC Conservation – no objection subject to conditions

The proposed works will protect the significance of the listed buildings at Moortown House and Crowe Farm. Condition suggested for the protection of the listed milestone on Moortown Road during works.

NFDC Environmental Health – no objection subject to conditions

Environmental Protection have no objection in principle to the proposed development as submitted subject to standard planning conditions 14a-14e being imposed. Additional commentary on pollutant linkages.

Environmental Health (Pollution) set out detailed comments on contaminated land, noise, construction impacts, lighting and air quality. Recommended conditions set out.

NFDC Waste – no objection

Wessex Water – no objection

No objection (March 2024). It is noted that the existing rising main routes have been added to the Drainage strategy plans and that Phase 1 does not conflict with the rising main corridors. The development layout does not propose buildings, structures or obstructions within the public sewer easements, and on that basis I confirm that we remove our holding objection.

Hampshire Constabulary Designing Out Crime Officer – comments

Detailed comments on design and landscape with regard to designing out crime and maintaining good public order.

Morebus - comments

Support the proposal subject to suitable developer contributions. Further detailed commentary on local bus services.

Hampshire and IOW Fire and Rescue Service - comments

Detailed comments on fire and rescue service, the built environment and relevant legislation.

9 REPRESENTATIONS RECEIVED

117 letters of objection raising the following grounds, 6 comments and 2 letters of support. Where multiple objections have been made by the same individual or organisation these have been counted as one objection. The objections are grouped into subject areas for convenience.

Principle of Development

- Loss of Green Belt land.
- Loss of agricultural land.
- Too much development for Ringwood.
- Development should be subject to a local referendum.
- Ringwood should have been included in the New Forest National Park.
- Development could be accommodated within empty buildings in Ringwood Town Centre.
- Developments such as this are changing the fundamental character of Ringwood in an entirely negative manner.
- Council tax benefits the Council & not the people of Ringwood.

Housing

- There are old people in Ringwood and there are no bungalows which is needed in the town.
- Any future housing should be solely for young people in the Ringwood area to rent at reasonable prices.
- The housing mix appears weighted towards larger houses when everything in the local plan seems to point toward smaller, 1 and 2 bed homes therefore the plan does not meet the requirements set out in the local plan.
- People with families have no affordable housing available in Ringwood.
- We need to see housing put in place for under 50s
- 2.5 storey houses along the Western boundary

Infrastructure

- Insufficient capacity in local services such as doctors, ambulance, chemists, dentist, children's nurseries and veterinary surgeons.
- Insufficient capacity in local schools.
- Supermarkets are full.
- No cinema in Ringwood.
- Impact at school start and finish times because of the increased volume of traffic
- Capacity at the secondary school is tight.
- No facilities for teenagers.
- Additional infrastructure should be put in place before houses are built.

Highways and Access

- Traffic system / quality of roads in Ringwood are nowhere near ready for even more vehicles.
- Impact of additional traffic generation on Moortown Lane, Crow Lane, Crow Arch Lane, Christchurch Road and other local roads.
- Junction with Christchurch Road will be unsafe.
- Impact on A31 and its junctions.
- Extra traffic jams, noise and pollution arising.
- Local car parks are at capacity.
- No safe routes for walkers and cyclists.
- Roads are already heavily pot-holed.
- There is currently parking along the side of the Business park on the highway at times causing problems for motorists.
- The road from Moorcroft Lane to Burley Street will need an upgrade as this will be the route to the A31 rather than queue in Ringwood centre, to the chagrin of the houses on Crow Hill.

Ecology

- Damaging impact on the local ecosystem including loss of green fields and hedgerows.
- More development in Ringwood would bring more pressure from walkers/runners/dogs/bikes and cars causing even more erosion, pollution and wildlife disturbance (particularly to ground-nesting birds) to an already vulnerable Conservation Area and Site of Special Scientific Interest.
- Loss of green space and the effects which this has on local wildlife and the mental wellbeing of local people.
- Proposal should enhance local wildlife.
- This proposal involves relocation which does not seem to me to satisfy the enhancement policy.

Flooding and Drainage

- Potential additional flood risk.
- Flooding is causing erosion.
- Inadequate sewerage system in the town and current surcharges.
- Sewage pumping station is already at full capacity and tankers used last winter at Bickerley pumping station.
- Concerns about sewage facilities ability to cope with this development in addition to Linden Homes and Site 14.
- The sewage company is already subject to inquiry concerning the dumping of raw sewage into the River Avon.

Open Spaces

- A ribbon of publicly owned land separating the new development from the existing homes on the western side is needed.
- Object to loss of existing football pitches.

Design

- Designs and layout of the houses make little attempt to be sympathetic to the overall character of Ringwood and hence does not meet Local Plan policies.
- Housing is too dense

Amenity and other matters

- Proximity of new houses on western boundary to existing houses and no buffer zone as requested.
- Overlooking and loss of privacy.
- Noise, dust and fumes from construction.
- Increase in crime.
- Loss of views.
- Impact on property prices.

10 PLANNING ASSESSMENT

10.1 Principle of Development

Local Plan Policy Strategic Site 13: Land at Moortown Lane, Ringwood

Local Plan Policy STR3 (The Strategy for locating new development) sets out that the strategy is to locate and direct new development to accessible locations that help

to sustain the vitality and viability of the towns and villages of the Plan Area as the focal points of commercial activity and community life, and as safe, attractive and accessible locations to use and visit.

Local Plan Policy STR5 (Meeting our housing needs) sets out the strategy for delivering new homes in the District and that provision will comprise at least 6,000 new homes on Strategic Site Allocations in accordance with Strategic Site Allocation Policies SS1 to SS18.

The key planning policy that covers this site is set out in Local Plan 2016-2036 Strategic Site SS13 which is set out in full below. The supporting text and concept masterplan for Policy SS13 is set out on pages 152 to 154 of the Local Plan. Policy SS13 forms part of the Development Plan and is the starting point for consideration under Section 38(6) of the Act as set out above. Policy SS13 should be read in conjunction with all policies in the Development Plan rather than in isolation.

Strategic Site 13: Land at Moortown Lane, Ringwood

- i. Land to the north of Moortown Lane, Ringwood, as shown on the Policies Map is allocated for residential-led development and will comprise the following:
 - At least 480 new homes and public open space dependent on the form, size and mix of housing provided.
 - Retention of about two hectares of allocated employment land adjoining Crow Arch Lane Industrial Estate in the north-west corner of the site.
 - Provision of land for a minimum of 15 full size allotment plots within the site in order to provide for local needs arising from the development and in the wider community.
- ii. Land in the Green Belt to the south of Moortown Lane, Ringwood as shown on the Policies Map is allocated for the following supporting uses to enable allocated land north of Moortown Lane to deliver the minimum number of homes required:
 - The provision of natural recreational greenspace and public open space (including outdoor sports facilities).
 - Two hectares of land to be reserved for a primary school.
- iii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated southern extension of Ringwood by:
 - a. Providing natural greenspace corridors that connect the new residential areas to the town and to the countryside, linking the greenspace provision to the north of Crow Arch Lane with the recreational greenspace and playing fields area south of Moortown Lane.
 - b. Providing a hierarchy of connected streets that enable the through-movement of local traffic between the B3347 Christchurch Road and Crow Lane, including a vehicular connection through Forest Gate Business Park to link through to the town centre area, and a new north-eastern access point from Crow Lane towards the A31.
 - c. Providing a community focal point in a prominent location including ground floor premises suitable for community use.

- d. Integrating sustainable drainage features to manage water course and surface water flood risks in the eastern part of the site.
 - e. Enhancing the character of Moortown Lane with public open space provision and planting so that Moortown Lane is a strongly defined new Green Belt and settlement edge.
- iv. Site-specific considerations to be addressed include:
- a. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b.
 - b. Provision of a new connection to the Ringwood Sewage Treatment works with sufficient capacity to serve this site and to also serve and provide a point of connection for Strategic Site 14: Land to the north of Hightown Road.
 - c. Assess the need for enhancements to the Moortown Lane junctions with the B3347 Christchurch Road and with Crow Lane, and where necessary, to other parts of the local highways, pedestrian and cycle network.

In this instance, the application site does not include all of the Local Plan Allocation site. The residual areas of the Allocation Site not within the application site includes the following:

- employment land parcel in the north-west corner
- existing allotments and associated parking
- north-eastern quadrant south of Crow Arch Lane
- south-easternmost portion centred on the Bird of Prey facility; and
- central and southernmost portions of the open space south of Moortown Lane

The application site itself includes highways land outside of the Local Plan Allocation Site. The highway land to the west and north is within the Ringwood settlement boundary. Some of the highway land on Moortown Lane is within the South West Hampshire Green Belt – see section (iii) below.

As such, the principle of development is established by the SS13 site allocation in the New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy.

Environmental Impact Assessment (EIA) Development

The Council provided an EIA Screening Opinion to the applicant on the Proposed Development on 7 April 2021. The Screening Opinion concluded that the Site can be considered independently from the HCC-owned sections of the SS13 allocation and, in isolation or alone, the proposal would not be likely to have significant effects on the environment by virtue of factors such as nature, size or location.

However, the Council considered that the SS13 site(s) will result in a significant intensification of the land (both individually and cumulatively) and that when taken into account with other approved / proposed developments within the local area (notably Local Plan Allocation Site SS14 North of Hightown Road and Local Plan Allocation Site SS15 proposed development at Snails Lane, there is the potential that the proposed developments will cumulatively result in significant effects on the environment (both positive and negative). Potential effects on landscape and urbanisation, traffic and transport, ecology and noise and air were highlighted in the

Opinion. On this basis, NFDC concluded that the proposed development comprises Environmental Impact Assessment (EIA) development and hence should be supported by an Environmental Statement (ES).

Accordingly, an ES prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations) (Campbell Reith; December 2021) was prepared and submitted with the application material. A subsequent EIA Statement of Conformity (Campbell Reith; June 2023) was provided to NFDC in light of subsequent changes to the description of development. The EIA Statement of Conformity concluded that a review confirmed that there have been no material changes in baseline that would have potential to change the assessments of likely significant effect. Similarly, the nature of the amendments to the proposed development will not lead to any changes in the assessment of likely significant effects within the ES. The amended proposed development is therefore considered to be in conformity with the submitted Environmental Statement. NFDC Officers did not raise any objection to the conclusions of the EIA Statement of Conformity.

Therefore, the conclusion of the April 2021 EIA screening opinion remains valid, and the application therefore continues to be deemed to be EIA development and hence NFDC must take into account the information in the ES, the responses to any consultation and any other relevant information when determining this planning application.

Additionally, the national Planning Practice Guidance (PPG) sets out that:

Where a development is subject to environmental impact assessment and there is also a requirement to carry out an assessment under regulation 61 of the Conservation of Habitats and Species Regulations 2010 (often referred to as a "Habitats Regulation Assessment") the local planning authority or the Secretary of State, as the case may be, must where appropriate, ensure that the Habitats Regulation Assessment and the Environmental Impact Assessment are co-ordinated (regulation 27).

In this instance, the application has been supported by both an ES and a Habitats Regulation Assessment (HRA) and as such a co-ordinated approach is considered to have been taken in principle by the applicants. The HRA is addressed later in the Committee Report.

South-West Hampshire Green Belt

Local Plan Policy ENV2 (The South-West Hampshire Green Belt) sets out that the openness and permanence of the South-West Hampshire Green Belt will be preserved with particular regard to its stated purposes and those of national policy for the Green Belt. Development proposals in the Green Belt will be determined in accordance with national planning policy.

NPPF (December 2023) Section 13 (Protecting Green Belt land) sets out national planning guidance on development and the green belt. NPPF Paragraph 155 sets out that certain other forms of development 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. These include, amongst other things, engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location. The national PPG sets out further advice on the role of the Green Belt in the planning system.

The PPG sets out what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. The PPG sets out that assessing the impact of a proposal on the openness of the Green Belt where it is relevant to do so, requires a judgment based on the circumstances of the case and that by way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

No proposed buildings are in the South West Hampshire Green Belt. In line with the Movement and Access Parameter Plan, the proposed development in this area is limited to highways and access works including the new site vehicular and cycle/pedestrian accesses, road widening, cross points, and new footpaths/cycle routes.

The supporting Environmental Statement (Campbell Reith, Volume 1 Chapter 9: Landscape and Visual Assessment, December 2021) ('LVIA') sets out in paragraph 9.1.1.1 that:

During construction Moortown Lane will form the primary point of access to the Site for construction traffic for all phases. With this, receptors will experience an increase in (construction) traffic along this road route, as well as close-ranging construction activity within the Site itself (Phase 1 in particular) – this will be evident across the entire route between Crow Lane and Christchurch Road, although marginally less across the eastern half due to this being adjacent to the areas of Public Open Space (rather than built form). There will also be construction impacts resulting from the changes to the junction with Christchurch Road. Overall, a very high magnitude of change is expected as a result of both Phase 1 and the wider site, resulting in a major/moderate adverse level of effect.

LVIA Paragraphs 9.136-9.137 set out:

At Year 1 the context of the route (Moortown Lane) will have altered entirely, with a change from a route running through an agricultural landscape (albeit one close to an emerging and existing settlement edge) to one which runs through parkland area of POS associated with the Proposed Development. This change will be stark, and with mitigation planting not matured the change is anticipated to remain very high.

However, at Year 15 the landscape proposals will have matured extensively and would provide additional 'softening' to the proposed development, which itself would have become an established part of the local landscape. In addition, the built form would have 'mellowed' and a community established which would provide additional resource for users of this route, which previously only provided a linear route providing access to the countryside of the south. In this context the change anticipated is marginally reduced by year 15 to high, but still considered to be at a major/moderate (and significant) level of effect.

LVIA Paragraphs 9.138-9.140 set out:

The Proposed Development will see the partial removal of the roadside hedgerow in two sections along the southern boundary of the section of the Site north of Moortown Lane, to facilitate vehicular and pedestrian access points as part of 'Phase 1', and considerable changes to the field parcel north of the road with the addition of built form and public open space. The Proposed Development will extend the presence of built form alongside this road route, from the current settlement edge of Ringwood along Christchurch Road to approximately halfway across the currently open field. Receptors using this route will experience the clearest views of the Phase 1 area of development, screened only in part by existing roadside vegetation and provision of new tree planting associated with the adjacent POS buffer.

With the partial removal of the Site boundary hedgerow and addition of new properties, and the use of Moortown Lane as a main access point, the Proposed Development will notably change the character of views when travelling between the two site parcels (represented by Photoviewpoint EDP 8), though will not be entirely out of character with existing built form experienced as the route and associated receptors move between areas of built form along Crow Lane and Christchurch Road. The presence of the POS areas and tree planting along the southern side of the main development blocks (including Phase 1), and the set back of properties partially from the road route to reduce the influence upon receptors aid the integration into the agricultural fields to the south-west.

When using this route new development would be prominent over the western parts, and less so over eastern parts, although there would still be a fundamental change to the route overall. Given the existing context of built form it is anticipated that a very high magnitude of change would be experienced as receptors pass adjacent to the Site, leading to a moderate/minor level of effect as a result of new development is anticipated for receptors using this route.

New tree planting within the streetscapes of development and the new landscaped frontage along Moortown Lane will have had time to mature by Year 15, giving this edge/entrance to development a much greener, softened appearance, which would be further softened along the eastern parts of the road adjacent to the POS area. Vegetation proposed within the POS would also have matured and softened the overall appearance of the eastern development blocks, and the entire development when viewed from some locations. With this in mind, it is expected that the anticipated magnitude of change would reduce slightly to high at Year 15, resulting in a moderate level of effect upon receptors as a result of the Proposed Development.

As such, the LVIA is clear that the most significant visual impacts are associated with proposed housing (which is outside the Green Belt) but that the use of Moortown Lane as a main access point and the removal of some vegetation will have visual impacts on the northern side of Moortown Lane. The visual impact on the southern side of Moortown Lane will be less taking into account the public open space and planting. The LVIA also clearly emphasises that long-term visual impacts along Moortown Lane will be softened as new planting matures. The LVIA does not conclude that the proposed highways and access works on Moortown Lane would in isolation have a significant visual impact.

As such, it is considered that the visual impacts of the proposed highway and access development within the South West Hampshire Green Belt would be modest and over the longer-term would be tempered by a context of maturing new planting and hence some remediability. Given that there are no proposed buildings in the South West Hampshire Green Belt, there would be no volumetric impacts. There would however be a notable increase in traffic generation along Moortown Lane associated

with the construction and eventual occupation of Local Plan Strategic Site 13.

Therefore, the impact of the highways and access development proposed within the South West Hampshire Green Belt on the openness of the Green Belt would be modest and in the context of the facilitation of a Local Plan Allocation Site.

NPPF paragraph 143 sets out that the Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Given that the proposed highways and access works in the South West Hampshire Green Belt does not include any new buildings and are clearly to facilitate the Local Plan Allocation Site the proposal does not conflict with the purposes in NPPF paragraph 143.

As set out, NPPF paragraph 155 sets out that both engineering operations and local transport infrastructure are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The proposed highways and access works are considered to fall under the rubrics of engineering and local transport infrastructure. In line with the findings of the supported LVIA there would be some modest impacts on the openness of the Green Belt along Moortown Lane through these works but that they would be moderated in the longer-term by maturing planting and there would in the absent of new buildings be no volumetric impacts.

Therefore, on balance of considerations, the proposal accords with Local Plan Policy ENV2.

Housing Land Supply and NPPF Tilted Balance

In determining planning applications there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the National Planning Policy Framework (NPPF).

NPPF Paragraph 11 clarifies what is meant by the presumption in favour of sustainable development. It states that for decision making it means:

- c. approving development proposals that accord with an up-to-date development plan without delay; or
- d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [8], granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For reference, NPPF (p. 6) Footnote [8] above sets out:

This includes, for applications involving the provision of housing, situations where:

- a. the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or
- b. where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years

In line with the NPPF planning applications registered before 19 December 2023, such as this application, do remain subject to the policies of the NPPF in relation to the requirement to demonstrate a five-year housing land supply. The Council, as of June 2024, cannot demonstrate a five-year supply of deliverable housing land. The latest published housing land supply figure is only 3.07 years.

Additionally, the Housing Delivery Test (HDT) results reported to NFDC Cabinet on 1/5/2024 set out that for the three-year period 2019/20 to 2021/22 the Council achieved a score of 92% against the housing requirement for the period. The Planning Authority has since prepared a Housing Action Plan to address the HDT result.

Footnote 8 to the NPPF paragraph 11 is clear that in such circumstances where a five year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11d is engaged.

For reference, this policy position was illustrated in the recent appeal decision at Orchard Gate, Noads Way, Dibden Purlieu (Appeal Ref: APP/B1740/W/23/3324227), received on 16/1/2024. That Appeal Inspector concluded that permission should be granted, as paragraph 11(d) of the NPPF was engaged due to the lack of a 5-year housing land supply and an appropriate balancing exercise was undertaken.

As such, it is considered that in this case the development must be considered in accordance with the NPPF paragraph 11(d).

Taking the first limb of paragraph 11(d), as this report sets out, in this case there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7 of the NPPF, namely habitat sites and heritage assets. Therefore, a judgement will need to be reached as to whether policies in the Framework provide a clear reason for refusing the development. Where this is found to be the case, the development should be refused.

The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing the development having applied the test at Limb 1.

The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

Summary

The application site is part of Local Plan Allocation Site SS13 (Land at Moortown Lane) and therefore the principle of development is established. The proposed residential development is located north of Moortown Lane on land that was removed from the SW Hampshire Green Belt as part of the Local Plan process. Some of the proposed highways and access works on Moortown Lane and the existing pitches south of Moortown Lane are in the SW Hampshire Green Belt. These forms of development (engineering operations and local transport infrastructure) accord with Local Plan Policy ENV2 and NPPF paragraph 155 given that they would only have a modest identified impact on the openness of the Green Belt and would be in line with the purposes of the Green Belt given their function to assist the delivery of a Local Plan Allocation Site. The proposal is EIA development and is supported by an Environmental Statement.

The proposal could make a significant contribution to the Local Plan housing delivery strategy in line with Policy STR5 and the NPPF paragraph 11 tilted balance is therefore engaged and this will be assessed alongside the other relevant material considerations in the Planning Balance section of the Planning Committee report.

10.2 Housing

Local Plan Policy HOU1 (Housing type, size, tenure and choice) sets out that the strategy is to ensure that all residential development helps to address the diversity of housing needs of local people at all stages of life by providing a mix and choice of homes by type, size, tenure and cost. The policy objectives are to improve the diversity of housing choice, and to achieve an overall balance of housing provision in general accordance with housing needs evidence, (accounting for site specific material considerations).

The supporting text for Policy HOU1 includes Figure 6.1 (below) which sets out the broad direction for the split in percentages for 1-2 bed, 3 bed and 4+ bed new homes that should aimed to be achieved.

Figure 6.1: Indicative need for different sizes and tenures of homes

	1-2 bed	3 bed	4+ bed
Affordable rental homes	60-70%	25-30%	5-10%
Affordable home ownership	55-65%	30-35%	5-10%
Market homes	30-40%	40-45%	20-25%

Local Plan Policy HOU2 (Affordable Housing) sets out that there is a requirement of 11 or more dwellings to provide affordable housing as follows:

- i. In the rest of the Plan Area (*including Ringwood*) the target is for 50% of new homes to be affordable housing.
- ii. The tenure mix target is to provide 70% of affordable homes for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership

Where developers cannot deliver the level of affordable housing set by Policy HOU2 they need to submit a Financial Viability Assessment (FVA) to demonstrate why they cannot make the development viable if the policy level of affordable housing is delivered.

i. Housing Mix

The following housing mix for both Phase 1 (Full) and Phase 2 (Outline) has been agreed with the applicant. The housing mix is set out in Tables 1 to 3 below.

Table 1: Phase 1 (Full Application) Housing Mix

Tenure	Market	Social Rented	Affordable Rented	Shared Ownership	Total
1-bed	0	7	5	0	12
2-bed	15	11	11	11	48
3-bed	23	6	10	0	48
4+ bed	37	2	0	3	42
Total	75	26	26	23	150

Table 2: Phase 2 (Outline Application) Housing Mix

Tenure	Market	Social Rented	Affordable Rented	Shared Ownership	Total
1-bed	0	14	14	0	28
2-bed	98	4	3	8	113
3-bed	79	2	3	9	93
4+ bed	58	1	0	0	59
Total	235	21	20	17	293

Table 3: Housing Mix Phases 1 and Phase 2 combined

Tenure	Market	Social Rented	Affordable Rented	Shared Ownership	Total
1-bed	0	21	19	0	40
2-bed	114	15	14	19	162
3-bed	106	8	13	18	145
4-bed	90	3	0	3	96
Total	310	47	46	40	443

The proposed market housing mix for Phases 1 and 2 combined would provide 36.8% two-bed dwellings, 34.2% three-bed dwellings and 29% four/five bed dwellings. As such, the overall market housing mix provides sufficient two-bed market dwellings.

The market housing mix deviates slightly from the indicative percentages in Figure 6.1 for 3 bed and 4+ bed dwellings. However, the provision of 106 three-bed and 90 4+ bed market houses on a site of this size is not considered to be excessive. In line with Policy HOU1, taking account of the edge-of-settlement location where the provision of larger houses is reasonably expected, this is an acceptable level of both 3 bed and 4+ bed houses.

The proposed affordable housing mix for Phases 1 and 2 combined would provide 69 smaller (1 or 2 bed) *affordable rental* (Social Rent and Affordable Rent combined) homes (which equates to 75% of the affordable rental total), which whilst slightly above the indicative percentages in Figure 6.1, is in line with the comments from NFDC Housing which confirms a high need in the District for this size of dwelling.

The proposal would also provide 11 social rent and 13 affordable rent larger (3 or 4 bed) houses in line with Figure 6.1. Likewise, the affordable home ownership housing mix is also considered to be broadly in line with Figure 6.1.

In this instance, the proposal provides 202 (45.6%) smaller (1 and 2 bed dwellings across all tenures) out of a total of 443 dwellings on an edge-of-settlement scheme. Essentially, this is an acceptable overall percentage of smaller housing units across all housing tenures taking into account the edge-of-settlement character of the application site.

ii. Affordable Housing

The proposal sets out that 75 affordable (social rented, affordable rented and shared ownership) will be delivered in Phase 1. The siting of the proposed 75 affordable housing units in Phase 1 are identified in the Phase 1 Housing Tenure Plan (Pegasus, 20/3/2024, Ref: P21-1078_DE_003_0107_B). The proposal sets out a suitable distribution of affordable housing units across Phase 1 in line with Local Plan Policy HOU2 criterion (iv).

Applicant's Financial Viability Assessment

The applicants submitted a Financial Viability Assessment (FVA) (BNP Paribas) during 2023. The latest iteration (December 2023) is the version, along with a supporting costs appraisal, which was subject to the most significant scrutiny by the Council's viability consultant Dixon Searle Partnership (DSP) and informed their subsequent reports dated February 2024 and May 2024.

The applicants FVA (December 2023) concluded that:

The proposed development with 50% affordable housing (provided as 70% rented and 30% shared ownership) and taking into account the s106 and CIL requirements generates a significant deficit against the site's Benchmark Land Value (BLV). In order for the Proposed Development to be close to viable, the tenure mix of the affordable housing would need to be adjusted to 50% rent (all affordable rent) and 50% shared ownership, and the Section 106 costs reduced to nil. Alternatively, the overall percentage of affordable housing could be reduced to facilitate a Section 106 contribution if this is considered to be essential.

The applicants in their submitted viability assessment confirm that the proposed development is not policy compliant due in part to the significant development costs of bringing the site forward. This includes £5.3 million towards phosphate mitigation which is not required in the District outside those areas in the Avon Valley.

Officers considered that the reduction of s106 costs to nil in the December 2023 FVA was not an acceptable option given the need to ensure the proposal is a sustainable development in terms of the impact on local highways and infrastructure. Additionally, without suitable mitigation for the impact of the development on European Sites secured through a s106 the application would not meet the Habitats Regulations. Likewise, the option of only affordable rent tenure and no social rent tenure was clearly not compliant with Policy HOU2 and would not meet the District's broad housing needs which include social rented housing.

Applicant's Revised Affordable Housing Offer

In February 2024 the applicants made a without prejudice offer via email of 30% affordable housing (against the 50% policy target) across the whole application site

with a Policy HOU2 compliant tenure split ie. 35% social rented, 35% affordable rented and 30% shared ownership, whilst also committing to the s106 package. This offer is set out in Tables 1 to 3 above and would provide 133 affordable dwellings across all tenures and unit sizes.

Essentially, Officers considered that the proposed affordable housing offer compares favourably with other recent approvals on Local Plan strategic sites in the Avon Valley area in the District in terms of both overall percentage and tenure mix.

Independent assessor comments (February and May 2024)

The applicant's FVA has been reviewed by the Council's viability consultant Dixon Searle Partnership (DSP) for a full independent appraisal. This also includes a Quantity Surveyor (ERMC) assessment of infrastructure and build cost assumptions and they have engaged with the applicant and their Quantity Surveyor regarding the external/abnormal costs. Although there is not complete agreement on the costs detail, ERMC have confirmed that the overall costs included within BNP FVA are at an acceptable level – the revisiting of costs lead to a shared view between both parties on a build cost estimate level to go into the appraisal - and Officers understand the applicant has agreed this position for the purposes of this FVA.

DSP has considered these costs together with the suggested Benchmark Land Value (BLV), house prices, the receipts forecasted to be generated and profits levels sought.

DSP took these considerations into account in their report and concluded that:

Recapping, the application proposal is partly in detail but includes a significantly greater proportion of new homes submitted in outline than in detail and the scheme content, design and related viability assumptions could change over time – it could be some time before the actual delivery proposals are settled for the full scheme and the site comes forward.

'Stepping back' and viewing the submitted viability assumptions as a whole, and noting the sensitivity results above, we consider that the scheme clearly supports the now proposed 30% affordable housing of an appropriate tenure mix, with all of the updated s106 costs, and the stated phosphate costs, while also leaving notable scope for other scheme costs or negative viability influences to impact before this picture changes.

Overall, it appears the Council will have to take a view on the balance between scheme deliverability and the delivery of community benefits in the context of the inevitable uncertainties/potential tolerances etc. involved in doing so at a largely outline and relatively early stage; and may also wish to consider whether viability can be revisited at a suitable point in the project if a satisfactory agreement providing the necessary certainty and confidence all round in the delivery (including of the AH and other s106) cannot be reached.

As such, on balance of considerations including the DSP report and the need to deliver housing in the round, Officers are minded that it is prudent to accept the revised February 2024 offer which would, subject to a s106 planning obligation, secure 133 Affordable Housing dwellings (30%) with a Policy HOU2 compliant tenure mix and Figure 6.1 typology mix across the application site (as set out in Table 3 above).

The proposal would provide 75 affordable dwellings in Phase 1 and 58 affordable dwellings in phase 2. The revised proposal has the support of the NFDC Housing

Initiatives Manager and there does not appear to be any over-riding need to revisit the viability of the scheme at a later date.

i. Ringwood Town Council post Examination Neighbourhood Development Plan

Ringwood Town Council in their representation of April 2022 set out that regard should be had to the work undertaken by RTC's Neighbourhood Planning Teams regarding housing need in Ringwood – a bespoke Housing Needs Assessment (HNA) (Aecom, January 2022) is provided in Appendix A of that response. The findings of the HNA are noted including the Executive Summary (p. 6) which sets out that the recommendation for a 50% shared ownership and 50% affordable rent (affordable housing) tenure mix should be interpreted flexibly as there is an argument for a higher weighting on affordable rented products due to uncertainty about future rates of turnover, the need to meet a share of the District's needs, and the fact that much affordable home ownership is only affordable to above average earners in Ringwood.

However, as Local Plan Policy STR5 explicitly sets out, the housing to be delivered, in part, through the eighteen strategic sites is to address the needs for the plan area i.e. the District as a whole - and not necessarily for individual settlements, parishes or neighbourhood plan areas. As such, it is considered that in this case no substantive evidence has been provided on affordable and market housing tenure mix which would clearly outweigh Local Plan Policies STR5, HOU1 and HOU2.

The February 2024 and May 2024 representations from Ringwood Town Council (RTC) set out that the proposed mix of housing, both affordable and otherwise, is not policy compliant, that the proportion of small dwellings is not in accordance with Policy R5 of the RTC post Examination Ringwood Neighbourhood Plan (RNP) and that there are no First Homes proposed in Phase 1, contrary to Policy R6 of the RTC post Examination Ringwood Neighbourhood Plan (RNP).

The proposal will provide 202 additional smaller (1 and 2 bed dwellings) across all tenures which equates to 45.6% overall across both phases. As such, the proposed number of smaller dwellings is, as set out, considered acceptable in line with Local Plan Policies HOU1 and HOU2 taking account of development viability and the character of the site and the opportunity the site provides to address demand for larger family housing across all tenures.

There is no requirement for 50% of sites to be smaller dwellings in Local Plan Policy HOU1 which essentially sets out a site-by-site approach that takes material considerations into account. Policy R5 of the post Examination Ringwood Neighbourhood Development Plan caveats the aim of securing at least 50% of homes as smaller dwellings on schemes of five or more units with the Policy setting out that this should be the aim where this can be achieved it is without detriment to the amenities and character of the surrounding area and neighbouring properties.

This element of Policy R5 - which was not highlighted in the two representations received from Ringwood Town Council in 2024 – also indicates that the 50% target should be balanced against these considerations and hence there is a planning judgement to be made by the decision maker on this matter. In this instance, the proposal is only 19 units (4.4%) short of the target in The Neighbourhood Plan Policy R5. Essentially, this is not considered to be a significant shortfall when balanced against other material considerations as set out through this report.

The Council has set out in the "First Homes Advice Note" available on the website

that it does not require First Homes to be provided and in this case the applicants proposal reflects this fact.

If First Homes – a specific kind of discounted market sale housing - were to be provided the Council’s First Homes Advice Note is quite clear that First Homes could be an alternative to complying with the tenure requirements of policy HOU2 providing the offer is in full accordance with the government guidance on First Homes. This consideration is specifically addressed in the national PPG and suggests that in the event of First Homes being provided both the affordable rent and shared ownership tenures could be significantly reduced.

As set out above the affordable housing offer is considered to be acceptable to Officers both in terms of the overall offer and the policy compliant tenure split. This level of affordable housing is also agreed with the NFDC Housing Manager. As such, in line with the Council’s published First Homes advice, the provision of an NFDC Local Plan Policy compliant affordable housing tenure mix is considered to outweigh Policies R5 and R6 of the post-examination Ringwood Neighbourhood Development Plan.

It is also noted that the completed Building for a Healthy Life Assessment appended to both representations from Ringwood Town Council received by the LPA in 2024 sets out additional commentary on housing mix under the heading ‘Homes for Everyone’. Commentary on this matter along with all the other elements of the Building for a Healthy Life Assessment Ringwood Town Council forwarded is set out later in the Planning Assessment.

ii. Housing Summary

The overall proposed housing mix for market and affordable housing alike provides a suitable and viable palette of new dwellings in terms of size, tenure and typology. The proposed affordable housing offer of 133 dwellings has been subject to an independent viability assessment and is supported by NFDC Housing subject to a suitable planning obligation.

This Committee Report has ‘had regard’ to the relevant policies (R5 and R6) of the post-examination Ringwood Neighbourhood Development Plan in line with the report to NFDC Cabinet (1/5/2024).

Therefore, subject to a s106 planning obligation appropriately securing the affordable housing in perpetuity and a suitable condition for approved plans, the proposal accords with Local Plan Policies HOU1 and HOU2.

10.3 Highways, Access and Parking

Local Plan Policy CCC2 (Safe and Sustainable Travel) sets out that new development will be required to:

- i. Prioritise the provision of safe and convenient pedestrian access within developments, by linking to and enabling the provision of more extensive walking networks wherever possible, and where needed by providing new pedestrian connections to local facilities;
- ii. Provide or contribute to the provision of dedicated cycle routes and cycle lanes, linking to and enabling the provision of more extensive cycle networks and providing safe cycle routes to local schools wherever possible;

- i. Consider and wherever possible minimise the impact of development on bridleways and horse riders;
- ii. Provide sufficient car and cycle parking, including secure cycle parking in schools and colleges, work places, bus and rail stations, and in shopping areas in accordance with the adopted Parking Standards Supplementary Planning Document;
- iii. Incorporate infrastructure to support the use of electric vehicles; and
- iv. Provide, or contribute proportionately to the provision of, any highways or public transport measures necessary to enable the development to be accommodated in a safe and sustainable manner, including the requirements identified in any applicable Strategic Site Allocation Policies.

Local Plan Policy IMPL2 (Development standards) criterion vi sets out that provision should be made to enable the convenient installation of charging points for electric vehicles in residential properties and in residential, employee and visitor parking areas. Detailed guidance on vehicular parking, cycle storage and electric vehicle charging is set out in the NFDC Parking Standards Supplementary Planning Document (April 2022).

The application is supported by a Transport Assessment (Environmental Statement, Campbell Reith and I-Transport, Appendix 11.1, December 2021) and several subsequent updates (I-Transport, April 2023, January 2024 and March 2024). The Design and Access Statement (DAS) (Pegasus, May 2024) sets out additional detail on access and vehicular parking.

The Local Highway Authority (LHA) (Hampshire County Council) has been consulted extensively on the application and they have confirmed in their final response (12 April 2024) that they have no objection subject to a planning obligation and suitable conditions.

i. Site Vehicular Access

The application site's single vehicular access from Moortown Lane is set out in the submitted plan Moortown Lane Site Access (I-Transport, 19/7/2023, Ref: ITB-12364-GA-032 Rev. D). The access will be approximately 340 metres from the junction with Christchurch Road and includes a 3m wide shared use footway/cycleway. The LHA has no objection to the proposed access. It will be secured through the s106 and subsequently a s278. Completion of the vehicular access will be prior to the first occupation on Phase 1.

As set out in the 12/4/2024 response from the LHA, the proposal includes the widening of Moortown Lane between the junction with Christchurch Road and the proposed site access. This is set out in the submitted plan Moortown Lane Widening (I-Transport, 3/7/2024, Ref: ITB-12364-070 Rev. A) which is acceptable to the LHA.

HCC consider that the widening of Moortown Lane is necessary given existing over-running of the verge, the increase in vehicular movements arising from the proposal and the need to accommodate larger passing vehicles between Christchurch Road and the site access. The applicant has agreed to implement these improvements to Moortown Lane and will be secured through a s106 obligation.

A Stage 1 Road Safety Audit (RSA1) has been provided for the internal layout. Subsequent design amendments have been carried out and the Safety Auditor has confirmed these amendments satisfactorily address the problems raised. The LHA accept the proposed internal layout, subject to any possible design revisions at the S38 detailed design stage where roads are being offered for adoption.

The proposed internal spine roads will be provided to the boundary of the application site to facilitate future connection to the two parcels which complete the NFDC Local Plan SS13 site allocation. This is clearly shown on the Movement and Access Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE—004-0108). The LHA has set out that these roads should be designed and constructed to adoptable standards and offered for adoption.

Ringwood Town Council has set out in their February 2024 and May 2024 responses that the proposal is contrary to the policy set out for SS13 in the Local Plan specifically because the only access will be from Moortown Lane. It is not within the gift of the applicants to secure an access through third-party land - Hampshire County Council owned in this instance - and as previously set out, the application site doesn't extend to the same extent as the site allocation which would limit the ability for the access to the north to be provided by this application.

However, the submitted plans identified suitable access up to the boundary with the HCC land holdings in the north-west and north-east of the Allocation Site and as such the proposal does not preclude these vehicular accesses being facilitated as and when the residual land within the Allocation Site is developed.

i. Site Access - Cycle/Pedestrian

The DAS (p.85) sets out that the development of an integrated pedestrian and cycle network within the site is a key part of the transport infrastructure for the site. The site will deliver non-motorised user access to both the north, south-west and south of the site. The proposed cycle/pedestrian accesses include:

- A centrally located southern pedestrian and cycle access at the main site access across to the land south of Moortown Lane (see submitted plan 'Moortown Lane Central Pedestrian and Cycle Access', I-Transport, 6/4/2021, Ref: ITB12364-GA-032D).
- A south-western pedestrian and cycle access to Moortown Lane close to Christchurch Road including a new length of footway on Moortown Lane to connect to Christchurch Road (see submitted plan 'Footway, Cycleway, Emergency Access onto Moortown Lane', I-Transport, 6/4/2021, Ref: ITB12364-GA-025E).
- A pedestrian access onto Crow Arch Lane (immediately west of the existing allotments) with off-site highway improvements to connect to Yarrow Lane and onto the Castleman trail - and hence local schools and facilities (see submitted plan 'Crow Arch Lane to Castleman Trail Pedestrian and Cycle Access, I-Transport, 6/4/2021, Ref: ITB12364-GA-008E)
- An additional pedestrian and cycle access (immediately east of the existing allotments) to enable a link to be provided to the public open space north of Crow Arch Lane (in conjunction with further improvements in that open space) and hence the Castleman Trail (see submitted plan 'Pedestrian Crossing Point Crow Arch Lane, I-Transport, 6/4/2021, Ref: ITB12364-GA-038E)
- Pedestrian access improvements to the crossing at the junction of Crow Arch

Lane and Crow Lane on the Castleman Trail (see submitted plan 'Crow Arch Lane/Crow Lane Pedestrian/Cycle Link – Option Two, I-Transport, 13/12/2023, Ref: ITB12364-GA-080B)

- An additional crossing point over Moortown Lane at the eastern end of the public open space to be delivered in Phase 2 (see submitted plan 'Proposed Eastern Pedestrian Access, I-Transport, 6/4/2021, Ref: ITB12364-GA-031E).

In addition, within the site is: the provision of an off-road shared use formal foot/cycleway (minimum 3m width) as part of the public open space and the ANRG, facilitating connections to adjacent public open spaces and the residual residential and employment land boundaries within the Allocation Site. There is also additional access through the existing Public Right of Way (PROW) footpath 45 route in Phase 2 from Moortown Lane to the SANG land to the north of Crow Arch Lane.

The submitted plan titled Indicative Walking and Cycling Route to Long Lane (I-Transport, 19/7/2023, Ref: ITB-12364-GA-077) will provide an off-road route between the proposed crossing on Moortown Lane from the housing development area to the existing sports pitches south of Moortown Lane, the land for which is within the control of the applicants. This will provide a new route parallel to Moortown Lane and connect to the existing five-bar gate at the junction of Long Lane and Moortown Lane. This will be delivered as part of the Phase 2 public open space and can be secured through a s106 planning obligation.

HCC Countryside Services has no objection subject to suitable conditions and a s106 contribution. The applicant has agreed a contribution towards ongoing maintenance and to re-surface Ringwood Footpath 45 which runs north-south through the east section of the application site (within the Phase 2 ANRG) which connects to Moortown Lane at the southern boundary.

HCC Countryside Services also confirmed that they would support a diversion of a short section of Ringwood Footpath 45 from its current alignment, which terminates on Moortown Lane slightly to the east of the proposed crossing point, to one that would line up with the crossing. This would enable walkers to safely cross the road between the PROW and playing fields to the south without needing to walk a short distance on the road or on the grass verge in front of the Four Views property. The requirement to apply for a diversion of the footpath is separate to the planning application process and will be addressed after the approval of this application through section 257 of the Town and Country Planning Act 1990.

The applicant has also agreed a s106 contribution of £69,000 for surfacing improvements to be undertaken on the length of Ringwood Bridleway 509 between Crowe Hill and Barrack Lane (to the south-east of the application site) which is part of the wider Castleman Trail.

Essentially, the package of cycle and pedestrian improvements, which would be secured through a s106 planning obligation and a s278 agreement, provides suitable links to the north, south and west. This would provide cycle and access to the town centre, Castleman Trail and the 'Ring 3' public open space. It would also provide cycle and pedestrian access to the sports pitches on the southern side of Moortown Lane and Christchurch Road.

ii. Highways Works and Traffic Impact

The LHA set out in their 12 April 2024 response that the traffic impact has previously been agreed at all appropriate locations except the B3347/ The Furlong roundabout junction close to the town centre. The LHA now confirm that the modelling provided

is acceptable, and that a mitigation scheme as shown on the submitted plan (The Furlong Roundabout Mitigation Scheme Concept Design) (I-Transport, 14/7/2021, Ref: ITB12364-GA-043 Rev. B) is acceptable. This mitigation would widen the Southampton Road arm of the junction to allow a longer length of two-lane approach. The cost of this improvement would be funded from the overall s106 contribution sought by the LHA.

The LHA has confirmed that the design of the improvement works at the Moortown Lane and Christchurch Road priority junction as set out in the submitted plan titled Potential Moortown Lane Improvement Scheme – Priority Junction (I-Transport, 2/3/2021, Ref: ITB-12364-GA-023 Rev. E) is considered satisfactory.

Costs for the indicative walking and cycling scheme as set out in the submitted plan (WCHAR Improvements South) (I-Transport, 5/12/2022, Ref: ITB12364-GA-060) along Moortown Lane and Christchurch Road have also been agreed by the LHA. A proportionate contribution for the applicant to provide towards the scheme has been agreed and will be secured through a s106.

National Highways set out that their interest is the impact of the proposal on the A31. Of particular interest is the A31 / A338 Salisbury Road junction and the Poulner Interchange (Eastfield Ln /A31 On-Slip priority junction and the Mount Rd / Southampton Rd / A3 Slip roundabout junction). Their representation of 30 June 2023 confirmed that the safe and efficient operation of the strategic road network will not be significantly affected subject to a suitable condition (construction traffic management).

iii. Vehicular parking, cycle storage and electric vehicle charging

The submitted plan Phase 1 Parking Plan (Pegasus, 10/4/2024, Ref: P21-1078-De-003-0105 Rev. B) sets out the vehicular parking strategy for the proposed 150 dwellings.

Each of the proposed one-bedroom flats has one vehicular parking space in a communal parking courtyard. Each of the proposed two-bedroom flats and house, both market and affordable tenure, has two parking spaces. Each of the three-bedroom houses, both market and affordable tenure, has at least two parking spaces. All the proposed four-bedroom and five-bedroom market houses has at least three parking spaces. The four-bedroom affordable houses are each provided with two surface spaces which is one space below the recommended standard of 3 spaces in the Parking SPD. The DAS and Phase 1 Parking Plan confirm that the proposal will also provide 13 visitor parking spaces in line with paragraph 4.6 of the Parking Standards SPD.

Essentially, the overall proposal provides a reasonable level of vehicular parking in line with the recommended provision set out in Table 1 of the NFDC Parking Standards SPD.

Vehicular parking will be provided through a combination of surface parking, car barns and garages. Suitable conditions are recommended to remove permitted development rights for the proposed garages and car barns to ensure a suitable level of parking is retained for the residential dwellings. The DAS confirms that garages will be provided at a minimum size of 3m x 6m in line with Table 2 of the NFDC Parking Standards SPD.

The on-plot and courtyard surface parking design often include tandem parking solutions (one vehicle behind another) which are acceptable in line with paragraph 5.5 of the NFDC Parking Standards SPD. Officers do not consider that any of the

parking arrangements would introduce any obvious additional hazards for other users over and above that generally associated with any moving vehicle. Moreover, the commentary from NFDC Environmental Design that the streets will be car dominated cannot be substantiated given that the proposal accords with the Parking SPD requirements.

It will be necessary to prevent ad hoc parking on grass verges and open spaces and this can be controlled through physical measures such as strategically placed bollards, ditches or boundary or grass bunds. The Phase 1 Masterplan sets out planting at the interface of the housing area and public open space. The detailed design for this can be secured through the proposed detailed landscape conditions.

The DAS (p. 88) confirms that cycle parking spaces for individual dwellings are either provided within the curtilage (flatted blocks with integral storage) of the dwelling, within a garage if available, or within a secure cycle store at the rear garden, at a rate of 2 no. spaces per dwellings in accordance with the NFDC Parking Standards SPD. The Phase 1 Parking Plan also sets out those dwellings which include a secure cycle store in the form of a shed in the rear garden. These can be secured through a suitable pre-occupation condition.

The DAS (p. 88) sets out that electric vehicle charging will also be provided so that one charging unit is supplied for each dwelling that has on-plot parking. For plots where parking is more remote, ducting will be provided to allow for future connection. The submitted Phase 1 EV Charging Plan (Pegasus, 10/4/2024, Ref: P21-1078-DE-003-0117 Rev. A) sets out the siting of the EV charger for each dwelling.

The provisions set out in the Phase 1 EV Charging Plan are in accord with NFDC Local Plan paragraph 9.21.

To address concerns raised over the impact of construction traffic on local general amenity, a Construction Traffic Management Plan (CTMP) will be secured through a suitable condition in line with the LHA recommendation.

iv. Sustainable Transport

The submitted plan WCHAR Improvements (I-Transport, 28/7/2022, Ref: ITB-12364-GA-049) sets out improvements to the highway network between the application site and Ringwood Junior School and Ringwood School. These improvements have been agreed with the LHA and would be funded from the overall s106 contribution sought by the LHA. In conjunction with the improvements set out in Crow Arch Lane to Castleman Trail Pedestrian and Cycle Route (I-Transport, 6/10/2020, Ref: ITB-12364-GA-008 Rev. H) this would provide a suitable link to local schools and the small shop at the Hightown Road roundabout and thus address the comments made by Ringwood Town Council in their February 2024 representation.

With regard to public transport for the application site, the original intention was for a subsidised bus service. However, no satisfactory agreement was reached between the applicant, local bus operators and HCC Highways. HCC Highways view is that approximately 700m (more for residents in the south of the site) is an unacceptable distance to reach the current Ringo 1 service on Castleman Way and does not adequately promote appropriate opportunities for sustainable transport modes.

To overcome this issue, a contribution to the LHA to enable a taxi share service to be provided was agreed. This will provide a realistic alternative to the private car for those future residents either unable or unwilling to walk to the Ringo bus stop. A taxi share will run at peak times and can be flexible to accommodate the future demand;

it's a cost-effective way of serving the site by public transport. It also supports a hub and spoke approach, allowing convenient access to Ringwood bus station for onward, longer distance, journeys by bus. Finally, given taxi services are tendered so HCC is only charged when a journey is undertaken, it would enable the site to be served by public transport from first occupation, instilling sustainable travel patterns from the outset. HCC has used a similar scheme to this at the Barton Farm development site to the north of Winchester.

As such, the LHA has agreed with the applicant to provide a contribution to fund the running of a taxi share to serve the site. This would be funded from the overall s106 contribution sought by the LHA. For reference, the road network in Phase 1 can accommodate a bus service if one is facilitated in the future.

v. Ringwood Town Council post Examination Neighbourhood Development Plan

The post-examination Ringwood Neighbourhood Development Plan Policy R1 (A Spatial Plan for Ringwood) criterion D sets out:

The harmful effects of traffic congestion, especially traffic with an origin and destination outside the town centre, will be tackled through the promotion of other means of moving about the town including the delivery of effective walking and cycling measures to better connect the new communities at Moortown Lane and Hightown Road.

The post-examination Ringwood Neighbourhood Development Plan Policy R7 (Design Code) criterion iv. sets out:

Offer highly permeable residential layouts for cyclists and pedestrians moving within and through the development.

The post-examination Ringwood Neighbourhood Development Plan Policy R12 (Encouraging Active and Healthy Travel) sets out:

- A. *The Neighbourhood Plan identifies the existing Sustainable Travel Network and opportunities for improvements, as shown on the Active Travel Policy Map, for the purpose of prioritising active and healthy travel.*
- B. *Development proposals on land that lies within or adjacent to the Network will be required, where practical, to provide opportunities for a more joined-up Network of walking and cycling routes to the town centre, local schools and community facilities and accessible green space by virtue of their layout, means of access and landscape treatment.*
- C. *Proposals for major development (10 dwellings or above) should adopt the Sustainable Accessibility and Mobility Framework, as illustrated, and demonstrate how they have, in the following priority order:*
 - i. *sought to minimise the need to travel beyond the parish;*
 - ii. *for longer trips, sought to encourage and enable the use of active, public and shared forms of transport; and,*
 - iii. *for trips that must be made by car, sought to encourage and enable the use of zero emission vehicles.*

The proposal includes improvements to the local pedestrian and cycle network which will be accessible to both occupiers on the site and the wider local community. This includes connections onto the Castleman Trail and hence facilities to the north-west

and south-east of the application site. Phase 1 includes a north-south off-road cycle route through the proposed public open space in line with the Active Travel Policy Map identified in Policy R12 criterion A.

Additionally, as set out, the Local Highway Authority (Hampshire County Council) has agreed a contribution from the applicant towards a subsidised taxi service to the town centre in lieu of a bus service operating within the site which facilitates sustainable travel for the less mobile. This proposed taxi service will therefore provide connections to local bus services and National Express services to London provided in the town centre. The proposal includes a contribution towards highway improvements between the application site and local schools. The applicant will provide electric charging points for all dwellings to assist the facilitation of the transition away from hydrocarbon fuel vehicles to electric vehicles.

As such, the proposal broadly accords with the post-examination Ringwood Neighbourhood Development Plan Policies R1, R7 and R12.

It is also noted that the completed Building for a Healthy Life Assessment appended to both representations from Ringwood Town Council received by the Council in 2024 sets out additional commentary on highways, access and parking. Commentary on these matters is set out later in the Planning Assessment.

vi. Summary

The proposal has an acceptable vehicular site access and a suitable network of pedestrian and cycle routes that provide through off-road connections and, as such, the Movement and Access Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE—004-0108) is considered to be acceptable for approval.

The LHA has no objection to the traffic impacts subject to highway improvements including the junction of Moortown Lane and Christchurch Road. The proposal includes vehicular accesses to the boundary with the residual land parcels in the Allocation Site and as such would not preclude the future facilitation of through routes in line with Policy SS13. The LHA has found the Stage 1 Road Safety Audit (RSA1) for the application site acceptable in principle subject to the later s38 detailed design stage.

The on-site vehicular parking, cycle storage and electric vehicle charging is acceptable. Off-site access improvements will connect the site to local schools, the town centre and public open space. Improvements to local public rights of way through planning obligation contributions have been agreed. Construction traffic management can be secured through a suitable condition. A contribution towards a subsidised taxi service to the town centre in lieu of a bus service operating within the site facilitates sustainable travel.

HCC Highways has confirmed that the final set of trigger points for commencement and conclusion of the identified off-site highways and access improvements will be determined through the finalisation of a supporting s106 planning obligation and subsequent s278 agreement. The site access and the Crow Arch Lane pedestrian/cycle access to the north will be delivered prior to the first occupation in Phase 1.

The Committee Report has had regard to the relevant policies (R1(A Spatial Plan for Ringwood) criterion (D), R7 (Ringwood Design Code) criterion (iv) and R12 (Encouraging Active and Healthy Travel)) of the post-examination Ringwood Neighbourhood Development Plan.

Therefore, subject to a s106 planning obligation and suitable conditions, the proposal accords with Local Plan Policies CCC2, IMPL2 and SS13 criteria (iii)(a) and (iv)(c). The proposal does not preclude the future delivery of SS13 criteria (iii)(b) and supports that future delivery of that objective as far as is reasonably possible through the proposed highway design.

10.4 Flood Risk, Surface Water Drainage and Foul Drainage

Local Plan Policy CCC1 (Safe and Healthy Communities) criterion (iv)(b) sets out that in the interests of public safety, vulnerable developments will not be permitted, inter alia, in areas at risk of flooding unless in accordance with the sequential and exception tests.

Local Plan Policy SS13 (Land at Moortown Lane, Ringwood) sets out site-specific criteria iii (d) on sustainable drainage and iv. (a) the need for a Flood Risk Assessment which demonstrates that there will be no inappropriate development within (fluvial) Flood Zone 3b.

The NPPF (December 2023) paragraphs 165 to 175 and Annex 3 (Flood risk vulnerability classification) sets out further guidance on planning and flood risk.

i. Flood Risk and Surface Water Drainage

The applicants have provided a Flood Risk Assessment and Drainage Strategy (FRA) (Hydrock 2/12/2021). This has been supplemented by further addendums in June 2023, January 2024, February 2024 and March 2024.

Local Plan Allocation Site SS13 includes areas within the functional floodplain (Environment Agency Zone 3b) in its easternmost portion immediately west of Crow Lane. In this application, the proposed residential development is located entirely within EA fluvial flood zone 1 i.e. land with the lowest probability of fluvial (river) flooding. As such, the proposal locates residential development in the sequentially preferred location of the lowest potential fluvial flood risk in line with the guidance in the NPPF.

The NPPF Annex 3 confirms that amenity open space is water-compatible development and as such that part of the proposed Phase 2 public open space in the eastern portion of the Allocation Site is acceptable in principle. For reference, the detailed design of this area will be determined through a subsequent Reserved Matters application.

The applicants have also provided a revised surface water drainage strategy which Hampshire County Council as the Lead Local Flood Authority (LLFA) has agreed subject to a suitable detailed surface water drainage scheme condition. The submitted surface water drainage strategy sets out a combination of surface water drainage features including basins, swales and soakaways. The Drainage Strategy Addendum (27/3/2024) sets out a schedule of operational management and maintenance in line with the response from the LLFA (19/4/2024). A scheme of management and maintenance of the drainage network on site would be secured as part of the s106 legal agreement obligating operation of a management company for all of the open spaces and infrastructure on the site.

The Environment Agency (EA) has no objection to the proposal subject two to recommended conditions on finished floor levels and no operational development within Flood Zones 2 and 3 which are both agreed.

Given the agreement of both the LLFA and the EA to the proposal subject to suitable conditions it is considered that the comments Ringwood Town Council have set out in their representations on surface water drainage have been addressed.

ii. Foul Drainage

The Flood Risk Assessment and Drainage Strategy Report sets out a foul drainage strategy. All flows will be directed to the south-west corner of the site, and discharge off site, into the existing sewer in Hampshire Hatches Lane.

The Drainage Strategy Addendum (March 2024) sets out that recent correspondence from Wessex Water has led to an increase in the size of the foul sewer running along the spine road within the site from 150mm diameter to a 225mm diameter. This ensures there is adequate capacity in the network for a development of this size. Furthermore, at the request of Wessex Water, the foul connection point has been revised to an existing Wessex Water manhole which is a further 50m south-west along Hampshire Hatches Lane. An extension to the current topographic survey is required to confirm whether there is sufficient carriageway width to accommodate a new sewer or whether an upgrade to the existing sewer is required to facilitate connection. This can be secured through a suitable condition.

In terms of local network capacity Wessex Water provided comment in April 2023 on both the Local Plan Allocation Site SS14 Hightown Lane application (21/10042) specifically and the Local Plan Allocations Sites in Ringwood as a whole (SS13, SS14 and SS15). The Report taken to NFDC Planning Committee in March 2023 for application 21/10042 set out the following (emphasis added):

Wessex Water has stated that they are currently providing additional storm storage at Ringwood Water Recycling Centre (WRC), to reduce the frequency of storm spills to the environment arising from the existing network and a programme for future capacity improvements at the WRC is to be delivered early (2025-30), and to accommodate the future housing growth. It is important to stress that the existing network can accommodate the proposed development, but Wessex Water have set out a programme to upgrade the capacity of the network in association with the future housing growth.

Wessex Water has confirmed that no such bypass is required to serve the proposed development and there does not need to be any foul drainage scheme or connection that needs to be delivered in conjunction with SS13. Wessex Water state that the situation has changed since the above text was added into policy. This was a result of detailed assessments of the existing network which conclude that the proposed development can connect into the existing network and there is no requirement to deliver a joined up foul drainage scheme or connection in conjunction with SS13 Land at Moortown Lane.

In response to the concerns in relation to capacity and raw sewage has flooded out at the Bickerley onto the public highway, Wessex Water has confirmed that there is existing treatment capacity at the works for the increase in flows expected from the proposed development, but it should be noted that the current proposals 2025-2030 will increase biological treatment capacity by 17% - this will provide capacity for known allocations. In addition, Wessex Water has stated that they are currently providing additional storm storage at Ringwood Water Recycling Centre (WRC), to reduce the frequency of storm spills to the environment arising from the existing network.

Wessex Water confirmed in an email to the Case Officer in February 2023 that flows from SS13 (and SS15) will impact on downstream pumping stations although not significantly and that this can be mitigated by on site measures to be agreed between Wessex Water and the developers.

As such, subject to suitable conditions, the proposal accords with Local Plan Policy SS13 criterion (iv)(b).

iii. Summary

As such, the proposal, subject to suitable conditions, satisfactorily addresses fluvial flooding, surface water flooding and foul drainage needs and therefore accords with Local Plan Policies CCC1 criterion (iv)(b) and SS13 criteria (iii)(d), (iv)(a) and (iv)(b) and NPPF (December 2023) paragraphs 168, 173 and 175.

10.5 Ecology

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation Sites) sets out that development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal and will be implemented in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of International Nature Conservation Sites (INCS). For residential development adverse effects should be adequately mitigated by implementing measures relevant to the site location including as set out in the Mitigation for Recreational Impacts SPD, Solent Recreation Mitigation Strategy and nutrient management guidance.

Local Plan Policy DM2 (Nature Conservation, Biodiversity and Geodiversity) sets out how development proposals should address international, national and local designed sites. Development proposals should encourage biodiversity and not adversely affect protected flora and fauna.

The applicants have provided a significant number of ecological reports. The original Environmental Statement (Campbell Reith, December 2021) has been subsequently added to with further addendums and assessments which are highlighted below where relevant.

i. Habitat Mitigation and impact on European designated nature conservation sites

The applicants have submitted a Shadow Habitat Regulations Assessment (SHRA) (EDP, March 2024). In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') the SHRA includes an Appropriate Assessment ('AA').

The AA has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent European Sites. The results from the Stage 1 Screening Assessment found that the following comprised likely significant effects (LSE):

- Air Quality Effects (Construction, Operation)
- Noise Disturbance Effects
- Recreational Disturbance Effects
- Water Quality Effects (Increased Phosphate load)

These potential pathways were therefore taken forward to Stage 2 AA. The results from the Stage 2 appropriate assessment found that with the application of mitigation, there would be no adverse effect on the integrity of any Habitat Site (HS). The mitigation comprises:

- Air and noise pollution from traffic emissions during construction and occupation: Financial contribution in line with Policy ENV1, Travel Plan measures, Construction Environmental Management Plan (CEMP) and electric car charging infrastructure.
- Recreational disturbance effects during occupation: ANRG provision and financial contribution.
- Water Quality Effects: purchasing phosphate mitigation credits (Bickton Fish Farm).

The necessary mitigation will be secured through a combination of a planning obligation and suitable conditions.

To deflect recreational trips to protected areas and in accordance with Local Plan policy the applicants have put forward 9.55 ha of Alternative Natural Recreational Greenspace (ANRG) located within the application site. This meets the minimum necessary ANRG size requirement taking into account the agreed housing mix (and hence occupation levels) for phases 1 and 2. Further commentary on the proposed ANRG is set out later in the Planning Assessment (Public Open Space and Landscape).

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This will be secured through a planning obligation. Additionally, within the Access Management and Visitor Management costs there is an element which requires that all additional dwellings make a contribution towards monitoring the recreational impacts of development on the New Forest European sites.

The NFDC Ecologist confirmed in the updated response dated 27/3/2024 that all relevant designated sites requiring consideration have been identified and that through the screening process summarised above that the pertinent issues which could affect the Natura 2000 sites have been identified. It is concluded that the development proposals would not have the potential to impact on the integrity of European Sites given the measures and mitigation proposed.

Based on the assessments presented in this report, the Planning Authority as 'competent authority', is considered not to require further assessment under the Habitats Regulations, and subject to mitigation the proposed development can proceed without Stage 3 and Stage 4 being completed.

NFDC will be adopting the shadow Habitats Regulation Assessment (HRA) submitted which includes an Appropriate Assessment (AA).

ii. Phosphates Mitigation

The applicants have submitted a revised Phosphorus Balancing Assessment Report (Tetra Tech, May 2024) in addition to the Shadow Habitat Regulations Assessment (SHRA).

The SHRA acknowledges (paragraph 6.9) that in the absence of a strategic solution

implemented across the local planning authority or County, a bespoke offsite mitigation solution is required to offset the increased discharge of phosphates into the River Avon SAC resulting from the Proposed Development (calculated as 67.45kg per year). The SHRA (Paragraph 6.10) goes on to state that the applicant intends to implement a mitigation strategy and that this will be via the former Bickton Fish Farm by means of purchasing phosphate mitigation credits.

The NFDC Ecologist and Natural England consider that Bickton is an acceptable phosphate mitigation scheme for this site. The NFDC Ecologist states that this is an acceptable strategy given such measures are capable of avoiding or mitigating significant effects upon the River Avon SAC. Therefore, a suitable Grampian condition to secure suitable mitigation can be imposed on the proposal.

iii. Biodiversity Net Gain and Ecological Reports

The applicants have submitted an updated Biodiversity Net Gain Assessment (EDP, March 2023) and supporting Biodiversity Metric, and a Phase 1 Landscape and Ecology Management Plan (LEMP) (EDP, February 2024).

The NFDC Ecologist has concluded that the approach to the BNG assessment is acceptable and notes that additionality has been transparently addressed which is welcomed. The assessment demonstrates that the proposed development would result in a policy compliant net gain of biodiversity of more than 10% for area-based habitat and linear units.

The NFDC Ecologist has also recommended that the BNG metric for the Outline part of the proposal (Phase 2) is re-run and secured through a suitable condition as part of any future Reserved Matters consent. The NFDC Ecologist also notes that the BNG assessment states that full details of the management of the habitats within the Site will be provided within a Landscape and Ecology Management Plan (LEMP) secured by suitably worded planning condition. A LEMP covering Phase 1 has been submitted and will be conditioned accordingly. The need for subsequent revisions to the LEMP required for the Outline phase will also be secured given the importance to the long-term provision of BNG.

The NFDC Ecologist also recommends securing suitable monitoring in line with the Phase 1 LEMP and an Ecological Construction Method Statement (ECMS) should be secured by condition.

The NFDC Ecologist has also confirmed that the ecological baseline has been adequately captured in the submitted ecological reports and recommends a suitable condition to secure suitable updated reports in conjunction with later phases of development.

iv. Protected Species

The Environmental Statement (December 2021) Chapter 8 sets out that the protection of species during construction will be delivered through the ECMS. The NFDC Ecologist has agreed the proposed measures set out in relation to birds, bats, badgers and hedgehogs. These measures and monitoring can be secured through suitable conditions.

The NFDC Ecologist has noted that the LEMP states with reference to birds:

With reference to NFDC expectations and within the Environmental Statement which requires one bird box per dwelling, a total of 150 swift boxes (finish to match that of

the building if integrated) will be installed. Boxes will be mounted following manufacturer's specifications, out of direct sunlight on aspects of the building that provide some cover from surrounding vegetation to offer shelter to birds but with a clear flight line to/from the entrance (uncluttered). Boxes should be positioned between 2m and 5m from the ground to deter predators.

A Phase 1 Landscape Features Plan (EDP, January 2024) illustrates this mitigation which can be secured through a suitable condition tied to occupation.

The NFDC Ecologist also notes that the Environmental Statement (December 2021) Chapter 8 identifies the requirement for a sensitive lighting strategy given the presence of light sensitive bat species on the Allocation Site and suggests a suitable condition to secure this. The Phase 1 Landscape Features Plan also identifies the location of bat roosting enhancements in line with the revised LEMP. A suitable condition will also secure similar bird and bat mitigation features for the Outline Phase 2.

The NFDC Ecologist also recommends a pre-construction badger survey for Phase 1 given the location of existing setts in the proposed ANRG.

The applicants have submitted an updated Reptile Mitigation Strategy (EDP, March 2024). The NFDC Ecologist is in broad agreement with the proposed mitigation which can be secured through a suitable condition.

v. *Ringwood Town Council post Examination Neighbourhood Development Plan*

The post-examination Ringwood Neighbourhood Development Plan Policy R10 (Creating a Green Infrastructure and Nature Recovery Network) sets out:

- A. *The Neighbourhood Plan designates a Green Infrastructure and Nature Recovery Network, as shown on the Nature Recovery Policy Map, for the purpose of promoting ecological connectivity, outdoor recreation and sustainable movement through the parish and into the National Park; helping to mitigate climate change. The Network comprises the town's variety of green spaces, ancient woodland, trees and hedgerows, water bodies, assets of biodiversity value, children's play areas and recreational playing fields.*
- B. *Development proposals that lie within or adjoining the Network are required to have full regard to creating, maintaining and improving the Network in the design of their layouts, landscaping schemes and public open space and play provisions. Elsewhere, all proposals should protect and maintain trees and hedgerows; provide for the planting of new trees for flood management and carbon sequestration purposes; and include hedgerows and bulb and wildflower planting where it is compatible with the street scene. The wildlife corridors should also be maintained as dark corridors as far as possible to increase their value for nocturnal species.*
- C. *The Policies Map shows those parts of the designated Network that are known or likely to have biodiversity value either as habitat areas; as hedgerows or lines of trees; or as streams and rivers. For the purpose of calculating Biodiversity Net Gain requirements development proposals located within or adjoining that part of the Network should anticipate achieving at least a medium distinctiveness multiplier score.*

The post-examination Ringwood Neighbourhood Development Plan Nature Recovery Policy Map sets out two areas comprising a 'nature recovery corridor'.

Both of these are located south of the application site and mostly located within the New Forest National Park and as such are not adjoining the application site.

The post-examination Ringwood Neighbourhood Development Plan Nature Recovery Policy Map also identifies the existing sports pitches and facilities south of Moortown Lane – which includes the existing open space within the application site – as amenity green spaces (Built Up Area). As set out, no development beyond a new pedestrian route parallel to Moortown Lane is proposed in this area within the application site.

vi. Ecology Summary

In line with the above, subject to necessary mitigation secured through suitable conditions and a planning obligation, the proposal has addressed the material ecological considerations of Habitat Mitigation and European designated nature conservation sites, phosphates neutrality, biodiversity net gain and protected species.

Based on the assessments presented in this report, the Planning Authority as competent authority is considered not to require further assessment under the Habitats Regulations, and subject to mitigation the proposed development can proceed without Stage 3 and Stage 4 being completed. NFDC will be adopting the shadow Habitats Regulation Assessment (HRA) submitted which includes an Appropriate Assessment (AA).

This Committee Report has had regard to the relevant policy (R10 Creating a Green Infrastructure and Nature Recovery Network) of the post-examination Ringwood Neighbourhood Development Plan.

Therefore, subject to a planning obligation and suitable conditions, the proposal accords with Local Plan Policies ENV1 and DM2.

10.6 Public Open Space and Landscape

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) sets out that for residential development, inter alia, adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, including as set out in the Mitigation for Recreational Impacts SPD. Policy criterion 4(ii) sets out that for developments of 50 or more net additional residential dwellings direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it is required in addition to management and monitoring contributions.

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context:

- i. Features that contribute to a green infrastructure and distinctive character within settlements including the locally distinctive pattern and species composition of natural and historic features such as trees, hedgerows, woodlands, meadows, field boundaries, coastal margins, water courses and water bodies;
- ii. Features that screen existing development that would otherwise have an

- unacceptable visual impact;
- iii. Existing or potential wildlife corridors, footpath connections and other green links that do, or could, connect the site to form part of an integrated green infrastructure network;
- iv. The landscape setting of the settlement and the transition between the settlement fringe and open countryside or coast;
- v. Important or locally distinctive views, topographical features and skylines; and
- vi. Areas of tranquillity and areas of intrinsically dark skies.

Local Plan Policy CS7 (Open spaces, sport and recreation) sets out that the aim is to provide as a minimum standard the equivalent of 3.5 hectares of public open space per 1000 population to serve the district's towns and larger villages. The improvement of play, sports and other public open spaces provision will be implemented in various ways.

The Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) (May 2021) gives detailed guidance on the implementation of Policy ENV1: Mitigating the impact of development on International Nature Conservation sites with regard to recreational impacts.

i. Landscape and Informal Open Space

The application is supported by a Landscape and Visual Impact Assessment (LVIA) (Environmental Statement, Volume 1, Campbell Reith, December 2021). NFDC Environmental Design set out in their consultation response of March 2022 that a comprehensive LVIA was submitted as part of the EIA statement, that the study uses the appropriate guidance to formulate a methodology and has identified appropriate baseline assessments.

The application site wide landscape strategy is set out in the Landscape Masterplan and Alternative Natural Recreational Greenspace Strategy (12 April 2024) (Ref: edp 5444_d054p). This overarching landscape strategy covers all the application site – for both Phase 1 and Phase 2 – for both public open space and housing. Essentially, this landscape strategy is a suitable basis for consideration of detailed landscaping matters and can be secured through a suitable condition.

NFDC Landscape set out in their final comment (May 2024) that progress on the landscaping has been made which suggests a commitment to delivering a good landscape structure outside of the developed part of the site. Some minor issues remain but mostly such elements can be considered through planning conditions (as set out).

The Green Infrastructure Strategy (p. 20) sets out that the proposal will include informal open spaces, create interest and functional spaces that contribute to the overall defining characteristics of the landscape. There are two areas of informal public open space in Phase 1:

- Moortown Lane Corridor: A narrow corridor adjacent to Moortown Lane that aims to retain the rural character of the lane, whilst also providing connectivity between Christchurch Road and the main public open space.
- Primary Street Pocket Park: a landscaped greenspace located along the main primary street that create opportunities for large tree planting within the built-up areas.

The Moortown Lane Corridor has a notable role in delivering a suitable landscape transition between development within the allocation site and the open countryside to the south. The Primary Street Pocket Park should have a more formal landscape character given it will be framed by the tallest proposed dwellings within the housing development.

The informal open space provision with Phase 1 falls slightly short of the Policy size requirement (by 0.18ha) and the applicants acknowledge this in the Green Infrastructure Strategy. Essentially, it is considered acceptable for the slight shortfall in overall provision subject to the two spaces outlined above being a suitable quality in terms of hard surfaces and planting which will be finalised through suitable conditions and the overall provision of open space within the application site including the ANRG.

As such, it is considered that the detailed landscaping for both the public open space and the Phase 1 housing parcel can be secured through suitable conditions. These conditions will build on the Phase 1 Detailed Landscape Design sheets provided for both public open space and residential areas. For reference, the landscaping for Phase 2 will have to accord with the Landscape Masterplan, Green Infrastructure Strategy and Alternative Natural Recreational Greenspace Strategy will be determined through a subsequent Reserved Matters application. For reference, additional informal space is also proposed in the parallel application 23/10707.

i. Arboriculture

The application is supported by an Arboricultural Impact Assessment, Environmental Statement (Appendix 8.4, December 2021) and a January 2024 Addendum. The revised Phase 1 Landscape Detailed Design plans (EDP, 11 April 2024) sets out proposed planting schedules, tree pit details and wildflower meadow management.

The NFDC Tree Officer has raised no objection subject to suitable conditions. NFDC Landscape has also set out commentary on the proposed tree planting strategy in their final set of comments. As set out above, the final tree strategy in terms of species and siting for Phase 1 will be secured through suitable landscape and arboricultural conditions.

ii. Play Spaces and Formal Open Space

Phase 1 includes both a dedicated LEAP (Local Equipped Area for Play) and a NEAP (Neighbourhood Equipped Area for Play). Broadly, a LEAP provides play space for younger children who are beginning to go outside the home and play under supervision. A NEAP play area is most suitable for older children to develop by providing them with a large safe area to play.

The submitted Green Infrastructure Strategy (EDP, January 2024) sets out that:

The NEAP offers an opportunity for children of all ages and will act as a destination play space. The design includes a mixture of equipment designed to offer a range of activities throughout different zones. The NEAP has been designed in accordance with relevant guidance, including guidance from the Make Space for Girls campaign that aims to create safer and more appealing play spaces for girls.

The Phase 1 LEAP has been designed as a play space that offers a mixture of equipment targeted for younger children. Located within the ANRG but close to the housing and key routes, the LEAP will serve as destination play for residents in the southern part of the development. The playground has an organic design with soft boundary treatments and associated meadow areas which seeks to reflect the

natural character of the surrounding ANRG.

The NEAP is sited in the northern half of the Phase 1 public open space. The proposed equipment includes basketball goal, four swings, outdoor fitness (sit ups, ladder walk, parallel bars), balance beam, double width slide, jumping blocks, infinity bowl, trunk pile and large multi-play unit. The LEAP is sited in the southern half of the Phase 1 public open space. The proposed equipment includes 13 pieces of equipment including swings, seesaw, two houses, stilts, xylophone, block bridge and monkey bars and nativity seating.

Each piece of play equipment will have metal fixtures to avoid wooden features entering the ground and thus avoiding premature rotting. Both the LEAP and NEAP will have suitable play surfaces. Supplementary equipment and features for both the LEAP and NEAP include litter bins, gate access, hedgerows combined with post and rail fencing, picnic benches, play logs and boulders and a play space information board. The play areas will both be dog free zones.

The proposed NEAP and LEAP play spaces are supported by the NFDC Play Space Officer and Landscape Officer and can be secured through a suitable condition. A further substantial play space for younger children is proposed in the Green Infrastructure Strategy to be provided within the Phase 2 housing development. The long-term management of these spaces is set out below (sub-section (v) Management and Monitoring).

Policy CS7 requires provision of additional formal open space. It has been agreed with the applicant that a contribution of £110,000 towards the facilitation of a new full-size football pitch at Ringwood Town Football Club to the south of Moortown Lane, which is within the Local Plan Allocation Site SS13, would satisfy this policy requirement.

iii. Alternative Natural Recreational Greenspace

The application is supported by a Landscape Parameter Plan (Pegasus, 11/4/2024, Ref: P21-1078-DE_004-112 Rev. D) and an Alternative Natural Recreational Greenspace (ANRG) Strategy Plan (EDP, 22/1/2024, Ref: EDP 5444_d114a). Further detailed on the proposed on-site ANRG is set out in a Green Infrastructure Strategy (EDP, January 2024) which sets out that all aspects of the ANRG have been designed in accordance with the Mitigation for Recreational Impacts SPD.

The ANRG Strategy Plan sets out that the on-site ANRG provision will comprise:

- Phase 1: 4.37 ha
- Phase 2: 5.18 ha

As such, the total on-site ANRG provision is 9.55 ha. Given the site wide housing mix (as set out) the total minimum ANRG requirement is 9.53 ha and therefore the on-site provision provides an adequate quantum of ANRG.

The Phase 1 ANRG is located immediately to the east of the Phase 1 housing and is sited in the approximate centre of the Allocation Site. The Phase 2 ANRG connects to the Phase 1 ANRG at its north-west corner and more substantially to the east where it will wrap around the proposed enclave of additional Phase 2 housing. The ANRG Strategy Plan sets out the internal dimensions of the ANRG in terms of main spaces (diameter of 120m or more) and secondary spaces (diameter of 60m or more). The proposed ANRG would provide two main spaces and nine secondary spaces across both ANRG phases and as such would meet the dimensional criteria of the SPD (Appendix 4).

The ANRG is both well connected to and in proximity to the proposed housing. The ANRG is generally open and level and has surveillance from housing around the perimeter of Phase 1 – and a similar approach could be taken for the Phase 2 housing.

The ANRG will provide a network of footpaths and an off-road cycle route that provides a natural corridor between Crow Arch Lane to the north through the site to Moortown Lane where new crossing points provide access to the sports pitches. The Phase 2 ANRG will include an improved public right of way which through a minor diversion will provide access to a new crossing over Moortown Lane. The Phase 1 Detailed Landscape Design plan (EDP, 11 April 2024) sets out the hard surface materials for the footpaths and these can be secured through a suitable condition.

The Green Infrastructure Strategy (p. 28) sets out that a comprehensive wayfinding strategy will be incorporated within all areas of public open space. It also sets out that the majority of the ANRG will be dog-friendly zones where dogs can play off the lead. It also states that to ensure the boundary treatment is in-keeping with the character of the ANRG, a hedgerow containing a deer fence will run along the perimeter. This can also be secured through a suitable condition.

The Green Infrastructure Strategy (p. 29) sets out a summary of all street furniture in the ANRG (*combined litter & dog waste bins, benches, picnic benches, interpretation and information signs, and way-marker posts*). These are set out in the Phase 1 Detailed Landscape Design plan (EDP, 11 April 2024) and the final specifications can be secured through a suitable condition.

The ANRG would be crossed by a road link which would provide vehicular access between Phase 1, the proposed housing enclave in Phase 2 and connect through to the residual land in the north-east of the Allocation Site. For reference, the Local Plan Concept Masterplan for SS13 (p. 154) sets out that the indicative primary access would have to bisect the proposed ANRG (as set out), and thus have a degree of severance, to satisfy Policy criterion (iii)(b).

The applicants have provided a revised ANRG Crossing Plan and Perspective (EDP, 15/3/2024) which sets out a bespoke vehicular and pedestrian crossing which addresses the severance criteria (page 47) in the Mitigation SPD. This includes speed limits, easy access for pedestrians and cyclists and a bespoke design including visually appropriate hard surfaces. The revised design has been agreed with NFDC Environmental Design and as such it is considered that the proposed design would accord with the detailed guidance Mitigation SPD and the site allocation concept masterplan.

The ANRG will include infiltration basins as part of the site wide surface water drainage strategy. The Mitigation SPD (Paragraph A4.5.13) sets out that recreational mitigation land offers an opportunity for integral drainage design that fulfils the policy requirements for managing surface water from new residential developments in the form of above ground features such as ditches, swales, water storage areas and ponds. As such, the inclusion of above ground features as acceptable in principle.

As such, the proposed ANRG is an attractive open space and appropriately scaled and thus would be effective in diverting potential visits away from the New Forest designated European sites.

iv. Management and Maintenance of Public Open Spaces

The proposed public open space including the ANRG, informal open space, drainage features and play areas, in both Phase 1 and Phase 2, are to be managed by the applicant. As such, it will be necessary to secure through a planning obligation the ongoing management and maintenance regime for these areas in line with the advice from Natural England, the NFDC Ecologist and other relevant consultees. The Council will also seek a step-in clause in the event that ongoing future management of the public open spaces is not of a satisfactory standard.

v. Ringwood Town Council post Examination Neighbourhood Development Plan

The Ringwood Town Council post Examination Neighbourhood Development Plan Policy R7 (The Ringwood Design Code) sets out:

As appropriate to their scale, nature and location, residential development proposals must demonstrate high quality design and legible layouts which, where relevant, have taken account of the positive aspects of local character defined in the Ringwood Design Code (Appendix B), and should also:

- i. Minimise the impact of development on higher ground by careful siting and by comprehensive landscaping;*
- ii. Include on a Landscape Plan the opportunities to create wildlife corridors and deliver biodiversity net gain;*
- iii. Include amenity space having sufficient size, shape and access to sunlight for the provision of recreational benefits to the occupants;*
- iv. Offer highly permeable residential layouts for cyclists and pedestrians moving within and through the development;*
- v. Front boundary treatments should be in keeping with the historic and rural character of Ringwood (DC.03.02 and DC.05.2). Hard boundary treatments up to 1m high will be permitted, where taller boundaries are deemed appropriate (for example, for clear reasons of security or privacy) this should be achieved by planting unless otherwise justified by historic character. Hard boundaries should be permeable to wildlife; and*
- vi. Be respectful of the tranquil setting of the National Park and protective of its dark skies. Lighting should be fully justified and well designed to shine only where it is needed.*

The proposed residential development is located entirely within a Local Plan Strategic Site which was subject to detailed scrutiny in terms of the impact on the local landscape at the Examination stage. In line with the Landscape Parameter Plan, Green Infrastructure Strategy and Alternative Natural Recreational Greenspace (ANRG) Strategy Plan the proposal, subject to conditions securing detailed design including final tree planting, includes comprehensive landscaping for the Phase 1 public open space and housing areas. The site will provide a suitable permeable layout providing a north-south off-road cycle/pedestrian route. The Landscape Masterplan and Alternative Natural Greenspace Strategy plan sets out areas in the Phase 1 public open space for biodiversity. As such, the proposal broadly accords with Policy R7 criterion (i) to (iv).

vii. Summary

The proposal sets out a suitable framework for the public open space within the application site. The detailed design for the landscaping, including a suitable tree strategy, in Phase 1 public open space and housing development area can be

secured through suitable conditions, The slight shortfall in informal open space provision is noted but on balance of considerations can be addressed through suitable high-quality landscaping. The proposed LEAP and NEAP play spaces are both of a high-quality design. Formal open space provision will be satisfied through a planning obligation. The ANRG provision across both Phase 1 and Phase 2 provides an attractive open space, suitable links and vehicular crossing, and is appropriately sized and thus would be effective in diverting potential visits away from the New Forest designated European sites.

The Committee Report has had regard to the post-examination Ringwood Neighbourhood Development Plan Policy R7 (Ringwood Design Code). For reference, the allotments identified in Policy SS13 criterion (i) third bullet point have been delivered outside the context of this proposal.

Therefore, subject to a s106 planning obligation and suitable conditions, the proposal accords with Local Plan Policies ENV1, ENV3 criterion (vi), ENV4, CS7 and SS13 criterion (iii) (a)(d) and (e) and the guidance set out in the Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) (May 2021).

10.7 Design – Density, Scale and Phase 1 Detailed Design

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to meet supporting design criteria (as set out).

Further NFDC design guidance is set out in the Ringwood Local Distinctiveness SPD (July 2013) and Housing Design Density and Character SPD (April 2006).

The NPPF (Section 12, paragraphs 131 to 141) sets out national planning policy guidance on design. Further national design guidance is set out in the Planning Practice Guidance website.

As set out, the application is supported by a revised Design and Access Statement (May 2024) which summarises the proposed design approach.

i. Built Density

The NPPF sets out guidance on achieving appropriate densities in paragraphs 128 to 129. Paragraph 128 sets out that planning decisions should support development that makes efficient use of land taking into account material considerations (as set out). This includes (criterion a) '*the identified need for different types of housing and the availability of land for accommodating it*' as well as viability, infrastructure and design considerations. NPPF Paragraph 129 sets out that where there is an existing or anticipated shortage of land for meeting identified housing needs it is especially important that planning decisions avoid homes being built at low densities and that developments make optimal use of the potential if each site.

The residual land within Allocation Site to the north-east of the application site has approximately 3.2 hectares of the land within EA fluvial flood zone 1 (the zone at the lowest risk of flooding). However, much of the remaining land to the east is within EA fluvial flood zones 2 and 3 and includes land currently identified within the functional floodplain (Zone 3b). As such, if the housing land parcels in these areas, as set out in the indicative Local Plan Concept Masterplan for SS13 were to come forward they would need to satisfy the NPPF sequential and exception site tests.

Therefore, taking into account the need for the residual area to provide their own ANRG (to potentially link with this proposal) and other open space and access requirements it is considered that the residual land could provide circa 80 additional dwellings and hence the Allocation Site could deliver circa 525 dwellings. This is only 45 dwellings above the minimum quantum set out in Local Plan SS13 and is not considered to be excessive.

The current proposal includes both a significant number of affordable homes and smaller homes overall, which as set out makes a proportionate contribution towards the identified need for different types of housing. Given that the indicative need in Local Plan Figure 6.1 is clearly orientated towards the provision of smaller homes then delivery of these homes is likely, as proposed here, to be manifested in built densities higher than that in some, but not all, in the more established suburbs of Ringwood.

The DAS confirms that the built density within Phase 1 of the proposed development ranges between 25 dwellings per hectare (dph) to 45 dph with an average of 38 dwellings per hectare (dph). This is broadly akin to the built density approved at the Linden Homes scheme to the north of Crow Arch Lane where supporting information set out that majority of that site had a residential built density which ranged between 30 and 45 dph. As such, the proposed built density is not considered to be at odds with existing local built densities.

Essentially, the proposal has made efficient use of land and set out an optimal layout when balanced against other design considerations and housing land supply in line with NPPF 128 and 129.

As such, the Building Density Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0109 Rev. A) is an acceptable basis for detailed design across the Full (Phase 1) and Outline (Phase 2) elements of the hybrid application.

ii. Scale

The Building Scale Parameter Plan (Pegasus, January 2024) sets out that the majority of the application site development parcels will be for residential buildings (houses and flatted blocks) of either 2 or 2.5 storeys. A small central core of the larger development parcel (which is split between the Full and Outline elements of the application) is identified for residential buildings of up to 3 storeys. Phase 1 includes two 3 storey townhouses.

NFDC Environmental Design has objected to the building scale on the basis that the appropriateness within the landscape or along the countryside edge of the proposed storey heights has not been explained or justified. The DAS sets out a review of the characteristics of the form and fabric of buildings and spaces in Ringwood's historic core, neighbouring areas to the west and east and recent developments to the north and west. For reference, the DAS does not identify the extent of single-storey dwellings southwards along Christchurch Road despite the supporting plan on page 42 confirming this area is part of the analysis.

However, notwithstanding this criticism, it is considered that sufficient justification has been provided for a scheme predominantly for 2 or 2.5 storeys residential buildings which broadly reflects existing residential dwellings in Ringwood and development recently permitted on other Local Plan Strategic Sites in the District. The Case Officer has requested to the applicants that some 1.5 storey dwellings be provided within the Outline Phase and this point will be raised again in any subsequent Reserved Matters application.

The proposed two 3 storeys houses are sited at the centre of the proposed housing area as it is considered would not have a significant harmful impact on the wider landscape by virtue of their height and massing. The proposed elevations of these two houses have been amended with a simplified brick vernacular which is considered a suitable appearance.

As such, the Building Scale Parameter Plan (Pegasus, 19/1/2024, Ref: P21-1078-DE-004-0110 Rev. A) is an acceptable basis for detailed design across the Full (Phase 1) and Outline (Phase 2) elements of the hybrid application.

iii. Phase 1 Housing Detailed Design

Character Areas

The DAS (p. 38-45) sets out a simple analysis of local character identifying the historic core of Ringwood, older neighbouring areas (on Christchurch Road and Crow Lane) and more recent developments including the Linden Homes scheme to the north. A materials palette for each area is identified. The DAS (p. 76) sets out three proposed character areas for Phase 1 including one for development on the periphery of the housing parcel overlooking public open space to the south and east ('Crow Gardens'), one along the main spine road ('Crow Boulevard') and one for the interior of the housing parcel ('Moortown Suburbs'). The DAS (p. 96, 98) sets out a Phase 1 Character Area plan and provides a more detailed rationale for each of the character areas. The DAS (p.108) has set out a simple materials palette for each of the character areas in Phase 1 which includes red and dark bricks, render and mixed roof forms.

However, the NFDC local distinctiveness SPD section on the Southern Approach Character Area (the west immediately to the west of the application site) does not set out specific guidance on plot width, building lines, massing and density amongst other things. The SPD sets out (p. 103) with regard to materials that with such a myriad of styles and ages of development in Ringwood it is important to restrict the palette to locally appropriate materials.

Essentially, it is considered that there are no identified definitive local design characteristics which should clearly direct the character of housing parcels within the application site. The local context is mixed and includes a wide range of housing typologies as well as commercial and recently constructed housing estates to the north. In this instance, the proposal has a mix of housing typologies including smaller terraced housing and cottages historically typical of the town.

As such it is considered that the three proposed character areas are appropriately mixed and modest in their scope, appearance and form and utilised sufficient design cues in terms of their form and materials.

Street Design

The DAS (p.86) sets out the proposed Phase 1 street hierarchy:

Phase 1 of the proposals incorporates a stretch of the principal route, stretching northward from the access point off Moortown Lane, and an additional arm extending to the east. The two secondary routes within Phase 1 extend from the principal street, leading to the shared surface routes, which then feed to the private drives. The private drives within Phase 1 are arranged predominantly along the edges of the built-up area, at the interface with the adjacent proposed public open space.

It is considered logical to incorporate the principal route in Phase 1 given both the need to serve the Outline Phase 2 area and to enable connections to the residual land parcels in the wider Site Allocation. The remaining roads with Phase 1 are a combination of traditional streets, shared surfaces and private drives. Essentially, it is considered that, contrary to the view of NFDC Environmental Design, there is a clear street hierarchy in Phase 1 in line with the guidance set out in the national planning guidance document Manual for Streets.

The DAS (p.110) sets out a Phase 1 landscaping strategy and the Phase 1 Landscape Detailed Design – Residential Plots (Sheets 1 to 5) (11/4/2024) (EDP; Ref: 5444-d091f) sets out a detailed planting scheme for the residential area. Phase 1 – with specific regard to new urban street tree planting – will include a modest palette of trees.

NFDC Environmental Design set out that none of the streets are what could be considered tree-lined in accordance with the NPPF paragraph 136 (which sets out that planning decisions should ensure that new streets are tree-lined). Essentially, whilst none of the proposed streets could accurately be described as an avenue it is considered that the proposal does have an adequate amount of street trees in line with the broad aspiration in line with NPPF paragraph 136.

The submitted plans include Street Scenes (Moortown Lane) (Pegasus, 7/9/2023, Ref: P21-1078-SS) for Phase 1. This sets out that streets within the scheme will not be overly dominated by one or two specific residential typologies and that each dwelling has some defensible space between the dwelling elevation and highway.

NFDC Environmental Design set out that the intensity of development along every street is unrelentingly mediocre with little space in front of buildings to allow for the various uses that the street envelope should cater for and that there is not enough opportunity for personalisation, greenery and tree planting.

Whilst the comments of the Environmental Design team are noted, the local area has a mixed character in terms of the set back of buildings (as summarised in the Southern Approach section of the Ringwood Local Distinctiveness SPD) that references both historic residential buildings with either no front defensible space (186-240 Christchurch Road) or more recent housing schemes with similarly sized front gardens (Shires Close and the Linden Homes scheme).. Given the above analysis of the surrounding area the extent of defensible spaces to the front of dwellings, with the context of streets, are on balance considered acceptable.

The DAS (p. 90) sets out the proposed Phase 1 boundary treatment strategy:

Development plots are defined by a range of boundary treatments including walls and fences, depending upon their location, in order to clearly define public and private spaces.

The Phase 1 Boundary Treatment Plan (Pegasus; 10/4/2024, Ref: P21-1078-DE-003-D103-Rev.B) sets out the location of the proposed walls and fences within Phase 1. The plan sets out that along the site frontage facing Moortown Lane (plots 17 and 47), the main spine road (plots 83, 84, 100, 111 and 150) and along the main secondary routes (plots 20, 26, 34 and 62), amongst others, visually prominent boundaries will be brick walls rather than timber fencing. This is a suitable design response which assists in defining the private and public realms. The detailed design of the proposed boundary treatments can be secured through a suitable condition.

Generally, the scheme sets out open plan front gardens with low-level hedges and shrubs. This is considered to be a suitable design response.

Housing Design

The DAS (p.108-109) summarises the architectural detailing and their distribution. The submitted plan Housetype Pack Drawings (Pegasus, Ref: P21-1078-DE-various) provides elevations and floorplans for each of the different dwellings in Phase 1. The architectural language is traditional with the majority of dwellings being brick with render, weather boarding and hanging tiles used less frequently. The roofscape is mixed with a suitable mix of gable, half-hipped and hipped roofs and this is one of the stronger elements of the proposed design. The proposal has a simple palette of red bricks which the NFDC local distinctiveness SPD again identifies as being a suitable Ringwood material.

The Ringwood Design Guidance and Codes (AECOM, Second Draft Report, November 2022; Amended June 2023) sets out (p.58) that the predominant building material used in the town is red brick and that there is a range of architectural styles used within the town for walls, roofscape and fenestration. The proposal includes some, but not all, of the existing architectural features (hipped and gable roofs, pantiles, dormers, porches) in Ringwood that are photo-illustrated on page 59 of the RTC Ringwood Design Guidance and Codes document.

NFDC Environmental Design set out the view that the proposal is too homogenous with insufficient contrasts, highlights and no sympathy with local character. However, the proposal sets out a wide variety of housing typologies (flats, terraces, semi-detached and detached houses) which are already found in the south of Ringwood. For example, the smaller dwellings within the proposal (such as those in plots 9 to 12) are akin in their scale and plain facades to the 19C and early 20C red-brick cottages identified in the local area in the Ringwood Local Distinctiveness Supplementary Planning Document (July 2013). Essentially, the proposal is sufficiently sympathetic to local domestic architecture.

Notwithstanding this, it is considered that the comments NFDC Environmental Design make of the stopping of front façade materials and detailed design on the side elevations of many houses are a fair criticism. The proposal could have continued the materials and design on all elevations and there is some slight diminution of the scheme design quality as a result.

The proposed affordable housing is generally plainer than the market housing in terms of architectural detailing but not to the extent that it would be an incongruous presence in the wider streetscene.

As such, notwithstanding some criticism, it is considered that on balance, when considered in the round with all other material considerations (as is the case at the end of this report), the proposed residential dwellings are suitable for a new housing development on the edge of Ringwood and that the proposed residential dwellings are sufficiently well designed in terms of architectural detailing and context.

Gardens and Refuse Storage

Each of the proposed houses in Phase 1 has an accessible rear garden. Essentially, all the rear gardens are at least proportionate in size to the footprint of the host dwelling. Likewise, both the flatted blocks have access to rear semi-private spaces. NFDC Environmental Design have commented that 'garden groups' are often too confined for taller shrubs and trees but many of the gardens appear to have capacity for some planting including modestly-sized trees – if the future occupiers wished to do so. Moreover, there is no policy requirement for the applicants to plant rear

garden trees prior to occupation and it is not reasonable to rely on private rear garden trees being secured by a condition.

The DAS (p.94) sets out the proposed Phase 1 refuse storage strategy:

Refuse storage will be convenient with access to rear gardens, with the requisite internal storage, whilst refuse collection is in line with regulations both for resident carry distances of 30m and within acceptable operative carry distances typically of 25m.

The two flatted blocks each have integrated bin storage rooms and an area of hardstanding for collection adjacent to the highway. This is shown on the Phase 1 Masterplan (27/3/2024) (Pegasus; Ref: P21-1078-DE-003-0101-C). Each of the remaining 140 dwellings have a rear garden for bin storage and a hard surface pedestrian access. This is shown on the Phase 1 Detailed Hard Landscape Design (12/4/2024) (EDP; Ref: edp5444-d069d).

The applicants have submitted a revised Phase 1 Refuse Plan (10/4/2024) (Pegasus; Ref: P21-1078-DE-003-0102-B). This sets out the location of hard surface bin collection points (BCP) and the distance collectors and occupiers has to move bins to and from the BCP for the dwellings with private drives and those in courtyards. The NFDC Waste and Recycling Operations Manager has confirmed that the proposed refuse plan strategy is acceptable.

Design and Crime Prevention

The comments received from the Hampshire Constabulary Crime Prevention Design Advisor are noted. The public open spaces within the Phase 1 housing parcel each has suitable surveillance from nearby dwellings. It is considered that these spaces do not need to be enclosed by fencing. Rear garden gates will be fitted with a suitable lock secured through a planning condition. The originally proposed route connecting the Phase 2 public open space to Crow Lane between the bird of prey centre and the WI hall has been removed from the scheme and replaced with the proposed crossing on the Castleman Trail. The Advisor's comments were a factor in negotiating this change in this access siting.

iv. Ringwood Town Council – Building for A Healthy Assessment

Ringwood Town Council (RTC) in their representations of February 2024 and May 2024 set out that in line with NPPF paragraph 139 development that is not well designed should be refused. RTC note that the applicant has not submitted a Building for a Healthy Life Assessment, which is required by Policy R8 of the emerging Ringwood Neighbourhood Plan. RTC has completed and submitted a Building for a Healthy Life Assessment which formed part of their February 2024 representation. RTC conclude that the development is not well designed and that on that basis the application should be refused.

NPPF paragraph 138 sets out::

Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. The primary means of doing so should be through the preparation and use of local design codes, in line with the National Model Design Code. For assessing proposals there is a range of tools including workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for

significant projects such as large-scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.

For the avoidance of doubt, there is no requirement on the part of the applicant to undertake a Building for a Healthy Life Assessment. It is not on the list of required documents on the NFDC validation checklist. Indeed, the NPPF clearly sets out that it is only one possible assessment framework, amongst several, that could potentially be utilised. Moreover, there is no Policy requirement for an application to be supported by a Building for a Healthy Life Assessment nor for Officers to undertake such an assessment when making recommendations to NFDC Planning Committee.

Notwithstanding this, given the extensive scope of the RTC Building for a Health Life appraisal – which extend beyond design considerations - the following commentary is set out in the Planning Committee report.

The Homes England 'Building for a Healthy Life: A Design Toolkit for neighbourhoods, streets, homes and public spaces (2020) sets out on page 3:

Organised across three headings, 12 considerations are presented to help those involved in new developments to think about the qualities of successful places and how these can be best applied to the individual characteristics of a site and its wider context.

The RTC Building for a Healthy Life Assessment sets out an appraisal utilising the 'traffic light' considerations in the Design Toolkit and concludes that 9 of the 12 considerations are deemed to be 'amber' (where an element of design is considered to fall between a green and red traffic light) and that 3 of the 12 considerations are deemed to be 'red' which suggests that one or more aspects of a scheme need to be reconsidered. Within each of the 12 main considerations are at least two sub-considerations.

- Natural Connections - amber
- Walking, Cycling and Public Transport – amber
- Facilities and Services - red
- Homes for Everyone – amber
- Making the most of what's there – amber
- A memorable character - amber
- Well defined streets - red
- Easy to find your way around - amber
- Healthy Streets - red
- Cycle and Car Parking - amber
- Green and Blue Infrastructure – amber
- Back of pavement front of home – amber

1. Natural Connections - amber

RTC concluded that the proposed pedestrian and cycle links are acceptable and hence deemed to be a 'green' light.

RTC set out the following 'amber' comments:

- *Street patterns have been revised to provide more direct and less curvilinear routes through the site.*

- *Cycle / pedestrian routes through the Green Infrastructure respond better to desire lines through the site. However, there are more opportunities to provide permeability through the wider site to the west (Willow Drive).*
- *Landscaping strategy seeks to enhance and replant hedgerows and incorporates a biodiversity net gain within the design.*

There is no local policy or design requirement for 'less curvilinear' streets or indeed a grid pattern of streets. In Phase 1 there is a proposed mix of straight and curved roads. NFDC Environmental Design noted the simple clarity of the street alignment.

The land to the east of Willow Drive is within Phase 2. The Access and Movement Parameter Plan does not show an access here as it is currently understood that the land along the boundary is in private, rather than public, ownership, and hence facilitating a new access at this point would not likely be straightforward.

It is unclear why RTC deem the fourth matter to be amber when they acknowledge that the landscape strategy has addressed native planting and biodiversity net gain.

2. Walking, Cycling and Public Transport

RTC concluded that the following are a 'green' light:

- *Retains existing footpath and provides additional link through to opposite sports pitches. Routes for cyclists and pedestrians are indicated through to the Castleman Trailway / Crow Arch Lane with dedicated off-road cycle and footpath through the green infrastructure from the south-west boundary of the site.*
- *Pedestrian link would be provided to Christchurch Road and nearest bus routes.*
- *It is understood that the road design plans for a potential future bus route through the site.*

RTC set out the following 'amber' comment:

- *whilst pedestrian and cycle routes though the site are more direct however opportunities for improved connectivity still exist.*

Phase 2 will be providing further access arrangements in line with the Movement and Access Parameter Plan.

RTC also conclude that the following are a 'red' light:

- *Street layout is focused on highways engineered design with large corner radii. This does not prioritise pedestrian users and can create undesirable situations by encouraging cars to turn more quickly while pedestrians navigate wider or convoluted crossing points.*
- *The principal street does not indicate any protected cycleway or prioritisation of cyclists at junctions and parking layout may lead to dangerous manoeuvres onto key shared routes.*

The Local Highway Authority has, as set out earlier in the Committee Report, accepted the proposed internal street layout and highlighted that detailed design matters can be addressed at the s38 stage. The broad cycle strategy, as set out in

the Movement and Access Parameter Plan, is to prioritise cycling through the primary off-road route which connects Christchurch Road to Crow Arch Lane. The DAS (p. 84) sets out that the primary access route from Moortown Lane includes a 3m wide shared pedestrian/cycle route on the eastern side of the road.

3. Facilities and Services

RTC concluded that the following are all a 'red' light:

- *Incorporates formal and informal recreation space (POS, LAP/ LEAP/ ANGR/MUGA, walking and cycle routes / dog agility area), however ANGR is on a remote parcel of land. There is no direct access from the site to this area. The wider open spaces are also segregated from the built development, rather than being integrated through within Phase 1.*
- *Pocket park areas (in future phases) would enjoy a good degree of passive surveillance, well overlooked. But lacking for the LEAP and NEAP proposed as part of Phase 1.*
- *This is a major housing development which does not incorporate any community facilities, such as a small convenience shop. The wider walkability and cyclability of routes to existing key facilities should be further explored as connecting roads / paths do not provide safe and accessible options for all.*

The ANRG for Phase 1 is adjacent to the proposed housing as clearly set out on Land Use Parameter Plan. RTC appear to be referring to the parallel application (Ref: 23.10707) for additional public open space east of Crow Lane (which will be determined separately).

The LEAP and NEAP will both have adequate surveillance from other users of the public open space and the closest houses to the west in Phase 1 and Phase 2 respectively. There is always a matter of balance to be struck when siting play areas. For example, amenity issues could arise if larger play spaces were sited too close to housing and potentially impacted the occupiers.

There is no specific Policy requirement for a small shop. Moreover, a scheme of 443 dwellings is unlikely to have sufficient critical mass to support a shop in an estate location where passing trade may not be sufficient to support a viable business. There is an existing small shop at the petrol station on Christchurch Road and it remains the Policy objective to connect through to Wellworthy Way and the Lidl store through subsequent development within the Allocation Site.

4. Homes for Everyone

RTC concluded that the following is a 'red' light:

- *Affordable housing appears to be distributed in poorer quality settings within the development, with none provided on the edges fronting the surrounding G.I or internal green open space.*

There is no Policy requirement for affordable housing to be sited adjacent to public open space. The proposed affordable housing is distributed across Phase 1 rather than concentrated in one area and all the housing – affordable and market - is within short walking distance of the proposed large public open space in the centre of the Allocation Site.

RTC set out the following 'amber' comment:

- *The mix and range of housing would appear to meet with Local Plan Requirements. However, the Town is in need of smaller homes (1 bed and 2 bed units) and the proportion of these could be increased.*

As set out earlier in the Planning Assessment, the proposal provides 202 (45.6%) smaller (1 and 2 bed dwellings across all tenures) out of a total of 443 dwellings on an edge-of-settlement scheme. If the proposal were to include a significantly increased proportion of smaller market units this could impact development viability and hence the overall percentage of affordable housing.

5. Making the most of what's there.

RTC set out the following 'amber' comment:

- *The design background references positive local characteristics however the integration of these in the final design is variable.*

This comment is noted by NFDC Officers as reasonable design criticism.

RTC conclude that the following is a 'red' light:

- *The scale relationship of the development to that surrounding is not clearly demonstrated of note with the existing properties to the west.*

As set out earlier in the Planning Assessment, the scale of the proposed dwellings across Phase 1, including the two 3 storey houses, is considered suitable. Given the separation distances of between 25 and 30 metres between the proposed houses on the western boundary of Phase 1 and the existing houses to the immediate west – which are themselves mixed in terms of storeys – it is considered that there is no notable discordant visual relationship between the existing and proposed houses at the western boundary. However, a condition is proposed for plots 1 to 14 inclusive which removes permitted development rights which will enable the LPA to review any future proposals to extend these dwellings.

6. A memorable character

RTC set out the following 'amber' comments:

- *The design seeks to reflect local vernacular in building design and materials palette, subject to agreement of high quality / natural materials. It also incorporates focal point buildings at key positions.*
- *Some of the detailing of the buildings is not reflective of local vernacular.*

NFDC Officer's note this as reasonable design comment. For reference, as set out, materials for Phase 1 buildings will be secured through a suitable condition.

RTC conclude that the following is a 'red' light:

- *The high degree of variety in the building design, number of different housing types does not create cohesion or clearly identifiable streets / character areas or a sense of place.*

Whilst this conclusion is noted, Officers are of the view that the variety of housing types and design can – as well as addressing identified housing need - be a positive visual attribute as a scheme is occupied and matures. For reference, NFDC Environmental Design commented that the proposal was too homogenous and there is commentary above in response to this point.

7. Well defined streets

RTC concluded that the proposed frontages are active and hence a 'green' light.

RTC conclude that the following is a 'red' light:

- *Building lines lack strength and continuity particularly along the primary route and there are a number of large gaps in the streetscene.*

Whilst Officer's note this comment as reasonable design criticism there is no Policy requirement or local design guidance for building lines to accord with a specific pattern. As set out, the primary route is notably curved and hence the associated building line reflects the road alignment. Where the purported large gaps in the street scene actually are is not set out.

8. Easy to find your way around

RTC set out the following 'amber' comment:

- *The highway design is more direct with hierarchy differentiation between primary and secondary routes. However, the scheme does not demonstrate how it will incorporate navigable features for those with visual, mobility or other limitations.*

The Design and Access Statement (DAS) (p.110) sets out (emphasis added):

Within the public realm spaces and key locations, mature stock specimen trees will be planted as landmark features, acting as visual wayfinders. The size and species of trees should be dependent on their specific location and purpose and should correspond to the surrounding streetscape and character.

The detailed landscaping for both the housing area and public open space will be subject to conditions where this design objective will be sought through suitable trees.

RTC also concluded that the following is a 'red' light:

- *Focal points are incorporated within the design. However, elements of the building design (variety of typologies and variable building lines) do not create clear street identity.*

The variety of typologies proposed is supported both in terms of meeting the broad range of housing needs set out in Policies HOU1 and HOU2.

The DAS sets out (emphasis added) with regard to the landscaping (p.63 and 110)

The selection of paving materials within the public realm, will be utilised to assist in place making and create identity within the development. Along with the elevational treatments of the buildings, the landscape materials will reinforce the different character areas within the scheme and establish a suitable hierarchy

Planting within the scheme will be utilised to enrich biodiversity, assist in place making and create identity within the development. Along with the elevational treatments of the buildings, the landscape materials and planting proposals will reinforce the different character areas within the scheme and provide continual reference to the surrounding landscape.

As such, subject to detailed landscaping conditions, it is considered that the applicants have reasonably considered the need to create a suitable identity within Phase 1.

9. Healthy Streets

RTC concluded that the following are 'red' lights:

- *Street design is principally focused on vehicles and parking which does not prioritise the pedestrian, or cyclist experience.*
- *Although green pockets are provided on key corners and new buildings benefit from modest front garden areas, there is little public landscaping throughout the built-up areas of the development. Occasional, informal spaces and facilities / street furniture is limited and some areas of landscaping are nominal, such that they may be prone to damage and future loss.*

The applicants have a requirement to demonstrate that the proposal is safe in highways terms which the LHA has accepted. The applicants also have a policy requirement to provide a suitable quantum of parking of vehicular parking spaces for future occupiers and visitors in line with the NFDC Parking SPD, which Officers consider that the application has addressed. All the primary and secondary routes with the Phase 1 Masterplan have dedicated pavements.

The proposal has a suitable network of proposed pedestrian and cycle routes. Moreover, this element of the RTC Building for a Healthy Life assessment is slightly confusing as the earlier category 'Walking, Cycling and Public Transport' identifies this consideration as a 'green' light.

In line with the Public Open Space Landscape sub-section of the Planning Assessment, it is considered that there is sufficient landscaping within the Phase 1 housing area and that a suitable detailed design can be secured through conditions.

10. Cycle and Car Parking

RTC concluded that the proposed cycle parking is a 'green' light.

RTC set out the following 'amber' comments:

- *Rear parking courts are used to reduce the dominance of parking of the street environment. There are however areas where there is reliance on tandem parking and parking arrangements which could pose additional hazards for other cars.*
- *Electric vehicle charging units will be supplied with each new property with on-plot parking and ducting supplied for future installation in more remote parking spaces.*

As set out in the Highways, Access and Parking sub-section of the Planning Assessment, tandem parking spaces are an acceptable parking solution in line with the NFDC Parking SPD paragraph 5.5. The appraisal is not clear on which 'parking

arrangements' within the proposal are additionally hazardous for other cars. The supporting extract picture from the Phase 1 Masterplan shows surface parking spaces for plots 16 to 19 with clearly differentiated surface materials for the parking spaces and the shared surface route.

The applicants have proposed a comprehensive electric vehicle charging strategy – it is not clear why RTC has indicted this material consideration as amber rather than green in the assessment.

RTC also conclude that the following is deemed to a 'red' light and hence needs revision:

- *The design is not clear on how it will anticipate or design out anti-social car parking.*

As set out, the Phase 1 Masterplan includes notable planting at the interface of the housing area and public open space. Detailed landscaping conditions will secure any necessary further features which could include bollards or bunds for example (in line with the condition imposed on the Cala Homes scheme in Fordingbridge).

11. Green and Blue Infrastructure

RTC concluded that the following are 'green' lights:

- *Sustainable Urban Drainage Systems have been incorporated into the design.*
- *Comprehensive landscape strategy has been submitted which incorporates a range of habitats and reflects biodiversity net gain being sought.*

RTC set out the following 'amber' comment:

- *There are some small areas of land around the development offer limited value and can be prone to neglect.*

All the public open space will be subject to management company maintenance (see Design and Access Statement p.116).

RTC also conclude that the following is a 'red' light:

- *The majority of green spaces on site are segregated from the built development with limited positive integration although this appears to be improved in future phases.*

All of the proposed dwellings in Phase 1 are within a short walking distance of the large public open space in the centre of the application site. There are five pedestrian connection points set out in the Phase 1 Masterplan between the SW corner (opposite plot 14) and adjacent to plot 130 which allow access to public open space.

Moreover, it should be noted that the Local Plan Concept Masterplan for SS13 does not include any potential public open spaces within the two main housing parcels identified – the proposal includes various smaller areas of public open space as part of their overarching landscape strategy which is supported.

12. Back of pavement front of home

RTC set out the following 'amber' comment:

- *Modest defensible space provided at the front of properties which could be reinforced by stronger boundary treatments.*

The Phase 1 Masterplan sets out that the primary boundary treatment used at the front of properties will be low-level hedging which is considered an acceptable boundary treatment for a suburban area.

For reference, the applicant provided their own Building for a Healthy Life Assessment in May 2024 which set out, through the provision of examples, had achieved 'green' on each of the 12 main areas.

v. Ringwood Town Council post Examination Neighbourhood Development Plan

The Ringwood Town Council post Examination Neighbourhood Development Plan Policy R7 (The Ringwood Design Code) is set out in the Public Open Space and Landscape sub-section of the Committee Report. The following comments are set out in relation to Policy R7 and design:

- The Phase 1 proposal includes a suitably legible layout based on three distinct character areas and differentiation in street design.
- The proposal has taken broad account of local character particularly with regard to residential typology and building materials and sufficiently reflects the relevant guidance in the Ringwood Design Code (Appendix B).
- The proposal will deliver biodiversity net gain and provides over 9 ha of public open space adjacent to the housing in both phases.
- Each house and maisonette in Phase 1 will have a rear garden (amenity space) and each flat will have access to semi-private communal space.
- As set out, the proposal will provide a network of pedestrian and cycle routes which connect into the local area to the north, south and south-west.
- The proposal includes an off-road cycle and pedestrian route through the Phase 1 public open space which connects Crow Arch Lane to Moortown Lane.
- The front spaces of the dwellings are generally open rather than enclosed as suggested in the Ringwood Design Code.
- As set out later in the Planning Assessment, on-site lighting in Phase 1 will be subject to a suitable condition.

Therefore, the Committee Report has had regard to the relevant policy R7 (The Ringwood Design Code) of the post-examination Ringwood Neighbourhood Development Plan and the supporting Appendix B (Ringwood Design Code and Guidance).

vi. Summary

As set out, the application received detailed objections from NFDC Environmental Design. Essentially, whilst noting these objections and whilst agreeing with some, but not all of the criticism set out in their representations, on balance the design of the proposed development is considered to be acceptable in light of the following:

- The proposal clearly accords with the Local Plan Concept Masterplan (p. 150). The application includes a major parcel of housing in the westernmost portion of the allocation site with a smaller parcel in the centre. The proposed public open space in the application site is more expansive than that indicated in the Concept Masterplan and the smaller central housing parcel has a greater separation distance from Moortown Lane. The proposal builds up to the western boundary of the site in line with the Concept Masterplan in support of policy SS13.
- The proposal is supported by an Illustrative Masterplan and Phase 1 Masterplan, a set of Parameter Plans and a Design and Access Statement, all in line with the design guidance set out in the national PPG;
- The proposal makes effective use of land in line with NPPF paragraphs 128 and 129 and takes account of the identified need for different types of housing in terms of tenure and typology – and this is consequently manifested in the housing proposed. Significant weight should be placed on this. The built density in Phase 1 ranges between 25 and 45 dph with an average of 38 dwellings per hectare and this reflects that found in other recent developments in the area including the Linden Homes scheme immediately to the north.
- The proposed scale is 2 and 2.5 storey buildings which broadly reflects much of suburban Ringwood. There are only two 3 storey houses and these are sited in the centre of Phase 1.
- The three proposed character areas for Phase 1 set out in the DAS are appropriately mixed for a scheme of only 150 dwellings in Phase 1 in terms of appearance and materials. The proposed street layout includes a hierarchy of streets in line with the national guidance document Manual for Streets.
- Phase 1 includes an adequate number of street trees. However, the criticism from NFDC Environmental Design of the street tree design is noted and an informative will be added to inform a subsequent Reserved Matters application for Phase 2.
- The proposed defensible space to the front of dwellings is generally modest in scope but this is in line with both recent developments and some areas of older housing in Ringwood.
- The housing design includes a suitably wide range of residential typologies typically found in suburban sites such as detached, semi-detached and terraced houses and the generally traditional building materials proposed are broadly in line with published local design guidance.
- The Phase 1 rear gardens are at least proportionate to the host dwelling and some dwellings (market and affordable homes) have generously proportioned rear gardens for a modern housing scheme. All house and maisonette gardens have capacity to store cycles and bins and rear garden access can be secured with suitable access locks. Suitable bin collection points outside private curtilages are set out. The proposed flats all have integral cycle and bin storage.
- Given the separation distances (25 to 30 metres) between existing dwellings to the west and the proposed rear elevation of houses in the westernmost portion of Phase 1 it is considered that no significant amenity issues will arise

subject to a removal of permitted development rights on a limited number of plots.

- Spaces within Phase 1 housing have sufficient surveillance from dwellings and public routes. The Hampshire Constabulary Design Advisor comments will be taken into account when the proposed detailed landscape conditions are addressed.

Taking these factors and the commentary set out earlier in the Planning Assessment on housing, highways and access, and public open space and landscape - on balance of considerations - the proposal does satisfy the design test in NPPF paragraph 135 subject to a planning obligation and suitable conditions.

The representations from Ringwood Town Council on design including the completed Building for a Healthy Life Assessment are fully noted and have been addressed in the report. The conclusions of the applicants Building for a Healthy Life Assessment submitted in May 2024 is also fully noted.

However, for the reasons set out, it is concluded that the proposal is of sufficient design quality and therefore does not fail the design test in NPPF paragraph 139.

In summary, the proposal provides a sufficiently well-designed and integrated southern extension of Ringwood.

As such, the proposal accords with NPPF paragraphs 128, 129 and 135 and Local Plan Policies SS13 criteria (iii), HOU2 criterion (iv) and ENV3 criteria (i),(iii) and (vii).

10.7 Heritage Assets

Local Plan Policy DM1 (Heritage and Conservation) sets out that development proposals, inter alia, should conserve and seek to enhance the historic environment and heritage assets with particular regard to local character, setting, management and the historic significance and context of heritage assets. The supporting text acknowledges the role of archaeology and archaeological sites.

The application is supported by the EIA Environmental Statement Chapter 7 (Cultural Heritage) (Campbell Reith; December 2021) which sets out the effects of the proposed development on cultural heritage ('heritage assets'), including buried archaeological remains.

The NFDC Conservation Officer has raised no objection to the proposal subject to suitable conditions. The requested condition relates to the protection of the listed milestone on Moortown Lane (also identified in Appendix D of the emerging Ringwood Neighbourhood Plan) during the course of the works.

The Council's Archaeologist provided a revised and updated representation in May 2024. The archaeologist raised no objection the proposal subject to suitable conditions. The applicants have conducted field investigations and post-excavation analysis is ongoing with a view to be finalised in the next 9 to 12 months.

Historic England made no specific comments.

The Ringwood Town Council post Examination Neighbourhood Development Plan Policy R9 (Conserving Local Heritage Assets) identifies a list of heritage assets (Appendix D – Local Heritage Assets) and sets out that:

Development proposals that may affect the significance of a Local Heritage Asset

must take that significance into account in demonstrating that the scale of any proposed harm to, or loss of, the heritage asset is justified. The loss of the whole or part of a Local Heritage Asset will only be permitted if it can be demonstrated that all reasonable steps will be taken to ensure that the new development will proceed within a year of the loss.

In line with the detailed comments from the NFDC Conservation Officer (July 2023) it is considered that the development proposals would not affect the significance of heritage assets identified in Appendix D subject to suitable conditions (as set out). The loss of the whole or part of any Local Heritage Asset in Appendix D is not identified.

As such, the Committee Report has had regard to the relevant policy (R9) of the post-examination Ringwood Neighbourhood Development Plan

Therefore, subject to conditions, the proposal satisfies Local Plan Policy DM1.

10.8 Infrastructure and Developer Contributions

Local Plan Policy IMPL1 (Developer contributions) sets out that all developments must provide or contribute proportionately to the provision.

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits with contributions based on current rates as of 1 April 2024 and index linked:

Affordable Housing - provision of 75 Affordable Housing units as shown on submitted Phase 1 Housing Tenure Plan (Pegasus, Ref: P21-1078_DE_003_0107_B, 20/03/2024). Affordable Housing for Phase 2 comprises 58 units with siting and typology to be determined in a Reserved Matters application.

Air Quality Monitoring Contribution - £48,287.

Alternative Natural Recreational Greenspace, Public Open Space (POS) and play spaces - to be delivered by the applicant and subsequently privately managed with a long-term management and maintenance plan setting up of management company and provisions to safeguard against failure (step in rights) and setting up monitoring arrangements

Biodiversity net gain (BNG) - long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site with all trees and soft and hard landscaping maintained for minimum period of 30 years.

Habitat Mitigation - (Non-infrastructure contribution) - Based on the agreed total Housing Mix (Phases 1 and 2) this equates to a payment of £383,150.

Formal Public Open Space - (playing pitches and infrastructure) - Off-site contribution of £110,000.

Community Facility Contribution - Off-site Community Facility contribution of £192,700.00.

Linden ('Ring 3') SANG Footpath - improvement contribution of £24,000.

District Council Monitoring Charges -

- Recreational Habitat Mitigation commencement - £847.00
- Recreational Habitat Mitigation on-site monitoring and/or inspections - £36,534.00
- Affordable Housing Monitoring - £847.00
- Biodiversity Net Gain on-site monitoring - £15,675.00.
- Public Open Space (informal, play areas and landscaping) - £10,294.50

Hampshire County Council Provisions

The following contributions and provision to be included with contribution/fee amounts and triggers:

Primary Education in Ringwood - Total contribution of £2,465,274 towards the future expansion of primary school(s) in Ringwood.

Countryside Services - Public Right of Way Improvements and Maintenance contribution of £127,500.

Local Highways Authority - The Local Highway Authority (LHA) and applicant have agreed an acceptable contribution of £1,040,588 to be secured by s106 planning obligation towards highways and access improvements (as set out).

As such, It is estimated that the total s106 contribution will be approximately £4.4 million across both phases.

Community Infrastructure Levy

The total market housing floorspace in Phase 1 is 9,491.53m². With a current CIL charging rate of £117.23 per square metre, a total CIL fund of approximately £1,112,000 would arise from Phase 1.

Impact on local infrastructure

A significant number of representations from the local community set out objections in relation to the potential impact of the proposal on local infrastructure including schools, healthcare, dentists and veterinary surgeons.

The full education contribution required by the Local Education Authority (as set out above) would be to expand capacity at either Ringwood Infant and Junior schools – or Poulner Infant and Junior Schools. For reference, any possible amendments to the school catchments in Ringwood is a Local Education Authority matter considered outside of planning. It is understood that the Local Education Authority is not currently pursuing the option of a new primary school on land south of Moortown Lane as set out in Local Plan Policy SS13.

NFDC do not generally seek contributions towards healthcare facilities, and these are usually matters for central government funding. However, the CIL funds provide an opportunity for suitable bids from service providers to be considered alongside other projects.

Community focal point

Local Plan Policy SS13 criterion (iii) (c) sets out the following masterplanning objective for the site:

Providing a community focal point in a prominent location including ground floor premises suitable for community use

There is no supporting text in the Local Plan which provides further detail on this masterplanning objective. In lieu of a 'community focal point' which provides ground community use floorspace an additional contribution of £192,000 towards local infrastructure provision, and secured through a s106 planning obligation, is proposed to be made to Ringwood Town Council.

As such, subject to a s106 planning obligation, the proposal accords with Local Plan Policy SS13 criterion (iii)(c).

Broadband

The Planning Statement (paragraph 6.169) acknowledges the need for new dwellings to be connected to broadband internet. This can be secured through a suitable condition.

10.9 Other Matters: Impact on Residential Amenity, Environmental Health, Sustainable Construction and Design, Mineral Safeguarding

Local Plan Policy ENV3 (Design quality and local distinctiveness) criterion (ii) sets out that new development will be required 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.

Local Plan Policy CCC1 (Safe and healthy communities) criterion (i) sets out that development should not result in pollution or hazards which prejudice the health and safety of communities and their environments including air quality and the water environment. Criterion (iv)(c) sets out that on contaminated, polluted or unstable land unless it is first adequately remediated or otherwise made safe for the proposed use and for the local community prior to occupation.

Local Plan Policies STR1 and STR9 both advocate sustainable development, and the re-use of minerals that might be found on the site will be part of that requirement. The Hampshire Minerals and Waste Plan (HMWP) (October 2013) is part of the New Forest development plan. HMWP Policy 15 (Safeguarding Mineral Resources) sets out that Hampshire's mineral resources are safeguarded against needless sterilisation by non-minerals development, unless 'prior extraction' takes place.

i. Residential Amenity

Likewise given the separation distances, it is considered that the proposed housing (plots 1 to 14) would not give rise to over-shadowing to the occupiers of the existing housing to the west. Nor would the proposed housing (plots 1 to 14) give rise to overbearing impact given their two-storey design.

In terms of sunlight and daylight impact on the occupiers of the existing dwellings on the western boundary, whilst there may be some minor loss of early morning sun to their gardens and rear facing windows, it is not considered that the proximity of the new dwellings will be significantly detrimental to the lighting of habitable rooms which

is the key consideration. Given the distances and relationship of the new properties to the existing it is considered that on balance the loss of early morning sun would be clearly insufficient to justify a refusal of planning permission.

Additionally, some representations have requested public open space on the western boundary. However, the Local Plan Concept Masterplan for SS13 sets out that residential development is acceptable in principle up to the western boundary and as such there is no policy requirement for the site promoters to provide public open space here.

Amenity considerations for the residual area (north of plot 1) on the western boundary in Phase 2 will be addressed in a subsequent Phase 2 Reserved Matters application. Given the context of the site and the separation distances arising between the residual part of the Phase 1 housing and existing dwellings to the north, east and south it is considered that there are also no significant amenity issues arising by virtue of over-shadowing, overlooking or overbearing impact. However, as set out, a condition is proposed for plots 1 to 14 inclusive which removes permitted development rights which will enable the LPA to review any future proposals to extend these dwellings.

The proposed NEAP and LEAP play areas in the Phase 1 public open space is sited at least 15 metres away from the nearest housing in the proposal. This is considered appropriate given the need to balance amenity issues with the need for a degree of surveillance of the play areas. Additionally, the NEAP is located at least 25 metres from the rear gardens of the two existing dwellings on Crow Arch Lane which is considered an acceptable separation distance.

The separation distances within the proposed Phase 1 housing are acceptable and should not give rise to any significant amenity issues by virtue of overbearing impact, overshadowing or overlooking.

Suitable conditions will be added with regard to construction hours of operation

As such, the proposal accords with Local Plan Policy ENV3 criterion (ii).

ii. Air Quality

The applicants have provided a Air Quality Assessment (Environmental Statement, Hydrock and Campbell Reith, Appendix 6.1, December 2021).

NFDC Environmental Health have set out that they accept the findings of the Air Quality Assessment and supplementary data and welcome the proposed mitigation measures outlined in the original report (Paragraph 6.156) as well as a Construction Environmental Management Plan (CEMP) to be secured through a suitable condition in order to ensure dust is controlled during the construction phase.

As such, subject to suitable conditions, with regard to air quality the proposal accords with Policy CCC1 criterion (i).

iii. Noise

The applicants have provided a Noise Survey and Assessment (Environmental Statement, Hydrock and Campbell Reith, Appendices 10.1 to 10.3, December 2021).

NFDC Environmental Health has provided comment on both the Full stage (Phase 1) and the Outline stage (Phase 2) on the material consideration of noise.

Phase 1: *This section of the site is close to Moortown lane and to the sports pitches. The Noise Impact Assessment provided suitably characterises the site in line with a stage one assessment. This gives an indication that some properties will need trickle filtration, particularly in this segment of the development, although at this stage the properties requiring trickle ventilation have not been identified. As such, a full stage 2 Acoustic Design Statement (ADS) condition is required.*

Phase 2: *Although these areas of the scheme are all residential and generally in the areas of the site with a quieter background level, further consideration of noise levels affecting the proposed residential properties is required, particularly as there are parts of the site that will require further mitigation and due to the application being for outline permission, the scheme is clearly open to change. Consequently, it is recommended a condition is attached to any granted permission requiring a Stage 2 Acoustic Design Statement to be undertaken at the detailed design stage to inform upon the final layout and design.*

Both proposed conditions are agreed and as such, subject to these conditions, the proposal accords with Local Plan Policy ENV3 criterion (ii) with regard to noise.

iv. Odour and Flies

The foul water service provider Wessex Water confirmed via email in July 2022 that the application site had been reviewed by their odour scientist who has advised as follows:

- Odour Risk - There is a previous odour model from a developer for a much closer proposal, which would indicate this proposal is not at odour risk.
- Fly Nuisance - The proposed development is over 250 metres away from the boundary of the treatment works with closer existing residential property, so even though the treatment works site is high risk for flies, it should not cause the proposed development an issue.

Wessex Water concluded that in view of the above that they confirm that an odour and fly assessment will not be necessary for the application.

v. Lighting

NFDC Environmental Health has set out the following comment on the issue of lighting:

No lighting assessment has been submitted as part of this application. However, any lighting proposed as part of the proposal should be in such a way as to minimise light spillage beyond the area it is required, and particular avoid the façade of residential premises. Condition related to the maximum values of vertical illuminance is recommended.

Natural England has provided the following advice on a sensitive lighting strategy:

*A sensitive lighting scheme should be designed and implemented to maintain and retain dark corridors used as an important commuting corridor for bats as well as other protected and notable species. The Bat and Conservation Trust have produced a guidance document *Bats and Artificial Lighting in the UK*. Building regulations for domestic buildings specify that 150 watts is the maximum for exterior lighting of buildings but this does not apply to private individuals who install their own lighting.*

As such, it is recommended that a planning condition could secure a suitable lighting strategy for the application site which takes account of the comments from both NFDC Environmental Health and Natural England.

Therefore, subject to a suitable condition, the proposal accords with Local Plan Policies ENV3 criterion (ii) and DM2 and NPPF paragraph 191 criterion (c) with regard to lighting, amenity and protected species.

vi. Contaminated Land

A Preliminary Geo-Environmental Risk Assessment (Delta-Simons, April 2021) has been submitted with the application.

NFDC Environmental Health have no objection in principle to the proposed development as submitted. However, planning permission should only be granted to the proposed development as submitted if standard planning conditions 14a-14e are imposed. Without these conditions, the proposed development on this site could pose risks to human health and/or the environment and would result in an objection to the application.

As such, subject to a standard conditions 14a-e, the proposal accords with Policy CCC1 criterion (iv)(c).

vii. Minerals Safeguarding

A Mineral Resource Assessment (Wardell Armstrong, October 2013) has been submitted. Published geological maps for the area indicate that the entire site is covered by a river terrace sand and gravel deposit, which is a safeguarded mineral resource and hence subject to Hampshire Minerals and Waste Plan (HMWP) Policy 15.

HCC Minerals and Waste requested that the applicant liaise with mineral extractors to see if third-party extraction was economic. This was undertaken and therefore In the absence of any known interest HCC suggest a condition requiring a scheme to be drawn up to show how any minerals found can be re-used on-site.

As such, subject to suitable conditions, the proposal accords with Local Plan Policies STR1 and STR9 and HMWP Policy 15.

viii. Sustainable Construction and Design

The report to NFDC Cabinet on 3 April 2024 Item 6 (Supplementary Planning Document: Planning for Climate Change pages 49-180) sought approval to adopt the supplementary planning document (SPD) Planning for Climate Change. The SPD was adopted by the Council and will be used in the determination of planning applications for the construction of new homes, commercial and community buildings.

The adopted NFDC Planning for Climate Change SPD does not strictly apply to applications already in the system prior to the April 2024 Cabinet meeting they have nevertheless offered the following information. The principal objective of the Climate Change SPD is to encourage developers to take reasonable steps to minimise expected carbon emissions when designing and constructing new buildings. The following proposals are made in respect of this development which can be further detailed at reserved matters and discharge of condition stage.

Additionally, the Department for Levelling Up, Housing and Communities website confirms that energy efficiency requirements for new homes and non-domestic buildings are set by Part L (Conservation of Fuel and Power) and Part 6 of the Building Regulations 2010 (“the Building Regulations”). The Future Homes and Buildings consultation undertaken between 13/11/2023 and 27/3/2024 sets out the Government’s plans for achieving the Future Homes Standard and Future Buildings Standard.

For reference, the NFDC major application validation requirements includes a Renewable and Low Carbon Statement.

The Design and Access Statement (DAS) (May 2024) sets out that Sustainable Building Techniques will be utilised. The DAS states (p. 114) that the proposal will be delivered in line with current building regulations, and where appropriate, will be built with sustainable building construction techniques and measures which include improved energy efficiency and recycling of materials.

The applicant has also submitted an Energy and Sustainability Statement (EaSS) (AES Sustainability Consulting, December 2021). Paragraphs 8.3 and 8.8 of the EaSS set out that:

- *The statement is intended to demonstrate that, following a fabric first approach to demand reduction, the proposed development will deliver a level of energy performance beyond the current Building Regulation standards whilst addressing a range of additional sustainable design considerations including how various sustainable transport provisions have been designed into the site.*
- *It is likely that some of the 323 dwellings on future phases (note: now 293 homes) will be constructed to the interim Part L 2021 standards, or to the Future Homes standards. These dwellings will be constructed to meet the energy efficiency requirements outlined by the Building Regulations at the time of construction. To achieve this, an enhanced fabric specification would be utilised in conjunction with renewable energy technologies such as photovoltaic panels.*

The Ringwood Town Council post Examination Neighbourhood Development Plan Policy R11: Zero Carbon Buildings sets out:

- A. All developments should be ‘zero carbon ready’ by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping.*
- B. Wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m² /year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character of the area.*
- C. All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted prior to occupation.*

- D. *All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.*
- E. *An Energy Statement will be submitted to demonstrate compliance with the policy (except for householder applications). Applicants are directed to the Cotswold Net Zero Toolkit for guidance on matters to be addressed at pre-planning and initial design stage. The statement will demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.*

Policy R11 appears to go beyond the advice set out in the recently adopted NFDC Climate Change SPD and certainly the relevant current adopted Local Plan policies. For example, the NFDC Cabinet report on 3 April 2024 set out that:

The Council is unlikely to be in a position to be able to refuse development if embodied carbon calculations (such as the Whole-Life Cycle Carbon Emission Assessment in Policy R11 criterion 3) are not included in the climate change statement, however, provision of this information will help assessment of the proposed development against adopted local plan policies STR1 & ENV3.

Additionally, any proposals with a certification to a Passivhaus or equivalent standard – which is not proposed in this application - will likely need to be accounted for in supporting viability evidence. This may impact on the viability of affordable housing and other Local Plan policy objectives.

Overall, whilst noting and having regard to Policy R11 of the Ringwood Town Council post Examination Neighbourhood Development Plan, it is considered that the development has had adequate regard to the new SPD and that there are potential opportunities to incorporate various sustainable construction and design features into the development in line with the submitted DAS and Energy and Sustainability Statement.

ix. Community Engagement

The Design and Access Statement (DAS) (p.54-55) set out how the applicants undertook community consultation. This satisfies the NFDC application validation requirement for a Community Involvement Statement.

x. Local Economy and Employment Land

The scheme could have notable local economic benefits during construction, involving new employment in the construction industry. Construction workers could then bring additional spending into local services and as would future occupiers of the scheme in due course.

The proposal does not deliver new employment floorspace in the two hectares allocated in the north-west corner of the Local Plan Allocation Site but crucially it does not preclude its future delivery by a different landowner and should provide (as set out) a suitable new vehicular access on its southern boundary.

xi. HCC Public Health

A representation was received from HCC Public Health on 22/6/2023. The following observations are made:

- The Lifetime Homes standard was superseded in 2015 by M4(2) Part M of Building Regulations, which is broadly equivalent to the Lifetime Homes standard.
- There is a suitable distribution of affordable housing across Phase 1. The submitted Phase 1 Housing Tenure Plan has been informed by advice from the NFDC Housing Manager. The proposed parking solution for affordable housing is broadly in line with the NFDC Parking SPD.
- The comments on highways and access are noted but the proposal has, subject to suitable conditions and a s106 planning obligation, the agreement of HCC Highways.
- The distances to local facilities were a material consideration in the allocation of SS13 during the Local Plan examination and have not demonstrably changed in the interregnum.
- The NEAP and LEAP both have sufficient surveillance from the public realm and some nearby dwellings.
- NFDC Environmental Health have been consulted with regard to noise and other amenity issues and this is set out in the Planning Committee report.

xii. Agricultural Land

NPPF paragraph 181 sets out that LPA should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework. NPPF footnote 62 sets out that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

Agricultural land quality was addressed in the LPA's EIA Screening Response (07/04/21):

The specific agricultural land classification of the site was assessed at the local plan allocation stage as part of the sustainability assessment, in which it was considered as being of low quality. When compared to the available BMV land at district and county level, this loss will represent a very small percentage and would not be considered to be significant.

xiii. Summary

As such, subject to suitable conditions, the proposal addresses the material considerations of air quality, noise, lighting, contaminated land, mineral safeguarding, agricultural land quality and therefore satisfies Local Plan policies CCC1, ENV3 criterion (ii), STR1, STR9 and HMWP Policy 15. The Planning Committee report has addressed the comments made by HCC Public Health.

The proposal broadly accords with the recently adopted NFDC Climate Change SPD in terms of sustainable construction and design. However, the proposal does not meet all of the further requirements of the post Examination Neighbourhood Development Plan Policy R11: Zero Carbon Buildings including potential Passivhaus (or equivalent) standards and a Whole Life-Cycle Carbon Emission Assessment.

10.10 Response to Ringwood Town Council and Local Objections

Having considered all matters in detail the following is a response to comments received from the Town Council and the local community. This includes an assessment of every letter of objection from residents. This report takes all those matters raised into account fully.

As set out, the proposal has received a significant number of objections in respect of the principle of development, which the allocation of the site in the Local Plan makes non-material. Other objections submitted are not supported by the technical advice of statutory consultees such as the Local Highway Authority, National Highways, Sport England, Natural England, the Environment Agency, and the Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

Principle of Development and Housing

The application site is part of a strategic site allocated in the Local Plan for housing, public open space and employment floorspace. The proposed new housing and public open space on the land north of Moortown Lane lie within the Ringwood settlement boundary as defined in the Local Plan and as such is in the urban area as defined in the Local Plan. The proposed housing is located outside of the South-West Hampshire Green Belt following the Local Plan public examination process. The proposal is EIA development and an Environmental Statement is provided. The NPPF tilted balance also applies given the Council's housing land supply is just over 3 years when the rolling target is a supply of 5 years.

Recent Government Ministerial Statements do not undermine or in any way change the allocated status of the site and do not change the legislative requirement that development is approved in accordance with the Development Plan unless other material considerations indicate otherwise.

The DAS (p. 16) acknowledges that the application site land comprised predominantly arable farmland utilised hitherto for mixed grazing and crops. The loss of this agricultural land was established through the Local Plan examination and the allocation for mixed-use development of Strategic Site 13 and as such is not a material consideration in the determination of this planning application.

The cumulative impact of the three Ringwood Strategic Sites was assessed through the Local Plan examination and there is no requirement in the Local Plan to stagger the delivery of allocation sites. The exclusion or inclusion of Ringwood within the National Park boundary was subject to prior public examination and is not a material consideration in the determination of this planning application. There is no requirement for this planning application to be subject to a local referendum. The positive potential for regeneration in Ringwood town centre and on previously developed land is noted but would be in addition to development on this Local Plan allocation site rather than instead of it. Increased Council Tax revenue is not a material consideration in the determination of this planning application.

There are significant public benefits arising from the delivery of 443 new dwellings in Ringwood of which 133 will be affordable housing with a policy compliant split of tenures including social rent, affordable rent and shared ownership with a suitable mix of typologies. There are also likely to be some economic benefits that flow from that including short term construction employment and longer term additional local spending on local services and in Ringwood town centre.

Local Plan Policy SS13 sets out that the site should deliver at least 480 new homes. This proposal would provide 443 and as such there is clear scope to provide in the plan period at the least the residual amount (37 homes) and likely a modest amount more in the residual areas identified for housing in the Local Plan Strategic Site 13 Concept Masterplan that are available and not within the functional floodplain.

The comments received on lack of bungalows in the scheme and the need for new housing for younger people are both noted. NFDC Officers will re-visit the matter of bungalows with the applicants in any future Phase 2 Reserved Matters application. It is considered that the package of affordable housing and the two-bed market housing provides an opportunity for younger people to potentially live in Ringwood.

Infrastructure

The Council can only impose a Section 106 Agreement and seek financial and other contribution requirements on those matters that meet the Community infrastructure Levy tests and the tests set out under Section 106 of the Planning Act. In this case those matters that can be covered relate to affordable housing, highway improvements, sustainable transport improvements, education enhancements, District and County Council monitoring of the development, maintenance of public open spaces, play and ANRG areas, formal playing pitch contribution, air quality, and habitat mitigation. The provision of new infrastructure will be staggered as payments are received and investment projects are planned. It is generally not feasible for all additional infrastructure to be put in place before the housing is built. Obligations must meet the necessary tests as set out in the NPPF and CIL Regulation 122. Consequentially the delivery of works secured by planning obligation are often phased relative to the scheme delivery to ensure that the mitigation is in place at the right time.

Contributions towards doctors and NHS dentists are not allowed for within the above and are subject to other market and Government budgetary regimes. The absence of these contributions does not, therefore, make the development unacceptable in planning terms. There may however be scope to bid for funds through the Community Infrastructure Levy (CIL) if a suitable bid were to come forward through that separate regulatory process. In total the developer will be expected to contribute circa £4.4 million towards local infrastructure and monitoring through a s106 planning obligation. This figure is not counting the Community Infrastructure Levy (CIL) of approximately £1.1m arising from Phase 1 and a likely significantly higher further amount from Phase 2. Additionally, some infrastructure providers (for example veterinary surgeons) are within the market sector and hence not subject to public sector contributions.

The Local Education Authority (Hampshire County Council) has identified the need for developer contributions towards primary school provision in Ringwood, which will be secured through a s106 planning obligation, but not towards secondary school provision.

There is no information in front of the LPA that suggests that the supermarkets, and the respective car parking facilities, in Ringwood could not accommodate the additional trade that may arise from occupiers in the proposed development.

Highways, Access and Parking

There are no objections from the Local Highway Authority, Active Travel England and National Highways, subject to suitable conditions and a s106 planning obligation, with regard to site access, on-site highways, off-site highway improvement works, site access, traffic impact and sustainable transport. The

proposal contains new sustainable cycle and walking routes that suitably connect into the local area. The proposed vehicular parking is broadly in line with the NFDC Parking SPD requirements and cycle storage and electric vehicle charging will be provided to all dwellings.

There is no evidence in front of the Council that local car parks are at capacity. The issue of potholes on local roads are noted but remediation is a matter outside the determination of this planning application and for the Local Highway Authority (Hampshire County Council). No necessary upgrade between Moorcroft Lane and Burley Street was identified by the Local Highway Authority.

Flood Risk and Drainage

There are no objections from the Lead Local Flood Authority (LLFA) (Hampshire County Council), the Environment Agency (EA) and the foul drainage service provider Wessex Water. All of the proposed housing is located within EA fluvial flood zone 1 which is the sequentially preferred location for new residential development as set out in the NPPF. The proposal includes sustainable drainage systems which subject to suitable conditions have been agreed by the LLFA. Wessex Water has no outstanding objection subject to a suitable condition. It is understood that Ringwood sewage treatment works has had recent investment and is scheduled for upgrade works between 2024 and 2030.

Ecology

There are no objections from Natural England and the NFDC Ecologist and, subject suitable conditions and a s106 planning obligation, the proposal has suitably addressed Habitat Mitigation and European designated nature conservation sites, phosphate mitigation, biodiversity net gain and protected species.

The Council will adopt the shadow HRA and AA submitted in the application which concluded that the impact of additional phosphorous entering the River Avon will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm.

Public Open Space and Landscape

The Phase 1 landscaping is acceptable subject to suitable detailed landscape conditions for both hard and soft landscaping across the public open space and housing development that will include a detailed tree planting schedule. The ANRG provision across both Phase 1 and Phase 2 provides an attractive open space, suitable links and vehicular crossing, and is appropriately sized and thus would be effective in diverting potential visits away from the New Forest designated European sites. The proposed Phase 1 LEAP and NEAP play spaces are both of a high-quality design and could be a benefit to the wider local community. The proposed NEAP provides play spaces for older children and younger teenagers and has been designed in light of the 'Make Space for Girls' principles. Further provision of public open space will be provided within Phase 2 of the scheme.

Representations objected to the possible loss of the existing football pitches south of Moortown Lane within the application site. There is no development proposed in the application this location which would change this existing use, There is however a new footpath parallel to the pitches as part of the improved access across Moortown Lane.

The Local Plan Concept Masterplan for Strategic Site 13 sets out that residential development is appropriate up to and along the western boundary of the application

site and hence there is no policy requirement for additional public open space in this area.

Design

The representations from Ringwood Town Council on design including the completed 'Building for a Healthy Life Assessment' are fully noted and have been addressed in the Planning Committee report. However, for the reasons set out, it is concluded that the proposal is of sufficient design quality and as such does not fail the design test in NPPF paragraph 139.

Heritage Assets

There are no objections, subject to suitable conditions, from the NFDC Archaeologist, NFDC Conservation Officer and Historic England.

Residential Amenity

The Council has carefully considered the impact on local residential amenities both in relation to those adjoining the site and to the wider public. The impacts of construction traffic and works are to be managed through suitable conditions. The proposal will not give rise to any significant impacts on the amenity of occupiers of existing nearby dwellings through loss of privacy, overbearing impact and overshadowing. There are sufficient separation distances on the western boundary accounting for difference in land levels and the permitted development rights for plots 1 to 14 are removed through a suitable condition.

Other Matters

Other matters that are not a material consideration in the determination of the planning application are property values, loss of view and crime or the perception of increased crime.

A new cinema in Ringwood is not a material consideration for this planning application but Local Plan Policy ECON5 supports investment in town centres by applying a 'town centres first' approach for main town centre uses (as defined in the NPPF) which includes cinemas.

10.11 Planning Balance and Conclusions

Planning Committee Members will be aware that Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'

This site is allocated for mixed-use development within the adopted New Forest Local Plan (Strategic Site 13) and is planned to make an important contribution to the district's housing supply. As set out, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay. The lack of a demonstrable five-year land supply, consistent with the recent Noads Way, Dibden

Purview appeal decision means, however, means that the titled balance in NPPF paragraph 11(d) is engaged for this application.

The proposal for 443 new homes will clearly make an important contribution to the District's housing land supply in line with Policy STR5 (Meeting our housing needs). The proposal would provide 92% of the minimum required in Local Plan Policy SS13 and as such will make a significant contribution to the established housing need in the District. The development will deliver 133 affordable dwellings with a policy compliant tenure split mix including 47 social-rented units, 46 affordable-rented units and 40 shared-ownership units in a suitable mix of housing typologies and sizes. The inclusion of the proposed affordable housing weighs significantly in favour of an approval of permission. Development viability has been assessed and balanced against other material considerations.

As such, given the proposed housing, the balance is clearly in favour of permission and will meet the priority of meeting housing needs set out in the recently adopted NFDC Corporate Plan 2024 to 2028.

No substantive alternative evidence has been submitted in representations to set aside the views of statutory consultees.

The proposal will be acceptable in terms of highways, access, vehicular parking, electric vehicle charging, public rights of way and pedestrian and cycle routes subject to a s106 planning and suitable conditions. Off-site highway and access improvements north of the application site will connect new residents to the Castleman Trail and hence local schools and the town centre. The proposal includes a comprehensive package of suitable off-site highway and access improvements including those delivered by the Local Highway Authority and funded via the £1,040,588 s106 contribution agreed between them and the applicants. The proposed highway and access elements within the application site are appropriate subject to detailed design in a s278 agreement. The proposal mitigates any impacts on existing Public Rights of Way both within the application site and off-site. The proposal provides a suitable level of residential parking and cycle storage). The proposed refuse storage and collection strategy is acceptable.

The proposal does not provide through access to Christchurch Road via the employment land nor Crow Lane as neither land parcel is under the applicant's control. However, suitable vehicular accesses are provided up to the respective boundaries with these residual land parcels and as such the proposal has addressed the relevant policy criteria as far as it reasonably could.

The proposal will be acceptable in terms of fluvial flood risk, surface water drainage and foul drainage, subject to suitable conditions. The proposal has demonstrated that there will be no inappropriate development within fluvial flood zone 3b in line with national planning guidance. The Lead Local Flood Authority agreed the proposed surface water strategy subject to conditions in April 2024. The foul water service provider confirmed in March 2024 that the proposal is acceptable subject to suitable conditions.

The proposal will, as set out in detail in the Planning Assessment, be acceptable in terms of habitat mitigation and European designated nature conservation sites, phosphates neutrality, biodiversity net gain and protected species. The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional phosphorous entering the River Avon will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm.

The proposal will also provide suitable public open space in the form of ANRG, informal open space and play areas. The proposal includes public open space on a north-south axis between Crow Arch Lane and Moortown Lane and thus will connect the town to the existing football club and allotments to the south through new non-vehicular routes and pedestrian crossings on Moortown Lane. The proposed NEAP and LEAP in Phase 1 are both high-quality play spaces. No development is proposed on the existing football pitch area south of Moortown Lane except a new non-vehicular access route parallel to the pitches. Detailed hard and soft landscaping in Phase 1 will be secured through suitable conditions. This will include a suitable tree planting strategy for the public open space and housing area.

The proposed design is not outstanding or innovative in line with NPPF paragraph 139 criterion (b). However, the design is of sufficient quality to meet the requirements of NPPF paragraphs 135 and 136 and Policy ENV3 and has taken adequate regard of local design guidance. The detailed objections from NFDC Environmental Design and Ringwood Town Council, including the completed Building for a Healthy Life assessment, are noted and have been addressed in the Planning Assessment and are considered in this balancing exercise.

As set out in detail in the Planning Assessment, the proposal, subject to suitable conditions, will not have a harmful impact on heritage assets, archaeological remains, trees, mineral extraction, air quality, noise and residential amenity.

The proposal will include a substantial package of contributions of approximately £4.4m towards local infrastructure and mitigation to be secured in a s106 planning obligation. Significant further infrastructure funding should also come forward through the Community Infrastructure Levy (CIL) in Phase 2 based on the agreed housing mix in addition to the circa £1.1m likely to be secured through Phase 1.

Overall given there are no technical objections to the proposal which coupled with the significant public benefits including the delivery of need market and affordable housing, the provision of substantial new public open space, and the sustainable development as set out in this report the proposal is considered to be generally in line with local and national policy and guidance.

As such, in accordance with paragraph 11(d) of the NPPF, on the balance of all material considerations, with significant weight placed on the substantial housing being brought forward, the proposal comprises sustainable development in line with Local Plan Policy STR1 (Achieving Sustainable Development). The identified harm does not equate to an identifiable level of adverse impact whereby that impact would significantly and demonstrably outweigh the identified benefits that the application will bring as set out in the above detailed report.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies SS13, STR1, STR5 criterion (i), STR8 criterion (i)(b), STR9, ENV1, ENV2, ENV3, ENV4, HOU1, HOU2, CCC1 criteria (i) and (ii), CCC2, IMPL1, IMPL2 (i)(ii)(v) and (vi), CS7, DM1, DM2 and DM5, and National Planning Policy Framework (December 2023) paragraphs 11, 96, 104, 114, 104, 114, 123, 128, 129, 135, 136, 165, 168, 173, 175 and 191(c).

11 RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to **GRANT PERMISSION** subject to:

- i) need to consider the potential for receipt of the Natural England re-consultation on the shadow HRA and AA.
- ii) the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Affordable housing provision
 - Public Open Space Management and Maintenance framework
 - Air quality monitoring contribution
 - County Council S106 agreement preparation charge
 - District Council monitoring charges
 - Formal Open Space contribution towards local football pitch
 - Contribution to local infrastructure in lieu of community focal point
 - Habitat mitigation non infrastructure contribution
 - Local Education Authority contribution towards primary school improvements in Ringwood
 - Local Highways Authority contribution towards highways and access improvements in Ringwood
 - Public Rights of Way improvement and maintenance contribution
 - Off-site contribution toward access improvements on Ring 3 land
- iii) such agreement to be completed by end of December 2024.
- iv) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

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. **Reserved matters time limit**

The application for the approval of reserved matters shall be made within a period of three years from the date of this permission. The development shall be begun no later than two years from the final approval of details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Reserved matters details**

No development shall take place on any outline part of the site including site clearance and demolition works until the scale and appearance of the development which shall include detailed elevation and floor plans, and the hard and soft landscaping of the site (herein referred to as the reserved

matters, as well as any outstanding conditions set out in this decision notice), insofar as they relate to the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

4. **Approved Plans (Outline and Full)**

The development in Phase 1 and Phase 2 shall be carried out in accordance with the following approved plans:

Full (Phase 1) and Outline (Phase 2)

- Site Location Plan, Pegasus, 18/1/2024, P21-1078-DE-003-0100 Rev. A
- Building Scale Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0110 Rev. A
- Land Use Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0107 Rev. A
- Movement and Access Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0108 Rev. A
- Building Density Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0109 Rev. A
- Building Scale Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0110 Rev. A
- Landscape Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0112 Rev. B
- Landscape Masterplan and Alternative Natural Greenspace Strategy, edp 5444_d054q, 16 May 2024
- Open Space Strategy, edp 5444_d093l, 16 May 2024
- Alternative Natural Recreational Greenspace (ANRG) Strategy, edp 5444_d114a, 22 January 2024

The development in Phase 1 ONLY shall be carried out in accordance with the following approved plans:

Phase 1 (Full application ONLY):

- Phase 1 Masterplan, Pegasus, 27/3/2024, P21-1078-DE-003-0101 Rev. C
- Phase 1: Detailed NEAP Play Design, edp 5444_d067j, 16 May 2024
- Phase 1: Detailed LEAP Play Design, edp 5444_d099c, 16 May 2024
- ANRG Crossing, edp 5444_d117a, 15 March 2024
- Refuse Plan, Pegasus, 10/4/2024, P21-1078-DE-003-0102 Rev. B
- Boundary Treatment Plan, Pegasus, 10/4/2024, P21-1078-DE-003_0103 Rev. B
- Phase 1 Building Heights Plan, Pegasus, P21-1078-DE-003-0104 Rev. B
- Phase 1 Parking Plan, Pegasus, P21-1078-DE-003-0105 Rev. B

- Phase 1 Materials Plan, Pegasus, P21-1078-DE-003-0106 Rev. B
- Phase 1 Housing Tenure Plan, Pegasus, P21-1078-DE-003-0107 Rev. C
- Phase 1 EV Charging Plan, Pegasus, P21-1078-DE-003-0117 Rev. A

Phase 1 (Full application ONLY) – Housetype Pack received 15 April 2024

- Garages and Car Barns, Pegasus, 17/10/2022, Ref: P21-1078-DE-0200 to 0213 inclusive
- House plans and elevations, Pegasus, 17/10/2022 with the following reference numbers:
 - P21-1078-DE-0300
 - P21-1078-DE-0301_1
 - P21-1078-DE-0302_1 B
 - P21-1078-DE-0302_2 B
 - P21-1078-DE-0302_3
 - P21-1078-DE-0302_4
 - P21-1078-DE-0303_1
 - P21-1078-DE-0303_2 B
 - P21-1078-DE-0304_1
 - P21-1078-DE-0304_2 A
 - P21-1078-DE-0305
 - P21-1078-DE-0306_1 A
 - P21-1078-DE-0306_2
 - P21-1078-DE-0306_3
 - P21-1078-DE-0307_1 A
 - P21-1078-DE-0307_2 B
 - P21-1078-DE-0308_1
 - P21-1078-DE-0308_2
 - P21-1078-DE-0308_3
 - P21-1078-DE-0308_4
 - P21-1078-DE-0308_5 A
 - P21-1078-DE-0308_6
 - P21-1078-DE-0308_7
 - P21-1078-DE-0309_1 C
 - P21-1078-DE-0309_2 A
 - P21-1078-DE-0309_3 B
 - P21-1078-DE-0309_4 C
 - P21-1078-DE-0310_1 A
 - P21-1078-DE-0310_2 A
 - P21-1078-DE-0311_1 B
 - P21-1078-DE-0312_1 A
 - P21-1078-DE-0312_2 A
 - P21-1078-DE-0312_3 A
 - P21-1078-DE-0313_1
 - P21-1078-DE-0313_2
 - P21-1078-DE-0314_1 A
 - P21-1078-DE-0314_2 B
 - P21-1078-DE-0314_3 A
 - P21-1078-DE-0314_4
 - P21-1078-DE-0314_5 B
 - P21-1078-DE-0315_1 A
 - P21-1078-DE-0315_2 A
 - P21-1078-DE-0316_1 A

- P21-1078-DE-0316_2 A
- P21-1078-DE-0400_1
- P21-1078-DE-0401_1
- P21-1078-DE-0402_2
- P21-1078-DE-0402_1
- P21-1078-DE-0403_1
- P21-1078-DE-0403_2
- P21-1078-DE-0403_3
- P21-1078-DE-0403_4 A
- P21-1078-DE-0404_1 A
- P21-1078-DE-0404_2 A
- P21-1078-DE-0405_1 A
- P21-1078-DE-0406_1 A
- P21-1078-DE-0406_2 B
- P21-1078-DE-0406_3 A
- P21-1078-DE-0406_4 A
- P21-1078-DE-0407 A
- P21-1078-DE-0408_1 B
- P21-1078-DE-0408 2
- P21-1078-DE-0408 3
- P21-1078-DE-0409_1 A
- P21-1078-DE-0409_2 B
- P21-1078-DE-0409_3 A
- P21-1078-DE-0410_1
- P21-1078-DE-0410_2
- P21-1078-DE-0411_1
- P21-1078-DE-0411_2
- P21-1078-DE-0411_3 A
- P21-1078-DE-0411_4 A
- P21-1078-DE-0412_1
- P21-1078-DE-0412_2 A
- P21-1078-DE-0413_1
- P21-1078-DE-0413_2
- P21-1078-DE-0413_3
- P21-1078-DE-0413_4
- P21-1078-DE-0414_1
- P21-1078-DE-0414_2
- P21-1078-DE-0415_1
- P21-1078-DE-0415_2

Reason: To ensure satisfactory provision of the development

5. Finished Floor Levels (Phase 1)

Finished floor levels in Phase 1 should be set a minimum of 300mm above ground levels, or 600mm above the adjacent 1 in 100-year flood level (including an appropriate allowance for climate change), whichever is greater.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. Maintenance of car parking spaces: Garages and Car Barns (Phase 1)

Notwithstanding the provisions of the Town and Country General Permitted Development Order 2015 as amended, (or any revocation, amendment or re-enactment of that Order), the garages and car barns hereby approved in

Phase 1 whether integral or as outbuildings/extensions to the dwelling or shall not be converted into additional living accommodation but shall be kept available for the parking of private motor vehicles. All car barns shall be retained in perpetuity as open structures and shall not be fitted with external doors other than those shown on the approved plans.

Reason: To ensure a reasonable and adequate level of parking is retained for the dwellings hereby permitted and to prevent ad hoc parking on pavements, cycle/footways and verges in the interests of highway safety for both pedestrians and vehicles.

7. Residential Cycle Storage (Phase 1)

The residential dwellings in Phase 1 Plots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 114, 115, 116, 117, 119, 120, 123, 124, 125, 126, 127, 128, 129, 137, 138, 139, 140, 142, 143, 149 and 150 as set out in the Phase 1 Masterplan (Pegasus, 27/3/2024, Ref: P21-1078-DE-003-0101-C) hereby permitted shall not be occupied until a wooden garden shed with the agreed specifications set out below is provided in the rear garden:

- i. Shed Size: minimum 1.8m (depth) x 1.2m (width) x 1.85m (height).
- ii. Shed Framing EX 38x50mm (finish size 34x45mm).
- iii. Shed cladding (Shiplap) EX 16x125mm (finish size 12x120mm)
- iv. All timber is Redwood Viths.
- v. All sheds dipped with Protek PR30 water-based treatment (Light Brown)
Green Mineral Felt roof.
- vi. Standard Fittings (12" 300mm galvanised T-Hinges (1no pair); 2" 50mm galvanised Turn Buttons (2no); Hinges are fitted with security screws); and
- vii. A suitable combination or key padlock.

Reason: To satisfy Local Plan Policy ENV3 criterion (iv)

8. Waste Collection - Flatted Blocks (Phase 1)

The development hereby approved shall incorporate a suitably designed dropped kerb on the road parallel to the northern elevation of the integral bin store to serve the flatted blocks (Plots 41-45 and 92-96), which shall be suitably sized to enable bins to be safely manoeuvred and returned to the flatted blocks and installed prior to first occupation of the residential units to which the bin store serves. Bin storage points shall also be provided as shown prior to occupation of that part of the site to which the bin storage point relates.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3.

9. **Site Levels (Phase 1)**

Prior to the commencement of any part of the development of Phase 1, details of all intended land and site levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG and all drainage basins and swales), and the existing and proposed site contours, shall be submitted to and agreed in writing by the Local Planning

Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

10. **Phasing of Development (Phase 1 - Full application area)**

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan for Phase 1 (Full application area), including all on and off-site works, plot construction programme, all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage works, shall be agreed in writing with the Local Planning Authority (LPA).

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted.

11. **Public Right of Way Access**

No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or positioned on or near (10 metres either side) to Ringwood Footpath 45 or Ringwood Bridleway 509 as to cause an obstruction, hinderance or hazard to the public, who retain the right to use the Public Rights Of Way network at all times.

Reason: In the interests of highway safety and the protection and amenity of users of the public right of way.

12. **Public Right of Way - Diversion**

Should the proposed pedestrian crossing point of Moortown Lane on the site's southeast boundary be approved the applicant shall apply to an order making authority to divert the legal line of Ringwood Footpath 45 from its present alignment to that demonstrated in the Movement and Access Parameter Plan, where the route is shown in a southwest-northeast alignment at its southern end adjacent to Moortown Lane.

Reason: In the interests of highway safety and the protection and amenity of users of the public right of way.

13. Phase 1 Internal Pedestrian and Cycle Links Pre-Occupation

The internal primary and secondary pedestrian and cycle links in the Phase 1 development as set out in the Movement and Access Parameter Plan (Pegasus, P21-1078- DE-004-0108 Rev. A) (19/1/2024) which connect to Crow Arch Lane (Crow Arch Lane to Castleman Trail Pedestrian and Cycle Route, I-Transport, 6/10/2020, Ref: ITB-12364-GA-008 Rev. H) should be provided prior to first occupation of Phase 1 and available for use in perpetuity.

Reason: In the interests of highway safety.

14. Internal Primary Route Delivery and Standards

The proposed internal primary routes which connect to (i) the Employment Land parcel in the north-west of the Allocation Site and (ii) the residual housing area in the north-east of the Allocation Site as set out in the Movement and Access Parameter Plan (Pegasus, P21-1078- DE-004-0108 Rev. A) (19/1/2024) will be provided to an adoptable standard to the boundaries of the application site to facilitate future vehicular, cycle and pedestrian access and provided prior to the 200th occupation in the application site.

Reason: In the interests of local accessibility and highway safety.

15. Construction Traffic Management Plan (CTMP)

No development hereby permitted shall commence, including site clearance or other demolition works until a Construction Traffic Management Plan (CTMP), to include details of provision to be made for the following, has been submitted to and approved in writing by the LPA following consultation with the Local Highways Authority and Highways England. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

- viii. on site contractor's parking, and mess facilities
- ix. construction traffic access,
- x. site exiting construction vehicle and road cleaning procedures,
- xi. the turning and parking of delivery vehicles within the confines of the site,
- xii. lorry and delivery vehicle routeing to and from the site
- xiii. delivery times for construction materials including soil and hardcore
- xiv. a programme of works including phasing

Reason: In the interests of highway safety and local general amenity.

16. Detailed Surface Water Drainage Strategy Scheme

No development shall begin until a detailed surface water drainage scheme for the site (Phase 1 Full), based on the principles within the drainage strategy Hydrock Strategy Addendum, 27 March 2024, Ref: 21887-HYD-xx-xx-TN-c-0002 Rev. P06, Sections 2 (Surface Water Drainage Strategy) and 3 (Management and Maintenance) that has been

submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- i. A technical summary highlighting any changes to the design from that within the drainage strategy.
- ii. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- iii. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- iv. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- v. Evidence that urban creep has been included within the calculations.
- vi. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- vii. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

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 any of the dwellings. The submitted details shall include:

- i. Maintenance schedules for each drainage feature type and ownership; and
- ii. Details of protection measures

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

17. No operational development within Flood Zones 2 and 3

There must be no operational development within Flood Zones 2 and 3, inclusive of ground level changes, roads, and drainage features. There shall be no raising of existing ground levels on the site. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change. Any walls or fencing constructed within flood zones 2 and 3 shall be designed to be permeable to flood water. Access arrangements must not be impacted by flood waters.

Reason: To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding.

18. Phase 1 Foul Water Drainage Strategy

No development shall take place until a detailed scheme to deal with foul sewage, including connections to existing off-site foul drainage systems have been submitted to and agreed in writing with the Local Planning

Authority. No occupation of any Phase 1 dwelling shall take place until the approved scheme is implemented.

Reason: To ensure that a foul drainage scheme is available prior to the first occupation of Phase 1.

19. **Phosphate mitigation and water efficiency**

The development hereby approved shall not be occupied unless

- 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;
- Proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
 - (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

20. **Phase 1 Landscape Ecological Management Plan (LEMP)**

The Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) sets out a framework for the protection, establishment, management, maintenance and monitoring of the landscape and ecology features in Phase 1 of the development as set out in the Ecological Features Plan (EDP, 19 January 2024,

Ref: edp5444_d097a). The Phase 1 LEMP is to be read and enacted upon in conjunction with the following drawings and reports:

- All approved detailed Landscape Design plans in Condition 28;
- Ecology Baseline;
- Environmental Statement (Campbell Reith) – Volume 1 Chapter 8: Ecology and Nature Conservation (December 20210)
 - i. Key features to be retained, enhanced and created should be fully addressed in line with Section 3 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - ii. During the construction phase of Phase 1 all habitat creation and landscaping planting should be undertaken in line with Section 4 of the LEMP (EDP, February 2024, Ref: edp5444_r033c) taking full account of the Construction Environmental Management Plan (CEMP).
 - iii. For Years 1 to 5 following commencement of Phase 1 development the site developer should fully enact the Management Objectives and Maintenance Operations set out in Table 5.1 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - iv. Monitoring and Timetable of Phase 1 Works should be fully undertaken in line with Section 7 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - v. For Years 6 to 15 following commencement of Phase 1 development the site developer should fully enact the Management and Maintenance tasks in line with Section 6 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

21. Phase 2 Landscape Ecological Management Plan (LEMP)

No development shall take place on Phase 2, or the 151st residential dwelling until the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) is reviewed after with any necessary changes to the protection, establishment, management, maintenance and monitoring documented within an updated LEMP which covers the residual landscape and ecological assets within the application site. The updated LEMP should be submitted and agreed in writing with the LPA prior to the commencement of works on Phase 2.

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

22. Phase 1 Biodiversity Net Gain

Prior to the first occupation of any Phase 1 housing unit (dwellings 1 to 150) the details of a BNG package of on-site, supplemented if necessary off-site of BNG, shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified 10% BNG arising from the Phase 1 element of the development and include:

- i. An updated calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric Calculation July 2021 (or a metric based on the latest guidance);
- ii. If offsetting is needed the details of the BNG project including its location;
- iii. A timetable for the provision of the BNG project;
- iv. Details of the management of the BNG project;
- v. Details of the future monitoring of the BNG project in perpetuity.
The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.
- vi. Written confirmation that the required number of offsetting BNG units had been secured.

The BNG monitoring report should be produced by a suitably qualified and experienced Ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images

Reason: To ensure Biodiversity Net Gain is secured as part of the development 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), NFDC interim Biodiversity Guidance and the Environment Act 2021.

23. Phase 2 Biodiversity Net Gain

Prior to the first occupation of any Phase 2 housing unit (dwellings 151 to 443) the details of a BNG package of on-site supplemented if necessary off-site of BNG shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified 10% BNG arising from the Phase 2 element of the development and include:

- i. An updated calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric Calculation July 2021 (or a metric based on the latest guidance);
- ii. If offsetting is needed the details of the BNG project including its location;
- iii. A timetable for the provision of the BNG project;
- iv. Details of the management of the BNG project;
- v. Details of the future monitoring of the BNG project in perpetuity.
The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.
- vi. Written confirmation that the required number of offsetting BNG units had been secured.

The BNG monitoring report should be produced by a suitably qualified and experienced Ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images

Reason: To ensure Biodiversity Net Gain is secured as part of the development 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), NFDC interim Biodiversity Guidance and the Environment Act 2021.

24. **Phase 1 Ecological Construction Method Statement (ECMS)**

No development shall take place on Phase 1 (Full application - dwellings 1 to 150), including any works of demolition and site clearance, until an Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved ECMS shall be implemented and adhered to throughout the entire Phase 1 construction period.

All Phase 1 works shall be carried out in accordance with the methodology and details set out in the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) and other relevant submitted ecological documents and include the following to be submitted for approval:

- i. Method for ensuring no wildlife is trapped during construction works
- ii. Protective fencing and other arrangements during construction
- iii. Delivery of toolbox talks to all operatives
- iv. Storage of topsoil and other materials including tree protection measures
- v. Detail measures to avoid and mitigate construction impacts on species and retained habitats
- vi. Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

25. **Phase 2 Ecological Construction Method Statement (ECMS)**

No development shall take place on Phase 2 (Outline - dwellings 151 to 443), including any works of demolition and site clearance, until an updated Phase 2 Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved ECMS shall be implemented and adhered to throughout the entire Phase 2 construction period.

All Phase 2 works shall be carried out in accordance with the methodology and details set out in a Phase 2 Landscape and Ecological Management Plan (LEMP) (as per Condition 23) and include the following to be submitted for approval:

- i. Method for ensuring no wildlife is trapped during construction works;
- ii. Protective fencing and other arrangements during construction;
- iii. Delivery of toolbox talks to all operatives;
- iv. Storage of topsoil and other materials including tree protection measures;
- v. Detail measures to avoid and mitigate construction impacts on species and retained habitats; and
- vi. Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

New supplementary ecological desk study and site surveys shall be undertaken as necessary to inform the preparation and implementation of Phase 2 ecological mitigation measures to be set out in the Phase 2 ECMS in line with the CIEEM April 2019 Advice Note on the lifespan of ecological reports. The supplementary surveys shall be of an appropriate type and survey methods shall follow national good practice guidelines.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

26. Phase 1 Wildlife enhancements

Prior to commencement of development a detailed scheme including site plans showing the exact location of each feature for the placement of the wildlife enhancements set out in Section 3 (Key Features to be Retained, Enhanced and Created) (Paragraphs 3.38 to 3.57) of the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c). This includes the installation of:

- i. 150 swift boxes (finish to match that of the building if integrated) in line with the guidance set out in Paragraph 3.40 of the LEMP;
- ii. 150 bat boxes in line with the guidance set out in Paragraph 3.44 of the LEMP;
- iii. Holes in garden boundary fences of a minimum of 120mm x 120mm between garden boundary fences to be achieved through the installation of hedgehog friendly gravel boards or by alteration of standard gravel boards;
- iv. Four hibernacula will be created: two within the site and two within the ANRG Land. The design of the hibernacula will broadly follow that provided in the Design Manual for Roads and Bridges and the Reptile Habitat Management Handbook (as footnoted in Paragraph 3.50 of the LEMP).
- v. Four invertebrate towers within the Phase 1 site.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

27. Bats and Lighting

No development shall take place until a Phase 1 site wide sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/23 ‘Bats and artificial lighting at night’ for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;

- b) Identify and take account dedicated bat roost features provided by the development; and
- c) Show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the LPA.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

28. **Badgers**

Prior to the commencement of any construction work on the application site (Phase a and Phase 2), an updated Badger Survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

29. **Phase 1 Hard and Soft Landscaping Detailed Design**

Before development commences a scheme of detailed hard and soft landscaping plans for Phase 1 shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed Phase 1 public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG) and play areas.
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location for the proposed Phase 1 public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG) and play areas.

- iv. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the public realm in the proposed Phase 1 housing area and a plan showing how adequate rooting volumes for each tree proposed within the housing area will be achieved and indicating the location and extent of any structural tree soil, crate systems and root barriers.
- v. A schedule and specification for all new soft planting (species, size, spacing, location) for the public realm in the proposed Phase 1 housing area.
- vi. A schedule and specification of all hard landscaping and means of enclosure, including those proposed to prevent anti-social vehicular parking, in Phase 1 for all public open space and public realm.
- vii. A schedule and specification of all hard and soft landscaping in the rear gardens of all dwellings in Phase 1.
- viii. A specification of the proposed bollard located in the centre of the emergency access in the south-west corner of Phase 1.
- ix. A specification for the protection of all new soft landscape planting in Phase 1 (e.g., temporary fences, rabbit guards, mulching).
- x. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests and a separate reptile hibernacula information board relating to the northern part of the Phase 1 ANRG.
- xi. A schedule and specification of all Phase 1 benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- xii. All public bins within Phase 1 shall be wooden combined litter/dog waste such as Wybone or similar as agreed with the Local Planning Authority and attached to a suitable concrete base.

All Phase 1 soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted.

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 provides a suitable soft and hard landscaping strategy and arboricultural strategy and to comply with Local Plan Policies ENV3 and ENV4.

30. Phase 1 LEAP and NEAP play areas

The Phase 1 LEAP and NEAP play areas shall be implemented strictly in accordance with the approved plans (Phase 1: Detailed NEAP Play Design, edp 5444_d067j, 16 May 2024 and Phase 1: Detailed LEAP Play Design, edp 5444_d099c, 16 May 2024).

The LEAP shall be completed, subject to suitable safety certification by suitably qualified third-party inspector and made available for use prior to the 1st Phase 1 residential dwelling being occupied.

The NEAP shall be completed, subject to suitable safety certification by suitably qualified third-party inspector and made available for use prior to the 25th Phase 1 residential dwelling being occupied.

All play equipment and street furniture, and other facilities in connection with the use of the LEAP and NEAP play areas shall be kept available for the public use in perpetuity and managed in accordance with the details agreed in the allied s106 planning obligation.

Reason: To ensure that the Phase 1 development provides a suitable set of safe play spaces for the local community.

31. Materials and final drawings for dwellings - Phase 1

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted in Phase 1 (Full application) a full final elevation and floor plan for each dwelling type including all materials (manufacturer names, type and colour) to be used on all dwellings, garages and car barns i.e. facing bricks, wall renders, weatherboarding, tile hanging including finish and colours, joinery details, roofing materials, eaves boards, ridge tiles, solar and photovoltaic panels or other renewable energy measures including the finish colour of the EV charging box to be used on individual plots, together with the materials and colour of rainwater goods, soil and vent pipes, meter boxes including their intended finish, shall be submitted to and agreed in writing with the LPA. The development shall be completed in accordance with the details as may be agreed.

Reason: In the interests of the appearance and character of the development and to comply with New Forest Local Plan policy ENV3

32. Archaeology

No demolition and/or development shall take place within the application site boundary (Phases 1 and 2) as set out in the Site Location Plan, Pegasus, 18/1/2024, P21-1078-DE-003-0100 Rev. A until a programme of archaeological work has been secured, including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- i. The programme and methodology of site investigation and recording;
- ii. The programme for post investigation assessment;

- iii. Provision to be made for analysis of the site investigation and recording;
- iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v. Provision to be made for archive deposition of the analysis and records of the site investigation; and
- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

No demolition and/or development shall take place other than in accordance with the approved Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured and agreed in writing by the Local Planning Authority.

Further archaeological work may be required subject to the findings of the evaluation.

Reason: To ensure that archaeological remains and features are suitably protected and recorded in accordance with Local Plan Part Two 2014 Policy DM1.

33. **Heritage Assets**

Before highways works relating to the junction of Moortown Lane and Christchurch Road commences a scheme for the protection of the listed milestone shall be submitted to and approved in writing by the Local Planning Authority. Such protection 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 monument 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.

Reason: To ensure the protection of the listed milestone and avoidance of damage during the highways works phase in accordance with Policies ENV3 and DM1 of the Local Plan 2016-2036.

34. **Minerals safeguarding**

No development shall take place, excluding site clearance, enabling and demolition works, until a method statement covering the following matters has first been submitted to and approved in writing by the Local Planning Authority.

- i. A method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- ii. A method to record the quantity of recovered mineral (re-use on-site or off-site) and to report this data to the MPA upon completion of the development.

The development shall be carried out in accordance with the method statement so agreed.

Reason: To ensure that any minerals found on the site can be re-used in accordance with New Forest Local Plan Part One 2020 Policy STR9

35. Phase 1: Noise

A full stage 2 Acoustic Design Statement (ADS) including the four key elements in accordance with ProPG: Planning and Noise shall be submitted to ensure that internal and external noise levels for the residential accommodation in Phase 1 shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority prior to the first residential occupation on Phase 1 and the approved scheme shall be implemented, maintained and retained.

Reason: In the interests of the amenities of occupiers.

36. Phase 2: Noise

At reserved matters stage, a full stage 2 Acoustic Design Statement (ADS) including the four key elements in accordance with ProPG: Planning and Noise shall be submitted to ensure that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority prior to the first residential occupation on Phase 2 and the approved scheme shall be implemented, maintained and retained.

Reason: In the interests of the amenities of occupiers.

37. Construction Environmental Management Plan (CEMP)

No development shall take place, including any works of demolition, until a Construction Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;
- g) Storage of plant and materials used in constructing the

- development;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To ensure that construction works are not harmful to existing local residents who may be affected during the works and to comply with Local Plan policy CCC1

38. Removal of Permitted Development Rights Plots 1 to 14 (Phase 1)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any revocation, amendment or re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out on Plots 1, 2, 3, 4, 5, 6, 7, 8,9, 10, 11 and 12 of Phase 1 without express planning permission first having been granted.

Reason: In view of the Phase 1 layout of the development the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the amenities of the occupiers of the existing neighbouring properties to the west contrary to Local Plan Policy ENV3 criterion (ii).

39. Construction: Hours of Operation

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless in the case of any emergency works that may be required urgently.

Reason: To safeguard residential amenities.

40. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no.41 to 43 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning

Authority in writing until condition 44 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

41. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

42. Where contamination has been identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

43. Where a remediation scheme has been approved in accordance with condition 42, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

44. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 41, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition.42, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the

approval in writing of the Local Planning Authority in accordance with condition 43.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

45. High Speed Fibre Broadband

Prior to the occupation of each dwelling in the development hereby approved, the necessary infrastructure required to enable high speed fibre broadband connections shall be provided within the site up to property thresholds, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In accordance with Local Plan Policy IMPL2: Development Standards criterion (v).

46. Reptile Mitigation

The development, including mitigation, shall be carried out in full accordance with the approved Reptile Mitigation Strategy (edp, January 2024, (Ref: edp 5444_r031d) and the Reptile Displacement Area and Reptile Enhancement Area plan (edp, 19 January 2024, edp 5444_d094d).

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

47. Retained Trees

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

48. New Trees

After the planting of all new trees on site as illustrated within the Detailed

Landscape Design Plans and submitted tree planting schedule to be agreed under Condition 29 (Phase 1 Hard and Soft Landscaping Detailed Design), notice shall be given to the Local Planning Authority Tree Officer to inspect the trees. If it is found that the planting is not in accordance with the aforementioned documents, further works and/or replacement planting will be undertaken and agreed with Local Planning Authority Tree Officer until correct.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

49. Replacement Trees

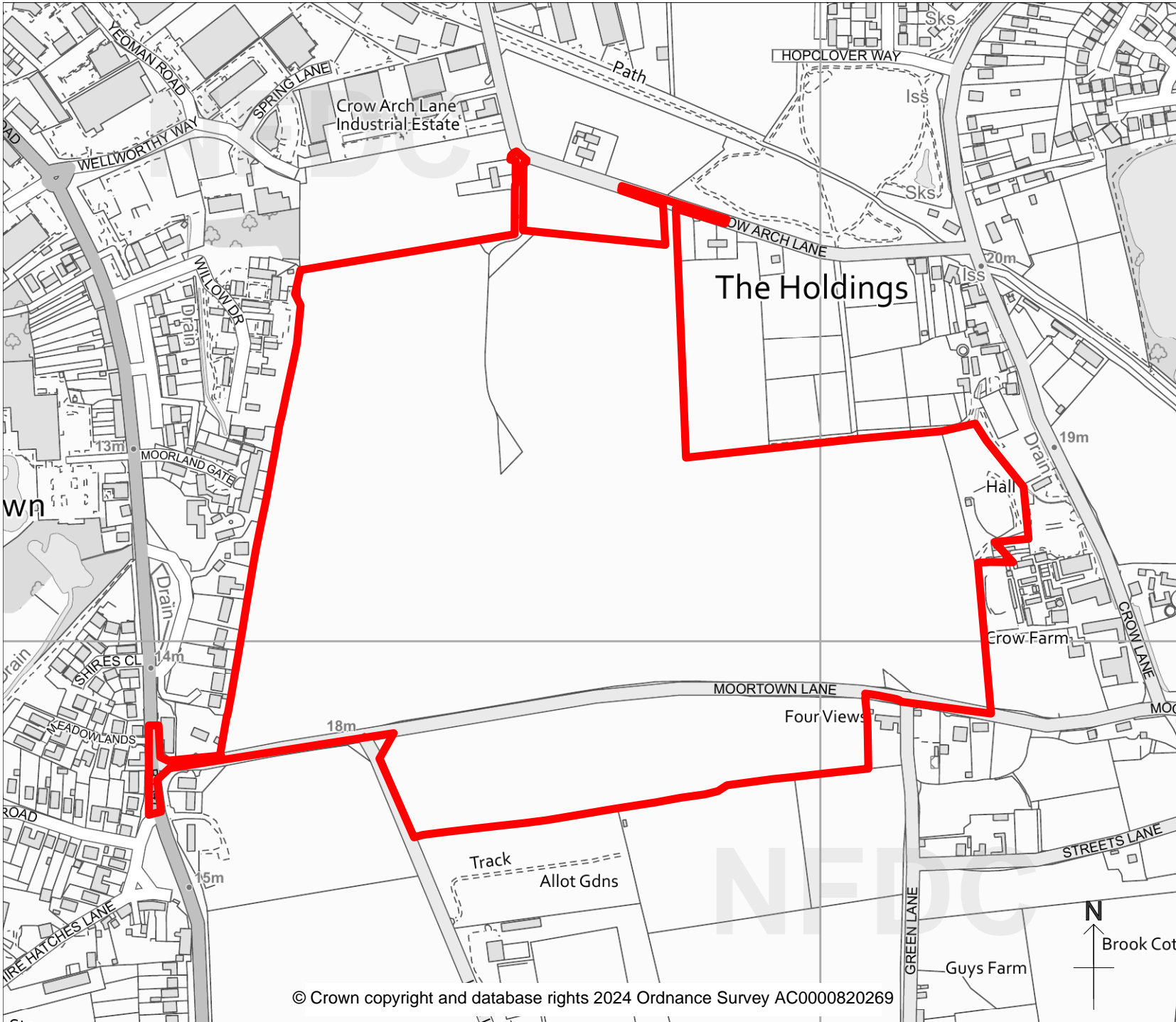
If within a period of 5 years from the date of planting the trees (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted in the same place or in accordance with a variation for which the Local Authority give their written consent.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

Further Information:

Robert Thain

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New Forest

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PLANNING COMMITTEE

July 2024

SS13
Land off Moortown Lane
Ringwood
21/11723

Scale 1:5000

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

127

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Planning Committee 10 July 2024

Application Number: 23/10707 Full Planning Permission

Site: OPEN SPACE ADJACENT TO CROW LANE (PROPOSED LEGAL AGREEMENT)

Development: The change of use of agricultural land to publicly accessible open space to facilitate Alternative Natural Recreational Green Space ('ANRG'), with associated landscaping, footways and access points

Applicant: Crest Nicholson South

Agent: Savills

Target Date: 10/11/2023

Case Officer: Robert Thain

Officer Recommendation: Service Manager Grant

Reason for Referral to Committee: Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Ecology
3. Landscape and Trees
4. Flood Risk and Drainage
5. Other Matters
6. Planning Balance and Conclusions.

2 SITE DESCRIPTION

The application site is situated to the south-east of Ringwood in open countryside located between Crow Lane to the west and the Castleman Trail and Hightown Lake to the west. To the north is a detached dwelling with a large outbuilding in a large plot. To the south is a dwelling, several outbuildings with paddocks. Beyond the site is Ringwood to the north and west and the New Forest National Park to south and east. The application site abuts the New Forest National Park Authority boundary to the south-east.

The application site is broadly trapezoidal in shape and generally flat. The site is currently open greenfield land comprising arable farmland and has a size of approximately 2.51 hectares. The perimeter boundaries of the are comprised of hedgerow of mixed native species which curtail some views into the site from the adjoining public highways. There are two trees with preservation order on the site boundary: one on the boundary with Crow Lane and one on the southern boundary. There are no existing buildings or structures within the application site.

There are no statutory designated sites for nature conservation on the Site. The closest statutory nature conservation sites are the Avon Valley RAMSAR, SPA and

Site of Special Scientific Interest (SSSI) located approximately 868.5 metres to the west (at its closest point to the Site) and the New Forest SAC, SPA and Ramsar site located 1.7 kilometres east (at its closest point to the Site).

3 PROPOSED DEVELOPMENT

The application seeks planning permission for the Change of Use of land to publicly accessible open space to facilitate both Alternative Natural Recreational Green Space ('ANRG') and informal open space, with associated landscaping, footways and access points. The proposal will provide two points of non-vehicular access from the Castleman Trail to the north and a looped 2m footpath around the interior of the open space. The size of the proposed public open space is 2.45ha of which 1.33ha is ANRG and 1.12ha is informal open space.

The proposed landscaping includes species-rich grass meadow, new tree planting, flowering lawn and new native shrub planting. A series of swales created along the development periphery will be primarily covered with a species-rich meadow mix sowed to the banks. Informal pockets of planting will be included along the banks of the swales with the aim of enhancing ecology. The base of the swales will include a gravel trench.

The proposal will include a dog agility area but does not include dedicated children's play areas and equipment. The proposal also includes some benches and picnic benches. In the south-east corner of the application site, the existing timber footbridge is proposed to be replaced with a new GRP footbridge with approximate dimensions of 1.5m width, 3m span and two-rail parapets.

4 PLANNING HISTORY

No known planning applications within the application site.

The application reference 21/11723 Land at Moortown Lane, Ringwood (Local Plan Strategic Site 13) is linked to this proposal. That proposal is for the residential-led mixed-use development of part of the Local Plan Allocation Site 13: Land at Moortown Lane, Ringwood. The proposal is submitted as a hybrid planning application with planning permission sought for the following:

- Outline planning permission for the erection of 293 dwellings (C3) with all matters reserved except access; and
- Full planning permission for the erection of 150 dwellings with associated parking, ANRG, open space, landscaping and sustainable drainage systems (SuDS), alongside the creation of a vehicular junction with Moortown Lane, primary and secondary road infrastructure, creation of public footway and offsite highways improvements.

5 PLANNING POLICY AND GUIDANCE

Relevant Government advice

National Planning Policy Framework December (NPPF) (December 2023)
Planning Practice Guidance (PPG)

Core Strategy 2009 (Saved Policy)

CS7: Open Spaces, Sport and Recreation

Local Plan Part 2 2014 Sites and Development Management Development Plan Document (Saved Policies)

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

Local Plan Review 2016-2036 Part One: Planning Strategy

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

STR9: Development within a mineral safeguard area

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

ENV2: The South West Hampshire Green Belt

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

Strategic Site SS13 Land at Moortown Lane, Ringwood

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites (2021)
- Ecology and Biodiversity Net Gain Interim Advice Note
- Ringwood Town Access Plan (March 2011)
- Ringwood Local Distinctiveness (July 2013)

Neighbourhood Plan

Ringwood Town Council post Examination Neighbourhood Development Plan.

A report was taken to NFDC Cabinet on 1/5/2024 which sought approval for the modifications recommended by the Examiner of the Ringwood Neighbourhood Development Plan and agreement that the Neighbourhood Development Plan can proceed to a local referendum. The referendum is proposed to be held on 4 July 2024 and hence whether or not it will be formally adopted. Officers understand that the result may be taken to NFDC Full Council on 8 July 2024.

The 1/5/2024 Cabinet report set out in paragraph 4.5 that (emphasis added):

It should be noted that now the Examiner's Report has been received there is a 'duty to have regard' to the post-examination Neighbourhood Development Plan (NDP). Therefore, it is a material consideration in the determination of planning applications in Ringwood Parish. If the Referendum result is a 'Yes', and once the Council has formally adopted the NDP, it will become part of the NFDC Local Plan and hold full weight in determining planning applications in Ringwood Parish.

There are twelve policies within the post-examination Ringwood Neighbourhood Development Plan (set out below):

- R1: A Spatial Plan for Ringwood
- R2: Maintaining a Successful and Prosperous Town Centre
- R3: Making Better Use of Opportunity Areas in the Town Centre
- R4: Shops and Parades Within and Outside Defined Local Centres
- R5: Smaller Housing

- R6: First Homes
- R7: The Ringwood Design Code
- R8: Building for a Healthy Life
- R9: Conserving Local Heritage Assets
- R10: Creating a Green Infrastructure and Nature Recovery Network
- R11: Zero Carbon Buildings
- R12: Encouraging Active and Healthy Travel

The post-examination Ringwood Neighbourhood Development Plan also includes several appendices. Appendix A (Ringwood Strategic Masterplan) relates only to Policy R3 and the town centre. Appendix B (Ringwood Design Guidance and Code, November 2022) seeks to amplify Policy R7 and hence there is a duty to have regard to these documents too in line with the NFDC May 2024 Cabinet Report. Appendix C is the NFDC Local Distinctiveness SPD.

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

Updated comments received from Ringwood Town Council in February 2024.

Ringwood Town Council recommends Refusal (4) (updated comments agreed by Full Council 28 February 2024). The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13). Loss of Green Belt and Agricultural Land. The development is inappropriate and would lead to a loss of Green Belt and further loss of agricultural land, in addition to that already allocated for SS13.

Road Safety

The proposed location of the crossing in Crow Lane is not safe. Although on paper the road appears to be fairly straight, there is a curve in the road and visibility for and of pedestrians would be compromised. The creation of an access to Crow Lane at this point would encourage pedestrians/cyclists to take this route to walk/cycle to Crow Farm Shop; a route that would not be safe without improvements unlikely to be achievable in this narrow road.

The road regularly floods at this location, meaning access to the site would be compromised at certain times of the year (Note: photograph of flooding in Crow Lane included in representation).

Flood Risk

There is considerable concern about the impact the proposal would have on an area already susceptible to flooding.

Crow Lane regularly floods after heavy rainfall and is impassable as a result at least twice a year. The photograph below shows flood water running into the application site and at the proposed location of the road crossing and access into the site.

The proposed site adjoins Crow Stream on the east side where it too bursts its banks a few times a year with implications for site drainage. It is important to ensure that no more water goes into the Stream as it cannot cope. Ringwood Town Council and its Flood Wardens have a great deal of knowledge regarding the flooding and drainage in this area, having undertaken works to re-gravel and widen Crow Stream (downstream of the application site), and keeping it regularly maintained, to reduce the frequency and severity of flooding in the area.

It is highly probable that the developers do not understand the dynamics of the local drainage relevant to the site development. They need to take a catchment view of the system in order to understand the causes of existing flooding to address the issue through mitigation so that the situation is not worsened.

Specific issues with regard to the application are as follow:

- We need to be sure the infiltration tests are made in February when the water table is highest. Under SUDS rules the bottom of the drainage cages need to be at least a metre above the ground water level. Evidence shows that, in the flood season, this might be difficult to achieve.
- Gentle releveling of the site” is proposed by the applicant to effect satisfactory drainage. Additional detail is required to assess any unintended consequences.
- The red line on the plans includes the stream to the south of the site. We would like to understand what is proposed here.
- We need assurance that no extra water will get into the Crow Stream as a result of the proposed development.
- Crow Stream to the south-east of the site breaks its banks a few times a year. This will have implications for development in this corner of the site. For example, the footpaths would become impassable.
- The consequences of the backflow from the Crow Stream into the Crow Lane Ditch (which runs alongside Crow Lane) need to be understood and considered. In flooding events, the water in the Crow Stream at Streets Lane is 2 or 3 feet higher than the pipes on the north side of the wetland which drains the Crow Lane Ditch. The stream water therefore has always backed up into the Crow Lane Ditch. As it is, during flooding events, water will still back up from the Crow Stream into the Crow Lane Ditch which will then always flood. Several remedial actions have been identified to stop the backflow, including removing some flow restrictions in the Crow Lane Ditch. Should permission be granted, this is an opportunity for those measures to be implemented.
- The Council would appreciate the opportunity to meet with developers to share local knowledge and discuss these concerns.

Should permission be granted, an enforceable condition (financial penalty?) should be imposed to ensure all the agreed flood mitigation measures are implemented prior to completion of the development of SS13.

Rights of Way

The Council notes the updated response from HCC Countryside Service and supports the proposed improvements to Footpath 45 and the Castleman Trailway, as well as the replacement footbridge on Footpath 41a.

Biodiversity

No biodiversity study has been provided with the application – this should be requested.

Viability

It is noted that a Financial Viability Assessment has already been submitted by the applicant in relation to 21/11723. There are concerns the additional costs to create this ANRG will impact further on the proposed development and affordable housing provision.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Natural England

No objection subject to appropriate mitigation being secured.

ANRG Layout

The area of Area of Natural Recreational Greenspace (ANRG) which is a total of 2.51 ha will provided mitigation to the planning application (23/11732) which is connected to the site via a 3 m wide footpath/ cycle lane.

A detailed Landscape Ecological Management Plan detailing habitat creation, seed mixes and management has been submitted to support the application is recommended to accompany the Landscape strategy drawing (Environmental Dimension Partnership LTD) to fall in line with Appendix 4 of the SPD.

However, the LEMP only include management up to 10 years, however ARNG is required to managed and monitored for 90 years.

On review of the proposed plans for the area of ANRG, Natural England raise the following points for consideration:

- The amenity grassland provides good opportunities to exercise dogs off the lead along with recreation sport activities. These areas are recommended to feature dog bins and benches. The area of grassland could be enhanced with permanent dog agility equipment to encourage and make the area more attractive to dog walkers.
- Dog bins and litter bins to be located at the entrance and road access points.
- Seats and benches provided at an average of the one, two person seat for every 50 new resident.
- Interpretation board for each space or at the entrances to a combined network of spaces. These will show connected routes as well as explain the purpose of the recreational mitigation land, any expectations regarding behaviour, and indicating any dog management requirements, such as dog off lead areas.
- Pathways made of substrates that can be used all year round.

Phasing of ANRG

Phasing the areas of ANRG in line with the phasing the of the development is recommended, to support and provide recreation mitigation from the beginning. A phasing plan is recommended to be created and signed off by the New Forest District Council. The phasing plan should set out areas of development and mitigation being brought forward at different times in line with the development.

Future Management of ANRG

The designated ARNG on site which has been provided for mitigation purposes, must be secured for its intended purpose in perpetuity which is 90 years. A management and monitoring plan is required to ensure that the ANRG is functional for the entire 90 years. The monitoring management plan, should include details

such as maintenance of pathways, replacement of dog bins, furniture, management of recreational spaces etc. This is recommended to be submitted to the LPA and secured by a suitable worded condition. The designated ANRG on site which has been provided for mitigation purposes, must be secured for its intended purpose in perpetuity. Ideally the land designated for ANRG will be transferred to public ownership/control. It is for you as competent authority to be satisfied the mitigation land will be appropriately secured, monitored and is enforceable. Funding and responsibilities should be outlined. A suitable long-term management and monitoring plan should be agreed that ensures it will remain effective over the lifetime of the development it serves.

ANRG and Biodiversity Net Gain Guidance

ANRG can be included in developers' BNG calculations up to a maximum value of no net loss, as calculated by the biodiversity metric. This means that 10% of a developer's BNG units must come from other, additional activities.

Additional habitat creations or enhancements within a ANRG, which go over and above the site's existing requirements to function as a ANRG in perpetuity, could contribute to a developer's BNG beyond no net loss.

Any proposed habitat enhancements or creations within a ANRG must not undermine the ANRG original design principles and purpose, such as deflecting people and pets from visiting New Forests designates sites. Consideration should also be given to other ecosystems services provided by the ANRG. Careful design and an appropriate management plan will make sure BNG does not compete with these.

The area of ANRG is required to be secured for 90 years in perpetuity, whereas BNG is required to be secured for 30 years. It is recommended that management plans are carefully set out according to the time scales and requirements. Biodiversity net gain assessments should be accompanied by a management and monitoring plan outlining management requirements for 30 years.

Ideally developers and LPAs, Habitat sites strategic solutions should work alongside strategic licensing and BNG in a combined approach to deliver for the natural environment in a place. Where applicable, enhancements or additional features delivered for BNG, should be informed by local nature or wildlife strategies and priorities, such as LNRS.

Landscaping

The proposed development is for a site close to the New Forest National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Biodiversity Enhancements

The New Forest District Council Policy ENV1 outlines that all applicants will be required to demonstrate the impacts of their proposal on biodiversity. For certain types of development by submission of an Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity. Additional measures to enhance biodiversity across the area of ANRG, could include the following;

- Retaining hedgerows and trees along the boundaries.
- Retaining and enhancing hedgerow with native species planting.
- Plant native tree species characteristic to the local area within including fruit trees such as cherry, apple and pear and those with early spring blossom such as hawthorn and blackthorn.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. Species list can be found at Bumblebee Conservation Trust.
- Planting night blooming plants to attract bats and insects, species lists can be found within the Encouraging Bat guide from the Bat Conservation Trust. Seed mixes including Bats in Garden Wildflower Mix to attract bats and insects can be found at John Chambers.
- Creating highway and by ways in connecting fences, with sign-posts for hedgehog and other species, guidance found at RSPB Hedgehog Highways document.
- Bat and bird boxes on retained trees along the boundary.
- Create a pond ([Link to Froglife Guidance here](#)).
- Retain and create deadwood habitats e.g. log piles.

Sensitive Lighting Strategy

A sensitive lighting scheme should be designed and implemented to maintain and retain dark corridors used as an important commuting corridor for bats as well as other protected and notable species. The Bat and Conservation Trust have produced a guidance document *Bats and Artificial Lighting in the UK*. Further general advice on the protected species and other natural environment issues is provided at Annex A.

New Forest National Park Authority

The District Council will be aware that national policy set out in paragraph 176 of the NPPF (2023) states, "The scale and extent of development within all these designated areas [National Parks and AONBs] should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." This development is within the setting of the New Forest National Park and there is an opportunity to ensure an appropriate landscape transition from the developed area of the town of Ringwood to the nationally protected landscape to the east.

It is noted that the proposed 'Accessible Natural Recreational Greenspace' (ANRG) provision is linked to the NFDC Local Plan (2020) strategic site allocation 13 (Policy SS13 - Land at Moortown Lane, Ringwood. This policy allocates the site for 'at least 480 dwellings'. The concept plan taken from the NFDC Local Plan (2019) envisaged that the 480 dwellings and required ANRG would be accommodated within the allocated site. The area of land subject to this NFDC application is outside the Council's Local Plan allocation. It is noted that Ringwood Town Council has objected to this in principle, stating: The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13).

For the ANRG provision to work and perform its required function in mitigating recreational impacts from the planned development on the New Forest's internationally designated sites, it must be accessible from the new development. The submitted Planning Statement states, "The ANRG sought herein is intended to provide mitigation for the residential development at Land North of Moortown Lane (21/11723) to which the site would be linked by way of a 3m footway/cycleway. To this end the two applications should necessarily be 'read together'." Figure 2 in the submitted Planning Statement shows this link from the development site to the ANRG provision, which is detached from the main development site. NFDC will need to be fully satisfied that this link is safe, attractive and usable for the ANRG to perform its legal function.

The Authority's Landscape Officer has been consulted and has provided the following comments:

"The proposed additional ANRG to the east of Crow Lane sits immediately adjacent to the New Forest National Park (NFNP) boundary at its southern and south eastern boundary, with the Public Right of Way at the southern tip of the ANRG forming the southerly site boundary, also bordering the NFNP boundary.

Therefore, it can be reasonably assessed that the ANRG sits within the immediate setting of the NFNP.

In the Landscape Strategy document submitted it is stated 'To relieve pressure from (on) the NFNP an additional 9.57 Ha of open space has been provided as an ANRG'. A 3-metre wide tarmac cycle/footpath is shown in the Landscape Detailed Design drawings that runs across the north west of the ANRG, linking to the Castleman Trail running along the north east boundary to the ANRG.

I would comment that the close proximity of the proposed ANRG to the NFNP boundary and the direct link to the Castleman Trail does not 'relieve pressure from (on) the NFNP' but in fact does the opposite. A right turn onto the Castleman Trail takes recreational users directly into the NFNP, first to the enclosed landscape and then onto the Open Forest landscape less than 2 kilometres away. On a practical basis, the 3-metre wide tarmac cycle/footpath is shown on the Detailed Landscape Design drawings as running along the existing mature hedgerow and tree boundary between the car parks of the Liberty's Centre and the adjacent WI Hall, with no indication that there would be any 'existing vegetation to be removed' (as per the key to the drawing). There is also a roadside ditch to Crow Lane, and it is not detailed how the 3-metre wide tarmac cycle/footpath would cross the ditch, also with the roadside hedge having to be removed to accommodate the 3 metre wide path. Although this area falls outside the NFNP boundary, retaining mature trees and hedgerow close to the NFNP boundary is of importance.

Overall, it is considered that the creation of the proposed ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character. I would also note that the

intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNP and its most sensitive landscapes.

Hampshire County Council (HCC) Countryside Services, February 2024)

Hampshire Countryside Service (the Service) acts as Highway Authority in respect of Public Rights of Way (PROW) and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire.

Consultation response to both applications (23/10707 and 21/11723): No objection subject to obligations and conditions (as set out).

Following the submission of further information from the applicant the Service provides the following comments.

Ringwood Bridleway 509/Castleman Trail improvements

The wider development shall cause a significant increase in user volume on this route and, therefore, a contribution for surface enhancement is seen as justifiable and is specified in the Obligations section below. It is noted that the section directly adjacent to the site shall not form part of the financial obligation – it is used by vehicles associated with the neighbouring fishing club and discussions between the Service and the club regarding vehicle damage to the surface of the PROW are ongoing. It is advised that any internal footways, where they are proposed to connect to the public bridleway, are designed and constructed to Hampshire Countryside Service design standards to ensure no detrimental impact to the surface of the PROW. The applicant shall provide the Service with a specification for the footways where they are proposed to connect to the PROW, for the Service's approval in advance.

Ringwood Footpath

41a footbridge This bridge, located on the southeast boundary of the 'Open space adjacent to Crow Lane' site is proposed to be upgraded, as per point 17, page 14 of the Green Infrastructure Strategy. The Service is supportive of this and, prior to works taking place, it shall be provided with a specification and details of the work for its approval in advance.

HCC Highways Authority

The Highway Authority previously responded to this application dated 27th October 2023, with no objections. This recommendation therefore still remains.

HCC Lead Local Flood Authority

As there is minimal development proposed that would generate additional surface water runoff, the LLFA has no comments.

Nature Space

It is recommended that the great crested newt survey data is updated as it was conducted in 2021 so it is now considered out of date and unreliable. Therefore, the applicant can either: - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through New Forest Council's District Licence (more details can be found at www.naturespaceuk.com); or - - Provide further information (for example, updated

survey information on nearby ponds), in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.

New Forest District Council (NFDC) Tree Officer

Further to the previous comments the access point of the cycleway from the main road (Crow Lane) has been revised/removed from the proposal with access for a 2m secondary footway utilising the existing right of way (Castleman Trail) to the east of the site. A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

In terms of the important and protected trees on site this is a preferred option. The new access points into the ANRG as shown are located outside of the root Protection Areas (RPA's) of trees to be retained. A small number of trees require removal (within G59) on the southeast corner to facilitate the new surface (2m secondary footway). This would be acceptable, and the loss of these trees can be mitigated within an approved landscaping scheme with replacement tree planting.

A minor incursion into the RPA of a mature Oak (T61) is required to facilitate a replacement footbridge. The site topography at this point is such that the majority of the root system will not be affected by this as the tree sits on the bank of the water course. Provided sufficient care is taken to install a replacement bridge there is unlikely to be any significant adverse impact. An Arboricultural method statement would be required to detail the methodology of construction within the RPA. Overall, there are no objections subject to conditions

NFDC Open Space Officer

The site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths and ANRG near to the proposed development with a possible connection. However, the applicant will need to demonstrate within their separate application that the new development is compliant to NFDC Policy CS7 and delivers the size of each type of open space for number of new occupants.

The layout of paths within the site and the surfacing of these appears appropriate. Further detail on the construction method should be submitted, including ensuring the gravel paths have suitable foundation and a camber to the edges to shed surface water.

The applicant should give further details how this site interfaces with the PROW running to the south east of the site. The current watercourse crossing is unsuitable for all users and a proper durable replacement (suggested to be in GRP to ensure anti-slip) should be included in the plans. Further detailed comment on design and maintenance also provided.

NFDC Ecologist

Designated sites: No significant adverse impacts on designated sites are anticipated.

BNG: The proposals would result in a net gain for biodiversity.

Recommend that a Biodiversity Management Plan (BMP) is secured by condition. This should include enhancement measures e.g. bird and bat boxes and management and monitoring of habitats on site to ensure the delivery of BNG including (as listed).

The Natural England comment on lighting is noted. It is understood that the site will not have lighting. Further detailed comments on surveys, great crested newts, Ecological Construction Method Statement.

As identified by NE, the ANRG use should be secured in perpetuity and a phasing plan is sought to understand when the ANRG will be provided relative to the linked development across the road if granted.

NFDC Landscape Officer (Updated comment - May 2024)

This parcel of land does not meet the criteria for Alternative Natural Recreational Greenspace (ANRG) as set out in Policy ENV1 para 4.ii.a which requires: Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it.

The application site is not on, directly adjoining or well-connected to the site it is intended to provide ANRG for (Strategic Site 13) and as such is not acceptable. The comments below therefore relate only to the application for change of use from agricultural land to public open space and should not be taken to imply that this site is considered acceptable as ANRG to mitigate impacts caused by the development at SS13 (Moortown Lane).

The Landscape and Visual Appraisal is thorough and well-organised. It concludes that the landscape effects on the site, and the immediate surroundings (15 years after completion) would be minor beneficial). The wider Landscape Character Type is predicted to experience a minor-negligible beneficial effect. Whilst the study does not appear to explicitly refer to the 'setting' of the New Forest National Park (NFNP), whose boundary forms the eastern site boundary, as a landscape receptor, views from the adjacent NFNP are assessed and predicted to result in a moderate-minor beneficial effect upon maturation of the proposals. Other receptors are predicted to experience either beneficial or neutral effects.

The layout submitted does not have sufficient features of interest to provide an incentive to visit to for any length of time. Opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Additional secondary and tertiary paths should be added to provide a variety of routes for walkers. The dog activity equipment could be located alongside the path to create a trail, rather than confined to one area.

The drainage feature serves to cut off a slither of the site and render it nearly inaccessible. Breaking the swale into shorter lengths, or installing a crossing would create a feature of interest for visitors. Additional paths to the south of it could provide alternative routes. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

The site is known to be seasonally wet, particularly along its boundary with the Castleman Trail. Proposals should ensure that the paths remain firm and dry throughout the year. Primary routes should be of bitmac and secondary routes of hoggin. Tertiary routes of mown grass can also be provided. Lengths of boardwalk

may be required to bridge wet areas and link different levels. Any constructed slopes or ramps should be accessible for wheelchair and mobility scooter users. Details of these and proposed levels should be provided.

Tree and shrub species should be native, selected for their ability to cope with seasonal waterlogging, and reflect those found locally. Opportunities exist on this site for planting Black Poplar. White-barked birch is not considered suitable for open countryside. Downy birch could be planted in addition to Silver Birch if variety is required. The ornamental planting to the north of the proposed drainage ditch is considered inappropriate and should be replaced with native planting or species-rich meadow. Wheelchair accessible picnic benches should be positioned so that children will not run into the overhanging table-top. Grass/meadow mixes specified should be suitable for the local soil conditions and take into account potential waterlogging. Opportunities exist to plant native bulbs to increase biodiversity and seasonal interest.

Artificial grass is not considered suitable around the dog activity items. A hoggin surround should be installed. NFDC currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Details of proposed planting details are required for native shrubs and trees. For construction and planting details refer to 'A guide to Performance Specifications and Standard Details for Public Accessible Spaces' by NFDC which sets out the minimum standard required. If the committee is minded to grant consent to for this application it is recommended that revised Detailed Landscape Design plans are secured by condition.

NFDC Conservation

No comment.

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

10.1 Principle of Development

i. South West Hampshire Green Belt

Local Plan Policy ENV2 (The South West Hampshire Green Belt) sets out that the openness and permanence of the South West Hampshire Green Belt will be preserved with particular regard to its state purposes and those of national policy for the Green Belt. Development proposals in the Green Belt will be determined in accordance with national planning policy.

The National Planning Policy Framework (NPPF) (December 2023) Paragraph 155 sets out that certain other forms of development 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.

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport

- or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Essentially, the proposal is in line with criterion (e) as a material change of use for public open space. The proposal does not include any new buildings and as such the openness of the Green Belt will be preserved.

NPPF paragraph 143 sets out the five purposes of Green Belt:

- i. to check the unrestricted sprawl of large built-up areas;
- ii. to prevent neighbouring towns merging into one another;
- iii. to assist in safeguarding the countryside from encroachment;
- iv. to preserve the setting and special character of historic towns; and
- v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Again, given that the proposal does not include any new buildings the proposal would not conflict with any of the purposes i, ii, iii and iv set out in NPPF paragraph 143. Purpose (v) is not applicable given that the land in the application is neither derelict nor urban.

As such, the proposed public open space is an appropriate form of development in the South West Hampshire Green Belt and therefore accords with Local Plan Policy ENV2.

ii. Alternative Natural Recreational Greenspace

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) criterion 4 (ii) sets out that the approved mitigation measures for residential developments currently include for developments of 50 or more net additional residential dwellings:

- a. Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it; and
- b. A financial contribution towards Access and Visitor Management and Monitoring.

The Mitigation of Recreational Impacts Supplementary Planning Document (SPD) (May 2021) provides supplementary planning guidance to Local Plan Policy ENV1.

The linked mixed-use application (21/11723) includes sufficient Alternative Natural Recreational Greenspace (ANRG) within that application site to meet its needs. This separate application would provide additional ANRG over and above that.

This application site is not adjoining the application site for 21/11723. There is a clear gap between the two application site boundaries comprising Crow Lane itself and land on its western side. Neither is this application site adjoining the boundary of the Local Plan Allocation Site SS13 (Land at Moortown Lane, Ringwood). The boundary of SS13 extends only as far as the western side of Crow Lane.

However, given both existing access provision adjacent to this application site and the package of on-site and off-site access improvements set out in conjunction with 21/11723 it is considered that this application site is well connected to both the Local Plan Allocation Site SS13 and the 21/11723 application site. The application site is adjacent to the existing Castleman Trail which is an established bridleway

connecting the land immediately to the north of the application which extends westwards bisecting the RING3 public open space and hence on towards Ringwood Town Centre.

Access improvements proposed in 21/11723 which could assist in facilitating access to this additional public open space include:

Improvements to the existing Public Right of Way (PROW) in the eastern portion of the linked application site 21/11723;

- Financial contribution towards improving access within the RING3 land;
- Off-site access works at the junction of Crow Arch Lane and Crow Lane which seek to improve the connections along the Castleman Trail;
- Further off-site access works at the western end of Crow Arch Lane which seek to link the Castleman Trail and the public open space in Phase 1 of 21/11723

As such, it is considered that this application, in conjunction with existing access arrangements and proposed access improvements sought through 21/11723 can demonstrate that it would be well-connected.

The supporting text to Policy ENV1 (Paragraph 5.23) sets out that:

In some instances, it will not be possible to provide recreational mitigation land on or adjoining sites of 50 or more homes, for example on redevelopment sites in existing built-up areas. In these circumstances the developer should put forward the required eight hectares per 1,000 population of land for recreational mitigation in an alternative location that will provide equivalent benefits to the settlement where the site is located, preferably in close proximity to the site.

As such, the Local Plan supporting text sets out a degree of flexibility in terms of the location of recreational mitigation land. Paragraph 5.23 is clear that redevelopment sites in existing built-up areas is an example. The principle of alternative locations is not exclusive to larger urban regeneration projects.

In this instance, the proposed public open space is in close proximity to both the Local Plan Allocation Site SS13 and the 21/11723 application site. For example, using the existing public right of way in the eastern portion of Local Plan Allocation Site SS13 there is a direct link from the public open space in the linked application 21/11723 to the Ring 3 public open space north of Crow Arch Lane and hence the Castleman Trail which bisects it.

The NFDC Mitigation SPD (May 2021) sets out (paragraphs A4.1.7 - A4.1.8) that:

Normally new residential developments on large-scale sites should deliver ANRG in accordance with guidance set out in this document and show this at the planning application stage within a clear rationale for green infrastructure as part of comprehensive layout designs. Where it is agreed that this is not possible, delivery of an alternative offer of ANRG, that best fits this guidance in all other ways, and provides ANRG of any equivalent effectiveness and quality should be proposed.

As set out, in this instance the delivery of the alternative ANRG is in addition to that proposed within the application site (21/11723). Notwithstanding this, the SPD sets out – reflecting Local Plan paragraph 5.23 - that in principle the delivery of an alternative offer of ANRG can be considered by the Local Planning Authority (LPA).

The Mitigation SPD also sets out (paragraph A4.1.13) that (emphasis added):

It may be possible in some circumstances to extend the offer of ANRG beyond the development site boundary provided that:

The land in question can provide easily accessible and effective recreational mitigation;

- *The land is within the control of the site developer; and*
- *That its inclusion would support the principles of an integrated green infrastructure approach (being adjoining and well-connected to the site)*

However, it will not normally be acceptable to offer an area of land nearby as ANRG simply in order to expand the proportion of built land within the allocation site to an unreasonable degree or to the detriment of landscape character.

The ANRG in the application site is, as set out, accessible to both the future occupiers of the proposed residential development in 21/11723 and the wider local community. The land is within the control of the site developer – both applications (21/11723 and 23/10707) are from the same developer. As such, the proposal meets the first two provisions in paragraph A4.1.3 of the Mitigation SPD.

As set out, the application site is not adjoining the main application site but is well-connected. As such, the proposal has not met one of the criteria but has met the other criteria. Hence, when addressing the guidance in A4.1.3 an on-balance decision could be made.

The linked application site (Ref: 21/11723) includes a sufficient level of ANRG to meet the needs arising from the proposed housing. It also has increased coverage of public open space including ANRG than set out in the Local Plan Concept Masterplan and is below the minimum number of dwellings the Allocation Site is seeking to provide. As such, it is considered that this proposal does not support an unreasonable degree of built development in the main application site.

The Mitigation SPD also sets out (Paragraph A4.4.5) the following guidance:

- *For an area to be considered as spacious enough to offer a sense of being in the countryside at least part of the provision should consist of a space of at least 120 metres across in all directions.*
- *Secondary spaces should have a diameter of at least 60m and are properly linked to the main space, with the links being spacious (minimum 15m width).*

Secondary spaces cannot be disconnected from the main space.

Provided that ANRG spaces meet the dimensional criteria, additional public open spaces uses should be integrated within the design of the development.

The submitted Alternative Natural Recreational Greenspace (ANRG) Strategy (edp, 22/1/2024, Ref: edp5444_d114b) sets out that the ANRG in this application would be at least 120 metres in diameter and as such meets the Mitigation SPD dimensional criteria guidance and is classified as a 'main space' in line with Paragraph A4.4.5).

Therefore, the secondary space guidance in Paragraph A4.4.5 of the Mitigation SPD does not apply in this instance.

For reference, it should be noted that several of the Local Plan Strategic Site Allocations have all or part of their on-site ANRG severed from areas identified in the supporting Local Plan Concept Masterplan by roads of various sizes. This includes SS1 in Totton and SS8 in Hordle.

The proposal is for a combined public open space provision informal open space and ANRG. As such, in line with the Mitigation SPD paragraph A4.4.5, the principle of having a combined function public open space is acceptable.

As set out, the proposed ANRG is well-connected to the linked development (21/11723) by virtue of the existing and proposed access arrangements. The ANRG is not adjoining to either Local Plan Allocation Site SS13 or the 21/11723 application site.

However, as set out, Local Plan paragraph 5.23 sets out that alternative locations for ANRG in 'close proximity to the site' can also be considered. Essentially, it is considered that the proposed additional ANRG is in 'close proximity' to the linked main site despite not being adjacent.

The proposed ANRG would also be a main space as defined in the Mitigation SPD and hence would not be discounted by virtue of the severance element of the guidance. Public open spaces combining ANRG and informal open spaces are acceptable in line with the Mitigation SPD guidance. The main application (21/11723) has sufficient ANRG and as such this is not a proposal to sought to overcome overt deficiencies in that application.

The Local Plan and Mitigation SPD provide scope for the LPA to consider alternative sites for ANRG provision. On balance of considerations, whilst the proposed ANRG open space is not adjacent to the application site (and Local Plan Allocation Site) it is well-connected through existing public rights of way, public open space (Ring 3 land) and the Castleman Trail and hence in close proximity. As such, the proposal is acceptable in principle.

Commentary on the management of the proposed ANRG in line with the response from Natural England is set out below (Section 10.2 Ecology (ii) Habitats Mitigation).

Therefore, it is considered that the proposed ANRG is acceptable in principle and as such satisfies Local Plan Policies ENV1 and the Mitigation SPD.

iv. Informal Public Open Space

Local Plan Policy CS7 (Open spaces, sport and recreation) sets out that the aim is to provide, as a minimum standard, the equivalent of 3.5 hectares of public open space per 1000 population to serve the district's towns and larger villages. This provision will be supplemented by support for the community use of sports pitches on educational land and by private provision. There will be a presumption against any development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development. Improvements will be made to enhance recreation, play and sports facilities within communities. Outdoor opportunities to improve the physical fitness of all age groups will be enhanced by providing accessible green spaces within our towns and villages, especially where new development takes place, and by creating safe environments for walking and cycling within and adjoining our towns and villages, where access is compatible with environmental designations. The improvement of play, sports and other public open space provision will be implemented in a number

of ways.

The application is supported by a Green Infrastructure Strategy (edp, January 2024) which sets out that the proposal would provide an additional 1.12 ha of informal open space. This proposed provision would address the shortfall of 1.03 ha informal open space identified in the linked main application.

The proposed informal open space would have the same access arrangements as the proposed ANRG i.e. from the Castleman Trail. The NFDC Open Space Officer has set out that the site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths, the proposed ANRG, and is near to the proposed development with an existing pedestrian connection.

The proposed informal public open space has been designed primarily for dog walkers. The proposed informal open space includes dog agility equipment. The dedicated children's play spaces for the linked main application are all within that site and it is not intended to replicate or provide additional play equipment here.

The appropriate long-term management and monitoring of the proposed public open space, both ANRG and informal open space, will be secured through a s106 planning obligation linked to the main application (21/11723). The proposed public open space will be managed by a management company appointed by the site promoters.

Essentially, there are no specific planning policy restrictions in providing informal public open space in principle at this location and as such the proposal satisfies Local Plan Policy CS7.

10.2 Ecology

i. Protected Species and Biodiversity Net Gain

Local Plan Policy DM2 (Nature Conservation, Biodiversity and Geodiversity) sets out how development proposals should address international, national and local designed sites. Development proposals should encourage biodiversity and not adversely affect protected flora and fauna.

The application is supported by an Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b), Reptile Mitigation Strategy (edp, March 2024, Ref: edp5444_r031e) and Ecology Baseline (joint with the site in application 21/11723) (edp, January 2024, Ref: edp5444_r009e).

The NFDC Ecologist has set out that the proposals would result in a net gain for biodiversity and recommends that a Biodiversity Management Plan (BMP) is secured by condition. The NFDC Ecologist is content that the ecological baseline provided has adequately set out enough to make an informed planning decision with respect to ecology and does not feel undertaking additional surveys at this stage would be proportionate given the amount of work done to date.

The NFDC Ecologist is also content with regard to Great Crested Newts (GCN) that even if present an offence is highly unlikely in the work area and that favourable conservation status of the GCN is unlikely to be affected. The Reptile Mitigation Strategy also includes a hibernacula in the additional ANRG land which can be secured through a suitable condition.

The NFDC Ecologist has also set out that an Ecological Construction Method Statement (ECMS) should be provided through a suitable condition which is

acceptable.

A phasing plan for the additional ANRG is requested by Natural England and the NFDC Ecologist. This can be secured through a suitable condition.

The proposal does not include any outdoor lighting and as such there is no need for suitable condition.

In line with the above, subject to necessary mitigation secured through suitable conditions, the proposal has addressed the material ecological considerations of biodiversity net gain and protected species.

Therefore, suitable conditions, the proposal accords with Local Plan Policy DM2.

ii. Habitats Mitigation

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation Sites) sets out that development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal and will be implemented in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of designated sites. For residential development adverse effects should be adequately mitigated by implementing measures relevant to the site location including as set out in the Mitigation for Recreational Impacts SPD, Solent Recreation Mitigation Strategy and nutrient management guidance.

Natural England has set out that as submitted, the application could have potential significant effects on the below designated sites:

- Avon Valley Special Protection Area (SPA) / Ramsar • New Forest Special Area of Conservation (SAC)
- New Forest SPA / Ramsar site
- Dorset Heathlands SPA/ Ramsar sites
- Dorset Heath SAC
- New Forest Site of Scientific Interest (SSSI)

Natural England go on to set out that in order to mitigate these adverse effects and make the development acceptable, an Alternative Natural Recreational Greenspace (ANRG) Management and Monitoring Plan for the perpetuity (90 years) of the ANRG to be secured via a planning obligation clause.

Therefore, subject to a suitable conditions and planning obligation clause, securing the Management and Monitoring Plan and linked to the main application ANRG would be sought and hence the proposal would accord with Local Plan Policy ENV1.

10.3 Landscape and Trees

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) sets out that for residential development, inter alia, adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, including as set out in the Mitigation for Recreational Impacts SPD. Policy criterion 4(ii) sets out that for developments of 50 or more net additional residential dwellings direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it in addition to

management and monitoring contributions.

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context subject to supporting criteria (as set out).

The Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) (May 2021) gives detailed guidance on the implementation of Policy ENV1: Mitigating the impact of development on International Nature Conservation sites with regard to recreational impacts.

i. Impact on Setting of New Forest National Park and Access to the New Forest National Park

NPPF paragraph 182 sets out (emphasis added):

The scale and extent of development within all these designated areas (as set out) should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The application is supported by a Landscape and Visual Appraisal (LVA) for the additional ANRG Land East of Crow Lane, Ringwood (edp, May 2023, Ref: edp5444_r027a). NFDC Landscape has set out that the LVA is thorough and well-organised. NFDC Landscape has highlighted that the LVA concludes that as a landscape receptor, views from the adjacent New Forest National Park are assessed and predicted to result in a modest ('moderate-minor') beneficial effect upon maturation of the proposals.

However, the New Forest National Park Authority (NFNPA) has set out that the creation of the ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character.

The view that the proposal would introduce suburban style features and hence detrimental to the setting of the New Forest National Park and its landscape character is not shared by NFDC Officers. As set out, the proposal does not include any new buildings. The proposal does include new rural footpaths comprised of hoggin or similar materials and any public furniture (benches, dog agility equipment) would be modest in size and akin to those found in the National Park itself. The proposal includes new landscape planting (see commentary below) and would retain the essentially open character of the existing agricultural field.

The NFNPA also set out that the intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNPA and its most sensitive landscapes. NFDC Officers do not agree with this comment given that as the NFNPA themselves state - it is the existing Castleman Trail itself which provides direct access, not this proposal. Essentially, people could continue access the NFNP through the Castleman Trail whether this public open space is there or not.

As such, the proposed public open space would not diminish the visual appreciation of the New Forest National Park from key viewpoints, nor would it be to the detriment of the special qualities of the National Park. For reference, other Local

Plan Allocation site policies have set out in the supporting Concept Masterplans public open space including ANRG adjacent to the National Park boundary – including site SS14 Land to the north of Hightown Road, Ringwood.

Therefore, the proposal is, subject to suitable landscape conditions, sufficiently sensitively designed to avoid any notable adverse impacts on the setting of the New Forest National Park in line with NPPF paragraph 182.

ii. Landscaping Strategy

The proposal is supported by a revised Phase 1 Detailed Landscape Design (edp 11 April 2024 Ref: edp5444_do78c).

NFDC Landscape has set out updated detailed comments (10 May 2024) on the proposed landscaping. NFDC Landscape notes that opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

Essentially, Officers agree with these views and the necessary amendments are not so fundamental that they would affect what is being considered. The amendments can be secured through a detailed planning condition.

NFDC Landscape suggest a trail of dog agility equipment. However, Officers are minded that these proposed facilities are better concentrated in one place as set out in the Detailed Landscape Design.

However, Officers do agree with NFDC Landscape that artificial grass is not considered suitable around the dog activity items and that a hoggin surround should be installed instead. Again, this can be secured through a detailed planning condition.

NFDC Landscape also set out currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Again, this type of bin can be secured through a suitable condition.

As such, subject to suitable conditions including a detailed landscape design condition, the proposal satisfies Local Plan Policy ENV4.

iii. Trees

A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) (edp, Ref: edp5444_r028b, January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

The NFDC Tree Officer has no objection and notes in his revised comments of February 2024 that the revision to the access arrangements whereby the original access point from Crow Lane has been removed from the proposal and the Castleman Trail used instead.

The NFDC Tree Officer has suggested two conditions which are both agreed. The second condition relates to the need for a method statement for the implementation of the proposed new footbridge in the south-east corner of the site given the nearby mature oak tree.

As such, subject to suitable conditions, the proposal would satisfy Local Plan Policy ENV1 criterion 4(ii) and Local Plan Policy ENV4.

10.4 Flood Risk and Drainage

Local Plan Policy CCC1 (Safe and Healthy Communities) criterion (iv)(b) sets out that in the interests of public safety, vulnerable developments will not be permitted, inter alia, in areas at risk of flooding unless in accordance with the sequential and exception tests.

The NPPF (December 2023) paragraphs 165 to 175 and Annex 3 (Flood risk vulnerability classification) sets out further guidance on planning and flood risk.

The Lead Local Flood Authority (LLFA) (Hampshire County Council) has raised no objection to the proposal. The site will be left largely greenfield in nature and therefore does not represent a flood risk with respect to surface water runoff. Given the open nature of the application site it would have reasonable resilience in terms of accommodating excess surface water from outside the site.

The applicants have submitted a Flood Risk Assessment (FRA) (Hydrock, January 2024). The FRA concludes that the proposed public open space is a water compatible development in line with NPPF Annex 3. As such, the site is not subjected to the NPPF sequential and exception tests.

The FRA also confirms that the development includes a shallow depression/drainage ditch to the site's western boundary to contain surface water runoff within the site including any runoff generated from any new internal paths. The detailed design for these proposed features can be secured through a suitable condition.

The application site is bounded by land to the east and west by areas identified at risk of both fluvial and surface water flooding. The representations from Ringwood Town Council (RTC) have highlighted localised flooding issues along Crow Lane and have provided photographs showing recent flood events.

However, it is considered that the proposal will not increase flood risk elsewhere given that the application site will not be subject to any significant additional impermeable coverage and, as set out, will include internal features to address surface water runoff. Access to the site is from the Castleman Trail which is outside the fluvial and surface water flood zones as set out in the NFDC Strategic Flood Risk Assessment (SFRA).

As such, subject to suitable conditions securing the proposed drainage features, the proposal accords with Local Plan Policy CCC1 (iv)(b) and NPPF paragraph 173.

10.5 Other Matters

Highways and Access

Local Plan Policy CCC2 (Safe and Sustainable Travel) sets out that new development will be required, inter alia, to prioritise the provision of safe and convenient pedestrian access within developments

The Highway Authority (Hampshire County Council) has no objection to the change of use.

The comments received from Ringwood Town Council (RTC) with regard to road safety are noted. However, the Highway Authority has no objection and the RTC comments appear to reflect the earlier proposal to provide an access link across Crow Lane in the area adjacent to the WI Hall. This earlier proposed access has been removed from the proposal and replaced with the proposed enhancements to the Castleman Trail at the junction of Crow Lane and Crow Arch Lane to the north (as set out in the Committee Report for the main application).

The proposed footpaths within the public open space will be made of hoggins or a similar material and as such, subject to suitable condition, would address the comments made by NFDC Landscape.

NFDC Landscape also highlight the need for detailed design for any necessary embankments associated with the two proposed access points. This is agreed and a suitable design can be secured through detailed design conditions.

Ringwood Neighbourhood Plan

Policy R9 (Creating a Green Infrastructure and Nature Recovery Network) of the post-examination Ringwood Neighbourhood Plan designates a Green Infrastructure and Nature Recovery Network (as shown on the Nature Recovery Policy Map) for the purpose of promoting ecological connectivity, outdoor recreation and sustainable movement.

The Nature Recovery Network shown on the Ringwood Neighbourhood Plan Nature Recovery Policy Map is located to the south of the application site and as such does not directly apply to this proposal. Nonetheless, it is considered the proposal broadly accords with the objectives of connectivity, outdoor recreation and sustainable movement.

Mineral Safeguarding

The supporting Planning Statement (Savills, June 2023) sets out that Hampshire County Council has confirmed (18/11/2022) that they will not require a Mineral Resource Assessment for a change of agricultural land to ANRG as there will be no sterilisation given the nature of the proposal.

Loss of Agricultural Land

The application site is noted as good agricultural land on the Natural England website. Essentially, the loss of approximately 2.5 hectares of agricultural land that is not classified as best and most versatile is not considered to be significant and hence its loss is considered to be acceptable.

Viability

RTC commented in February 2024 on the impact of this proposal on the viability of the linked main application (21/11723).

The Planning Agent has confirmed in writing that the cost plan for 21/11723 includes a significant allowance for landscaping, inclusive of the Land East of Crow Lane public open space/ARNG. As such, there should be no additional impact on development viability of the main application.

10.6 Planning Balance and Conclusions

The proposal will provide suitable public open space in the form of ANRG and informal open space. The proposal is acceptable in terms of the South West Hampshire Green Belt. On balance of considerations the proposal is acceptable in terms of ANRG provision. The long-term management of the proposed public open space can be linked to the main application and secured through suitable conditions and a planning obligation. The proposal is acceptable in terms of informal public open space and assists in meeting the identified shortfall in the linked main application. The proposal, subject to suitable conditions, is sufficiently sensitively designed to minimise any adverse impacts on the setting of the New Forest National Park.

The proposal, subject to suitable conditions and a planning obligation, would be acceptable in terms of ecology, flood risk and drainage, trees, landscaping and access. The proposal would result in the loss of approximately 2.5 hectares of agricultural land but this is considered to be outweighed by the benefit of additional public open space.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies ENV1, ENV2, ENV4, CS7, DM2, CCC2 and NPPF paragraphs 173 and 182.

11. RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to GRANT PERMISSION subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Public Open Space Management and Maintenance framework
- ii. such agreement to be completed by end of December 2024.
- iii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

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. **Hard and Soft Landscaping Detailed Design**

Before development commences a scheme of detailed hard and soft landscaping plans shall be submitted for approval in writing by the Local Planning Authority.

This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed public open space including informal open space, alternative natural recreational greenspace, including areas with open surface water drainage features (within and without the ANRG).
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location for the proposed public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG).
- iv. A schedule and specification of all hard landscaping including footpaths and raised access areas.
- v. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests.
- vi. A schedule and specification of all dog agility equipment, benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- vii. All public bins within the public open space shall be wooden combined litter/dog waste such as Wybone or similar as agreed with the Local Planning Authority and attached to a suitable concrete base.

All soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted. 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 provides a suitable soft and hard landscaping strategy and arboricultural strategy and to comply with Local Plan Policies ENV3 and ENV4.

3. **Public Rights of Way**

No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or positioned on or near to Ringwood Bridleway 509 as to cause an obstruction, hindrance or hazard to the public, who retain the right to use the PROW network at all times.

Reason: In the interests of public safety.

4. **Trees**

The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and works in accordance with the measures set out in the Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) and Tree Protection Plan (drawing Number edp5444_d085b dated 17th January 2024)

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

5. **Trees and footbridge**

No development, demolition or site clearance shall take place until a method statement for the design/installation for the GRP footbridge of the approved development has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

6. **Ecological Construction Method Statement (ECMS)**

No development shall take place including any works of demolition and site clearance, until an Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the approved ECMS shall be implemented and adhered to throughout the entire works construction period.

All works shall be carried out in accordance with the methodology and details set out in the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) and other relevant submitted ecological documents and include the following to be submitted for approval:

- Method for ensuring no wildlife is trapped during construction works
- Protective fencing and other arrangements during construction
- Delivery of toolbox talks to all operatives
- Storage of topsoil and other materials including tree protection measures

- Detail measures to avoid and mitigate construction impacts on species and retained habitats
- Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

7. Sustainable Drainage System Detailed Design

No development shall take place until a detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority.

The approved surface water drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the public open space commencing and maintained thereafter for the lifetime of the development in line with any allied planning obligation.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

8. Biodiversity Management Plan

Before any works commence on site, a Biodiversity Management Plan shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate this shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To safeguard protected species in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy 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).

9. Landscape Ecological Management Plan (LEMP)

The Additional ANRG Land off Moortown Lane, Ringwood Landscape and Ecological Management Plan (LEMP) (EDP, January 2024, Ref: edp5444_r036a) sets out a framework for the protection, establishment, management, maintenance and monitoring of the landscape and ecology features of the development as set out in the Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b). The LEMP is to be read and enacted upon in conjunction with the following drawings and reports:

- All approved detailed Landscape Design plans (Condition 2);
 - Key features to be retained, enhanced and created should be fully addressed in line with Section 3 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - During the construction phase all habitat creation and approved landscaping planting should be undertaken in line with Section 4 of the LEMP (EDP, February 2024, Ref: edp5444_r036a)
 - For Years 1 to 5 following commencement of development the site developer should fully enact the Management Objectives and Maintenance Operations set out in Table 5.1 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - Monitoring and Timetable of works should be fully undertaken in line with Section 7 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - For Years 6 to 15 following commencement of development the site developer should fully enact the Management and Maintenance tasks in line with Section 6 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

10. Further details of new PROW footbridge

Detailed drawings at the scale of the proposed footbridge (1:250 scale or a another suitable scale agreed by the Local Planning Authority) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

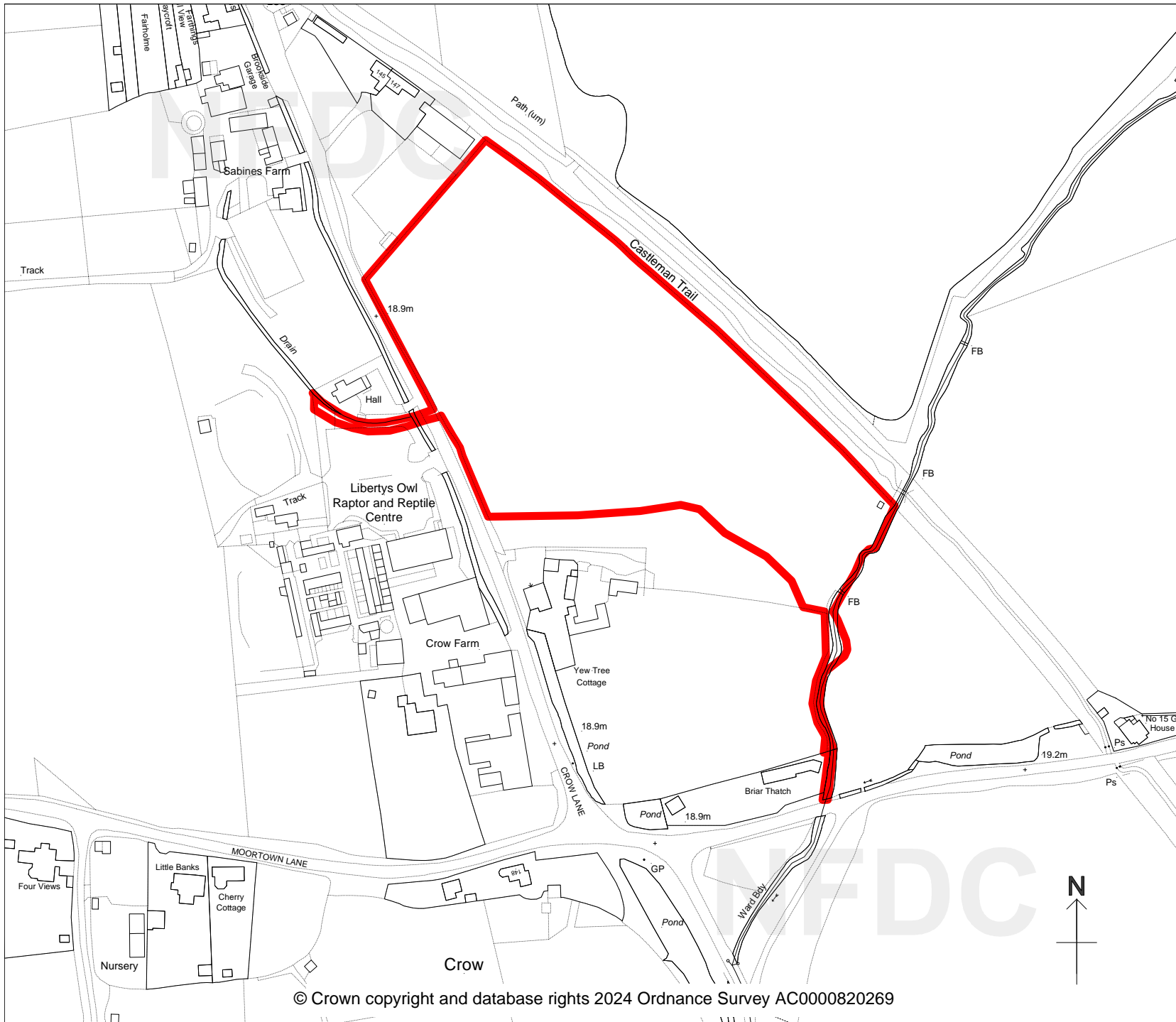
a) Public Right of Way footbridge.

Reason: In the interests of visual amenity and the character of the area.

Further Information:

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New Forest

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PLANNING COMMITTEE

July 2024

Open space Adjacent to
 Crow Lane
 Ringwood
 23/10707



Scale 1:2500

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

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Planning Committee 10 July 2024

Application Number: 22/10418 Outline Planning Permission
Site: SS11 LAND SOUTH OF, GORE ROAD, NEW MILTON
Development: Development of 178 Dwellings, Public Open Space (POS), Alternative Natural Recreational Greenspace (ANRG) and Associated Infrastructure, with Access from Gore Road, New Milton (Outline Planning Application with details only of Access)
Applicant: Hurst Castle Ltd
Agent: Dowsettmayhew Planning Partnership
Target Date: 19/07/2022
Case Officer: James Gilfillan
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: Application relates to one of the Councils Strategic Sites.

1 THE MAIN ISSUES

The issues considered in section 10 are:

- A. The Principle of the Development, Housing Land Supply and National Policy Context
- B. Housing Mix and Affordable Housing
- C. Character, Layout, Landscape, Trees and Open Space
- D. Highways and Access
- E. Residential Amenity
- F. Heritage
- G. Ecology and Habitat Mitigation
 - i) Ecology and Protected Species
 - ii) Recreational Activity Impact on New Forest and Solent Habitats
 - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
- H. Other Matters

2 SITE DESCRIPTION

The site is located to the west of New Milton, on the south side of Gore Road. Although the site is used for agricultural purposes the site was removed from the South West Hampshire green belt and included in the built up area when it was allocated for residential development by adoption of the Local Plan in 2020.

It lies to the west of the existing built-up area, but there are houses opposite on the north side of Gore Road and a complex of glasshouses is sited to the west, used for commercial plant growing. A water reservoir is located on the allocation site that provides irrigation water for the operations undertaken in the glass houses.

To the east and south is Fawcett's Fields park, an area of designated public open space, managed by New Milton Town Council, home to New Milton Football Club who have a dedicated flood-lit pitch. There are other formal sports pitches marked out and opportunities for informal recreation. The site is regularly used for festivals, carnivals and car boot sales.

Fawcett's Fields, the commercial nursery and land to the west fall within the South West Hampshire green belt.

A Grade II listed building lies to the east of the site, Milton Barn, currently closed but most recently used as a restaurant, with hotel rooms provided.

There are no buildings on the site. The existing access in to the site is at the eastern end of its frontage to Gore Road. There is no boundary demarcation with the adjoining site to the west and a track, from the adjoining site, follows the west and southern edge of the application site to access the irrigation reservoir.

There are evergreen trees along the full length of the site frontage to Gore Road, with a hedgerow and grass verge below.

3 PROPOSED DEVELOPMENT

Outline planning permission is sought for the development of 178 Dwellings, Public Open Space (POS), Alternative Natural Recreational Greenspace (ANRG) and Associated Infrastructure, with Access from Gore Road, New Milton

The Matters under consideration by this application are:

Principle: The principle of 178 dwellings across the application site and the provision of Alternative Natural Recreational Greenspace and Public Open Space.

Access: The means of accessing the site on foot, bike and by car from the adjoining routes and roads.

Matters of; Appearance of the scheme; detailed Landscaping and Layout proposals; and the Scale of the development; are reserved for consideration by future applications.

The planning application is supported by detailed proposals demonstrating one access for all modes of travel from Gore Road and one shared cycle-pedestrian (non-vehicular) access from Gore Road.

Parameter plans show the extent of land proposed for development, with a range of densities and potential building heights across those parcels. A design code has been prepared in order to provide a better framework and certainty for how the detail of the scheme may be delivered. The application proposes retention of existing landscape features to contribute to the provision of adequate Public Open Space and Alternative Natural Recreational Greenspace. A potential hierarchy of routes between the identified access points is shown, including options to link to adjoining land.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
20/10692 Residential Development - Environmental impact Assessment Screening Request (Screening Opinion)	19/08/2020	EIA not required	Decided
10/96247 Glasshouse extensions; extend reservoir	19/01/2011	Grant with conditions	Decided
03/79483 Glasshouse and two reservoirs	12/12/2003	Grant with conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004.
Section 38 Development Plan

Planning (Listed Buildings and Conservation Areas) Act 1990
S.66 General duty as respects listed buildings in exercise of planning functions.

National Planning Guidance

NPPF (December 2023)
Planning Practice Guidance (Web based resource)

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

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

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR8: Community services, Infrastructure and facilities

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

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 11: Land to the south of Gore Road, New Milton

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM9: Green Infrastructure linkages

Local Plan Part 1: Core Strategy 2009 (Saved Policies)

CS7: Open spaces, sport and recreation

New Milton Neighbourhood Plan 2021

Policy NM4 - Design Quality

Policy NM2 - Diversifying Housing

Policy NM1 - A Spatial Plan for New Milton
Policy NM11 - Mitigating Effects on European Sites
Policy NM12 - Promoting Walking and Cycling

New Milton Fawcett's Fields Vision Plan

NFDC Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character
SPG - Landscape Character Assessment
SPD - New Milton Local Distinctiveness
SPD - Parking Standards
SPD - Air Quality in New Development.
SPD - Mitigation Strategy for European Sites
SPD - Planning for Climate Change. April 2024
Infrastructure Development Plan 2018

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: ACCEPTABLE (delegated) subject to Highway Authority approval and adherence to Neighbourhood Plan Policy NM4, specifically regarding increased need for climate change mitigation measures.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest District Council

Archaeologist (NPA): Objection

At this point in time the applicant has not established the character, nature and extent of any surviving archaeological deposits and their significance within the site. The applicant has also not established the impact of the proposed development on any surviving archaeological deposits.

Conservation: Comments

A grade II listed building sits close to the east edge of the site. The scheme would cause very minor harm to its significance due to the impact on its setting. That would amount to very minor less than substantial harm to the designated heritage asset, when weighed against the public benefits of the scheme, no concerns are raised.

Ecologist: No objection, subject to conditions and S.106.

Sufficient surveys of the site and mitigation have been identified. The scheme would have an impact on protected habitats in the New Forest, but can be mitigated. BNG and on site ecological enhancements should be secured.

Environment Design: Comments

Concerns that there are discrepancies and a lack of detail in the Design Code. Suggests changes are required to improve the detail of the landscape design shown and details around landscape management to ensure it serves the intended recreational role. The layout of the proposed ANRG does not match the adopted design guidance.

Environmental Health (Pollution): No objection subject to conditions

Noise: No objection, satisfactory noise impact assessment has been undertaken and a stage 2 noise assessment should be conditioned.

Lighting: No objection, details of the lighting strategy should be secured by condition.

Air Quality: No objection subject to a Construction Management Plan secured by condition.

Open Space Officer: No objection subject to conditions and S.106

Access from this site in to adjacent Fawcett Fields will be beneficial to existing and future residents. The scheme does not propose a strategy to meet all of its Public Open Space needs, however financial contributions could be used to contribute to new facilities as part of the NMTC Fawcett Field vision document. Requests details of play equipment, design of public open space and its maintenance regime.

Strategic Housing: No objection subject to S.106.

Recognising multiple viability reviews and the viability challenge presented by the applicant, the provision of 37 units of affordable housing, in a policy compliant tenure mix is positive. Local connections and the size and tenure mix should be secured as part of S.106 obligations.

Hampshire County Council

HCC Countryside Services: Objection

Holding objection seeking discussion with the applicant regarding a £1000 per dwelling contribution towards maintaining existing Public Right of Way Network.

HCC Education: No objection subject to S.106 contribution

Confirms that the scheme will give rise to increases in school age children that requires mitigation. Sufficient capacity is available at secondary age schools, however a contribution towards the expansion of primary age schools is required to mitigate the impact of the development.

HCC Highways: No objection subject to conditions and S.106 agreement

No objection to the design of the access or impact of the scheme on the wider highway network. A financial contribution towards off site enhancements to cycling and walking infrastructure is required and provision of crossing points along Gore Road and shared pedestrian-cycle way along Gore Road as shown on plans should be secured. Draft resident and school travel plans are required.

HCC Surface Water: No objection subject to conditions.

The proposed surface water drainage strategy is sound, but a condition for a detailed strategy to reflect detailed layout and design proposals is suggested.

Others

Hampshire Fire & Rescue Service: No objection.

Comment regarding ensuring access to the properties meets the building regulations requirements and construction minimises fire risk.

Natural England: Comments

Identify that the scheme would give rise to likely significant effects detrimental to the integrity of habitats in the New Forest and Solent. Mitigation should be secured, and the Council should assess this in a Habitats Regs Assessment. Bio-diversity Net Gain should be secured, and ecological impacts mitigated.

Southern Water: No objection

Adequate foul drainage to serve the development exists.

9 REPRESENTATIONS RECEIVED

Twenty letters of objection have been received raising the following issues:

Principle of development;

- Development is not sustainable
- Inappropriate location for development
- The site is an important part of the character of the area
- Scheme would harm the character of the area
- Insufficient facilities in the Town to support growth
- Not enough Doctors, Dentists or schools for new residents

Highways

- Already too much traffic and related air pollution
- Gore Road is busy and suffers from speeding drivers
- Safety risks for children crossing the road
- Proposed Access would conflict with highway safety and existing residential properties

Ecology and Climate

- Impact on wildlife using the site and reduction in biodiversity
- Lack of consideration for creation of wildlife habitats and restrict harm from traditional surface water drainage designs
- Lack of detailed proposals to generate energy on site from renewable sources
- Surface water runoff would cause flooding

Amenity

- Vehicle lights shining into existing houses from access
- Loss of trees would allow light pollution from glasshouses
- Greenspaces are required for mental health and well being

Two letters of support have been received making the following comments:

- Housing required to keep young people here and grow the town
- New housing will bring investment and benefits for the town
- Acknowledgement of positives for biodiversity and wildlife

10 PLANNING ASSESSMENT

A) The principle of the development

Local Plan policy STR1 'Achieving sustainable development' sets the overarching requirements expected of developments to achieve sustainable development. The first three requirements are particularly relevant to this application;

i) Ensuring housing needs are met by delivering development in sustainable locations;

ii) Requiring a context led approach to the design of development and secure a high quality design that maintains local distinctiveness, safeguards landscapes and heritage assets;

iii) Achieving environmental gains, avoiding or mitigating the impact of development on the integrity of protected habitats in the New Forest and Solent.

Policy STR4 sets a settlement hierarchy for the New Forest. The site falls within New Milton, included in the list of 'Towns', the largest settlements in the hierarchy, considered to be the most sustainable locations for large scale residential development, such as the scheme proposed by this application.

Policy STR3 presents the strategy for locating new development, seeking to direct development to accessible locations that help to sustain the vitality and viability of the towns and villages of the plan area.

The location of the development, within the defined built up area of New Milton is appropriate for the scale of the proposed development, in accordance with the requirements of STR3 and STR4.

Policy STR5 sets the housing need targets and the trajectory for delivering the housing to meet the overall identified need, against which the 5 year supply of land for housing is calculated. The delivery strategy identifies that circa 60% of the District's housing needs will be delivered by Strategic Site Allocations, of which this site is one of.

Allocated for residential development as Strategic Site SS11 - Land to the South of Gore Road, the application accords with STR5. The adopted policy states:

Strategic Site 11: Land to the south of Gore Road, New Milton

- i. Land to the south of Gore Road, New Milton as shown on the Policies Map is allocated for residential development of at least 160 new homes and public open space, dependent on the form, size and mix of housing provided.**
- ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed new area of the town by:**
 - a. Providing a positive frontage to Gore Road whilst retaining the better trees in the current frontage tree belt, maintaining a green gap between the development and the listed barn at former Gore Farm.**
 - b. Creating a central greenspace within the development around which higher suburban densities can be accommodated, and arranging buildings on the southern and eastern frontages to face onto and provide natural surveillance to greenspace areas.**
 - c. Concentrating open space provision on the southern and eastern edges of the development to complement and enhance existing public open space.**
- iii. Site-specific Considerations to be addressed include:**
 - a. Design measures to manage the relationship between the development and the glasshouse structures and business operations of the adjacent nursery.**
 - b. Respecting the setting of the listed building of barn at former Gore Farm.**
 - c. Enhancing access to Fawcett's Field recreation ground.**

The policy expects the site to deliver at least 160 dwellings, as a minimum. This scheme proposes 178, an increase of 18 units however this increase is, as is set out through the following report, acceptable and does not raise concerns over the ability of the site to be able to deliver a suitable and sustainable development.

The application site does not cover the entire site of the land allocated by policy SS11. The allocation includes an existing above ground water reservoir that provides irrigation water for the neighbouring horticultural business. The policy wording is silent on retention of the reservoir, however the concept masterplan accompanying the policy indicatively shows the reservoir be retained in the southern part of the site. Similarly that infrastructure is excluded from the application site. As the concept masterplan shows its retention it is considered that retaining it does not compromise delivery of a policy compliant scheme or have any implications for delivering comprehensive development. Any future proposals for its replacement or development would be considered on their merits against the relevant development plan policies at that time.

Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

Housing Land Supply and National Policy Context

In determining planning applications decisions should be made in accordance with the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).

Paragraph 11 of the NPPF clarifies what is meant by the presumption in favour of sustainable development for decision taking. It states:

For decision-taking this means: ‘...

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.

Taking NPPF paragraph 11(c), if the proposed development accords with the Council's local plan it should be approved.

If the development does not accord with the local plan, the development must be considered against NPPF paragraph 11(d).

In light of the recently published NPPF (December 2023), planning applications registered before 19 December 2023, such as this application, remain subject to the policies of the previous NPPF in relation to the requirement to demonstrate a five-year housing land supply. In such circumstances, the Council is not currently able to demonstrate a 5 year housing land supply with only 3.07 years of supply being the current published position.

This position was exemplified in the recent appeal decision at Orchard Gate, Noads Way, Dibden Purlieu (NFDC Ref:22/10813), received 16 January 2024. The Inspector confirmed that paragraph 11(d) of the NPPF was engaged due to the lack of a 5-year housing land supply and after an appropriate balancing exercise was undertaken concluded that the harm he identified did not significantly and demonstrably outweigh the scheme benefits and the scheme should be approved.

Footnote 8 to the NPPF paragraph 11 is clear that in such circumstances where a five year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11 is engaged.

Taking the first limb of paragraph 11(d), as this report sets out, in this case there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7 of the NPPF, namely habitat sites and heritage assets. Therefore, a judgement will need to be reached as to whether policies in the Framework provide a clear reason for refusing the development. Where this is found to be the case, the development should be refused.

The second limb of paragraph 11(d), namely whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'), will only apply if it is judged that there are no clear reasons for refusing the development having applied the test at Limb 1.

Benefits of the principle of development

The scheme would have significant benefits associated with it. The proposal is for a new residential development of up to 178 dwellings which would make a very significant contribution to the housing land supply in the District of approximately six months supply.

Successful implementation of the Local Plan, by ensuring allocated sites deliver, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

Although not in wealth generating or employment sectors prioritised by the development plan policies STR6 'Sustainable economic growth' and ECON1 'Employment land and development', the scheme would have short term significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home.

The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver social benefits of providing housing, whilst the outline application does not present a final design strategy, the illustrative material does propose flats and houses, in a mix of sizes, creating a mixed and balanced community as well as giving a wide range of choice. The scheme proposes to

provide affordable housing in a policy compliant mix of social and affordable rental tenures and shared ownership.

These benefits contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the development plan.

Environmental Impact Assessment (EIA)

The proposed scheme was subject to a request from the applicant for the Council to adopt a Screening Opinion of the EIA regulations 2017 (See Relevant Planning History). In concluding that the scheme was not EIA development it was considered that the scheme is a schedule 2 (10) Infrastructure Project and would exceed the dwelling number threshold of 150. It is not in a sensitive area, but is close to habitats in the New Forest and Solent.

Given the scale of development proposed, the level of open space to be provided within the site, its limited impact on sensitive sites, its separation from other residential sites, its allocated status, its ability to be developed independently and subject to any planning application being supported by the detailed technical information, the Local Planning Authority did not consider that significant effects on the environment would be likely to arise from this development, concluding that it was not EIA development.

It is acknowledged that the EIA Screening Opinion was based on a proposal to erect 160 dwellings and the scheme subject to this application is for 178. As the original scheme was above the 150 unit threshold and the site is no larger or closer to any of the sensitive sites assessed at that time, the marginal increase in proposed residential units is not considered to alter the conclusion reached in issuing a Screening Opinion that the scheme is not EIA development.

The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

B) Housing Mix and Affordable Housing

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes. A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

	1-2 bed	3-bed	4+ bed
Affordable rental homes	60-70%	25-30%	5-10%
Affordable home ownership	55-65%	30-35%	5-10%
Market homes	30-40%	40-45%	20-25%

A housing mix has not been proposed by the application, the applicant has indicated a willingness to accept a condition that would secure a mix in accordance with the above table. New Milton Neighbourhood Plan (NMNP) policy NM2 presents a desire to enhance the availability of homes for young people and families, especially those looking to buy their first homes, this will be taken into account when

considering detailed scheme layout by reserved matter applications in order to make best use of the site.

Affordable Housing

In accordance with HOU2, the target for the provision of Affordable Housing in this part of the District is 50%. Officers have negotiated with the applicant on this point and contrary to the policy target the scheme now offers to provide 21% (37 units) of the scheme as affordable housing (up from the starting position of zero) across the tenures identified by the policy.

Whilst 50% is a target, the policy does allow for the viability of development to be taken into account. Amended viability appraisals have been received during consideration of the application, however not in response to changes to the scheme or amendments to the principal development proposals, but in order to provide a finer grain assessment of the scheme viability, each time concluding that the scheme would not be sufficiently viable to support any provision of affordable housing.

Independent external review

Each appraisal submitted to the Council has been analysed by Dixon Searle Partnership (DSP) external viability consultants acting on behalf of the Council. Each time they have refuted the applicants appraisal and indicated that the scheme is more viable than the applicant is indicating and sufficiently viable to make a considerable contribution of affordable homes.

Principal factors leading to the difference of opinion between the applicant and the Council are existing use/land values, build costs and gross development value (house prices).

DSP have brought to the Councils attention the approach of the applicant, who in concluding that a 100% market scheme is unviable have assumed that the provision of any affordable housing would exacerbate that situation. However such an approach fails to recognise reduced CIL costs for affordable housing (likely to be entitled to CIL relief), reduced profit expectations for affordable housing and the guaranteed cash flow benefit of agreed sales of affordable housing to Registered Providers, that would be factored in to an appraisal incorporating a percentage of affordable housing.

DSP also suggest that consideration of the existing site value should recognise local plan policy expectations for the development likely to be accepted on a site, and in this case suggest it is counter-intuitive that a greenfield site, such as this, in a fairly high value area of the South East, with no particular development constraints or remediation/abnormal costs, would be unable to deliver any affordable housing from a development of 178 dwellings. Especially when other similar sites in the New Forest District and wider south and south east are able to provide various levels of affordable housing.

Turning to the most recent viability evidence presented by the applicant: There are still differences in opinion regarding land value and build costs, however the appellant has taken advice from estate agents to inform the GDV, which results in a figure closer to that considered appropriate by DSP than initially suggested.

Based on their knowledge of the scheme viability and views regarding land value and build costs, DSP consider, that despite suggesting a 100% market scheme is unviable, the applicant's proposed 37 unit (21%) offer is a reasonable position and anything higher would likely be undeliverable

Officer assessment.

The tenure mix proposes the 70%-30% mix between rental and shared ownership tenures, with the rental units split equally between social and affordable rent as required by HOU2.

Whilst the submitted viability assessment fails to provide a compliant quantum of affordable housing in accordance with HOU2, the proposed contribution of 37 units makes a reasonable contribution towards the provision of affordable housing in the district contributing, in accordance with policy STR1 para i), to a sustainable development. Such a contribution also weighs in favour of the development.

Given the findings and professional advice of the Council's independent viability assessor and on a balance of considerations, Officers are minded to accept the applicant's proposed affordable housing offer.

That balance includes the benefits of a policy compliant affordable tenure mix, the need to apply a presumption in favour of sustainable development arising from the lack of a 5 year supply of land for housing.

The proposed offer of 37 units (21%) does comply with the expectation of the NPPF at para.66, that major housing schemes should deliver at least 10% of the scheme as affordable housing. Provision of affordable housing at the level now offered by the applicant delivers social objectives from the scheme that would contribute to a sustainable development, as defined by para.8 of the NPPF.

Therefore subject to securing the Applicant's affordable housing offer by way of a S.106 agreement the proposal would be acceptable given the provisions of policies IMPL1 and HOU2.

C) Character, Layout, Landscape, Trees and Open Space

Although the site is included in the built up area as defined by the Local Plan policies map, it is being used for arable agriculture, growing and harvesting crops. It has mature landscape features along its edges.

Built form abuts the site on two sides, with houses along the north side of Gore Road and the glass houses of the horticultural business adjoining the west edge of the site. To the east and south are sports pitches laid out at Fawcett's Fields, the Town Council owned playing fields. Close to the north east corner of the site is Milton Barn a public house with restaurant and hotel rooms.

Because of the extent of built form around the site to the north and west it does not have strong rural character that its recent use might suggest. The defined built-up area, as identified by the policies map, follows the edge of the strategic site. Beyond that boundary the land is designated as Green Belt. Despite the proximity of New Milton to the New Forest National Park the site has no direct visual relationship with the New Forest National Park.

In addition to the design requirements of the Strategic Policy the following policies are directly relevant to the design of the scheme.

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to address specific design criteria (i) to (vii).

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context, addressing supporting design criteria (i) to (vi).

The scheme is proposed in outline form with only the principle of the development of 178 dwellings and Access to the site subject to consideration by this application.

Scheme Character and Layout

As an Outline application the scheme is supported by parameter plans demonstrating:

- the area of the proposed development within the application site;
- the position of a range of densities and building heights;
- the arrangement of potential routes across the site and connectivity to adjoining land; and
- the arrangement of proposed and retained landscape spaces.

The principles established by these plans are supplemented by a design code that seeks to set more detailed design parameters in order to provide confidence that the principles will deliver a well planned, attractive and accessible extension to New Milton.

The Building Development Framework plan sets out the principal blocks of built form across the site. Although indicatively showing access routes between perimeter blocks of dwellings, that detail is not under consideration. It does closely follow the illustrative layout of built form on the concept masterplan accompanying policy SS11 in the Development Plan. It arranges the built form close to Gore Road, but wrapped with open space along the east and south edges.

In accordance with policy SS11, masterplanning objective (ii) (a).1, it does retain the avenue of trees along Gore Road, but places built form close enough to the edge of the site that it could have a visible presence on Gore Road.

The framework retains space in the centre of the development to form a greenspace around which the built form is arranged. It allows the open space along the east edge to extend up to Gore Road, thereby preserving a gap to the listed buildings at Milton Barns (former Gore Farm). It also retains a gap between the area for built development and the west boundary and glasshouses beyond.

This plan provides a framework from which a policy compliant layout could be achieved.

The Building Heights Framework plan sets zones for a variety of building heights. Restricted to the area proposed for built development by the Building Development Framework plan it provides a range of heights from typically 1.5 storey around the edge adjacent to the new open space, to 2 and 3 storey in the centre.

The majority of the site would be 2 and 2.5 storey heights, entirely consistent with the character of Gore Road. The 2.5 storey limit allows for roof forms to provide additional accommodation and interest in streets, varied roof heights and define perimeter block corners

The eastern and southern edge would be predominately 1.5 storey buildings with elements of 2 storey. This provides a natural transition and reduction in scale adjacent to the new open space, consistent with a desire for that open space to provide attractive alternative to the openness of the New Forest. Whilst the site is adjacent to the edge of the built up area, due to the presence of the glasshouses on the adjoining site, the reservoir to the south of the application site and the managed landscape of Fawcett's Fields, the land beyond that boundary is not readily rural in its character, as such the character of the development at the edge of the built development on this site does not need to transition to the rural setting required in other sites.

The centre of the site, surrounded by the 2 storey zone, is where taller buildings would be entirely acceptable. Largely screened by the surrounding development, building heights of 3 storey would not be appreciated from beyond the site. Taller buildings would contribute to creating a different character, compared with the surrounding zone giving legibility, a distinctive identity and making efficient use of the site.

The Density Framework plan follows the same arrangement as the Building heights Framework plan, with the zone of highest density of 45-48dph, being the same as the zone encouraging taller buildings. Similarly the zone of low density, 20-23dph, matches the zone where height is limited to lower buildings, ensuring a lower scale interface with the open space on site. The majority of the proposed development would be in the mid range density of 32-35dph.

The combination of these two parameter frameworks produces the opportunity to meet the policy aspiration of accepting higher suburban densities, where open space on site presents the opportunity.

The Movement Network Framework provides a variety of routes across the site. Primarily from the principal accesses from Gore Road, it shows a main street entering the site, with secondary streets illustratively extending in to the built development blocks and potential tertiary edge streets beyond. This hierarchy of streets and highlighted opportunities for shared spaces will contribute to creating different character areas across the site.

Whilst the roads would be expected to accommodate all modes of travel, the plan includes the principle of dedicated pedestrian and cycle routes. Largely through the open space, they also extend to the boundary in order to ensure access to adjoining sites and by existing residents of New Milton and Barton-on-Sea.

A Wider Context Movement Network Framework plan has been provided to put the proposed on-site movement framework in context with existing routes around the site. This principally demonstrates and highlights the opportunity of the scheme to provide a link between areas north of Gore Road with Fawcett's Fields and beyond, and the benefit of extending the existing off-road shared pedestrian-cycle way along Gore Road to the application site and linking it to routes planned for Stem Lane to the north.

A Landscape Framework plan presents the principles of the provision of open space on the site. Relating to the area proposed for development by the Building Development Framework and based on the proposed number of dwellings, the plan shows space for green infrastructure consisting of Alternative Natural Recreational Greenspace, Public Open Space, play areas and drainage basins.

In accordance with policy SS11 ii) b), the plan provides for a central greenspace and landscape spaces along the indicative routes through and linking the development parcels. As required by policy SS11 ii) c) it concentrates the open space on the southern and eastern edges where it will complement existing adjoining open space, with both visual landscape and recreational enhancements. As such the proposal meets these Policy SS11 masterplanning objectives.

It also shows the retention of existing landscape features along the boundaries. The landscape buffer along the west edge, described above as providing separation to the glasshouses, is shown. This buffer is not required to meet provision of a policy compliant amount of ANRG or POS on site and is therefore not designed in such a way to be functional or accessible expected of the recreation open space provision.

The parameters and principles established by these plans creates the framework to deliver a scheme that complies with the design aspirations of policy SS11.

The applicant has chosen to prepare a Design Code in order to demonstrate and influence the quality of the scheme. This design code will inform Reserved Matter applications in order to ensure a high quality scheme is delivered that could comply with policies ENV3 and ENV4, potentially enhancing the character of New Milton and creating a development that achieves its primary objectives of promoting health and well being, is context responsive, promotes walking and cycling and makes sustainable design solutions integral to the development.

The submitted design code has reviewed the character and appearance of the surrounding context in order to draw upon good examples and desirable features distinctive to the area, including the listed building at Gore Barn. It has also defined characteristics and typologies of development and built form to respond to and take advantage of, to deliver the different zones of height and density detailed on the framework plans and described above.

Beyond the overall vision, the design code includes chapter on the Movement Strategy, Green and Blue Infrastructure, the Character Areas and Sustainability. Expanding on the framework plans to describe what should be delivered or complied with to achieve the objectives of the vision.

Taking each chapter of the design code in turn:

As described above, the hierarchy of streets shown on the Movement Framework plan will contribute to creating different character areas across the site. The Movement Strategy chapter of the design code provides details of how this can be achieved through street widths, use of on or off road cycleways and shared routes, the size and arrangement of front gardens or street landscape and options for parking on streets, enclosure of and position of parking and bin storage.

The Green and Blue Infrastructure chapter captures the means by which the ANRG and POS can be designed and laid out to achieve the roles expected of such green spaces. It also sets out how the buffer along the west edge can be designed to preserve operational efficiency of the commercial site with reasonable expectations for residential amenity. Aspirations for the provision of play on site, how play spaces can be sensitively absorbed in the open space is also included. Green corridors are defined to in order to ensure open space and landscape is embedded through the scheme in a coherent manner.

Consideration is given to ensuring the landscape proposals contribute to achieving bio-diversity enhancements, identifying where existing ecology can be embraced and

enhanced and new opportunities will be provided. That extends to the opportunities presented by the drainage infrastructure being part of the landscape and options to rely on sustainable natural approaches and the biodiversity benefits such an approach would deliver.

The Character Areas chapter of the design code opens by defining key elements of design that are provided to create a distinctive townscape and coherent character, before presenting how they would vary to produce four character areas. The character areas largely respond to the three density and building height zones shown on the parameter plans. A fourth character area is defined along the northern edge where the development takes greater influence from the existing character of Gore Road, but maintains the mid density range and predominately 2 storey height of the majority of the area of built form.

Each character area is described with key design expectations required to achieve the character intended. Illustrative images of buildings are produced, relying on the design expectations appropriate to the character area. Alternatives using traditional or contemporary materials and detailing show how the code could deliver a different appearance dependant on the ethos desired, while maintaining the fundamental details.

The character codes demonstrate how 1.5 and 2.5 storey buildings could be designed, how corner buildings would be articulated on multiple elevations, how a continuous frontage would be articulated with a varied roof line and subservient connecting garages. It also demonstrates how lower buildings can positively complement and support taller buildings in the core, the use of rhythm in the design to provide attractive buildings and streetscenes and detailing and materials are important to the richness of the design and identity of the place.

The final chapter of the design code seeks to set out ways by which the sustainability of the scheme can be maximised. Largely setting aspirational 'above standard' targets for insulation, energy efficiency and water efficiency, but positively proposing to meet national described space standards for building size, incorporating eco-friendly heating systems and including integrated solar PV and water heater panels. It also advocates off site modern methods of construction and a fabric first approach to reducing the need for artificial lighting and heating.

The design code has evolved during consideration of the application to respond to comments made by the NFDC Environmental Design Team. Minor issues that remain, as presented in the representation reported above, do not go to the heart of the aims of the design code and could be readily resolved by the Reserved Matters applications that will follow.

Whilst the design code adds more detail to inform the decision maker at this time and seeks to influence the approach and detail of future plans for site development, it does not remove the fundamental principle that future applications for the Appearance, Landscape, Layout and Scale of the development are required and they should be assessed on their merits at the time. It would be appropriate to impose a condition requiring broad compliance with the design code and expect those Reserved Matters application to be supported by a statement assessing the submitted scheme against the design code.

However, the design code and parameter plans create the framework by which a scheme can deliver all the design requirements of the site allocation policy and result in a well-planned and attractive development that draws on local distinctive character and could meet the expectations of Local Plan policies ENV3 and SS11.

Landscape.

The site is currently used as arable farmland, which makes little contribution to the landscape character of the area. There are mature trees along the northern edge of the site that contribute to the attractiveness of the Gore Road streetscene. Further mature trees exist along the south edge of the allocation, wrapping around the glass houses and the reservoir, linked to a small woodland on Fawcett's Fields.

By reason of the flat terrain the interior of the site is not readily visible from surrounding areas off site. Loss of the agricultural landscape on site is largely accepted by the principle of allocating the land for development, however its loss would not harm the wider landscape character of the area.

Retention of the existing mature landscape minimises the impact of the principle of the proposed development on the wider landscape character.

Inclusion of new and improved landscape is a prominent feature of the parameter plans and design code. The built framework parameter plan preserves the important features of the existing landscape and makes space around the proposed development land including space through the centre of the scheme to provide landscape throughout the development.

Details of the landscape is a reserved matter subject to a detailed application, at which time the specific design, layout and species of the new landscape would be provided and considered. However, the design code sets out the opportunities that the scheme presents to ensure attractive and functional landscape is delivered.

The concerns raised by the NFDC Environment Design officer are noted, but reference to mowing regimes for potential use of open spaces are matters left to the detailed reserved matter applications and subsequent management strategy. The principles being established at this stage would not restrict such detail being agreed in due course.

Comments regarding the SUDS infiltration basin being moved westwards would need to be considered alongside the site wide drainage strategy. As this feature is indicated to be an infiltration basin, it would not have water in it permanently so could provide useable amenity space for some of the time.

Whilst the planting regime and design of the open spaces will be considered by reserved matters applications provision of Alternative Natural Recreational Greenspace (ANRG) has a dimensional quality to it. Sufficient area overall can be provided to meet the 8ha/1000 population requirement, however aspects of the proposed ANRG are not large enough to meet the design expectations of providing spaces that achieve an attractive alternative to using sensitive sites within the New Forest National Park for recreation by residents.

The adopted ANRG design guidance requires a large space of at least 120m diameter (60m radius), supported by smaller spaces of 60m diameter (30m radius). Those smaller spaces should be linked by corridors of no more than 60m length. Whilst a large radius space is provided for across the southern portion of the site, due to its length and width the greenspace extending along the east boundary towards the north edge of the site does not meet that criteria to specifically provide supporting small spaces..

Based on the Built Development Framework plan that area has an average width in excess of 45m, wider than envisaged for the linking corridors at circa 20m, but not as wide as the smaller 30m radius spaces. However, this proposed ANRG along the

east edge of the site is supplemented by the open aspect across Fawcett's Fields for much of its length, giving a greater sense of openness, a strong attractor to the National Park, than if it were enclosed by adjoining built form. Furthermore, the illustrative plans indicate that paths can be provided on both sides of that space, contributing to a circular walk through the greenspace, another important feature required to achieve a successful alternative to the National Park.

In this case, it is considered that as the area proposed to be made available and landscaped as ANRG is not severed by roads, is always wider than the width of linking corridors shown in the guidance, is not enclosed by development on all sides, so has a sense of openness and achieves the total area required, its failure to meet the preferred arrangement of spaces would not undermine its ability to provide an attractive, functional open space that offers residents a realistic alternative to the sensitive habitats in the New Forest.

The landscape framework on site is enhanced through the provision of a green buffer along the west edge of the site, proposed to provide a substantial buffer to screen the scale of the neighbouring glass houses. Whilst plans demonstrate the glass houses are not out of scale with the height of standard two storey houses, likely in the development parcels along the west edge of the site, their unrelieved 350m length would be a significantly imposing feature on the townscape and outlook from the dwellings. A low embankment and densely planted trees would provide a more attractive outlook, but contribute significantly to the landscape setting and achieve ecological benefits as a green link.

Subject to reserved matter applications, the parameter plans and design code create a framework to meet the aspirations for the delivery of a well landscaped development required by policies SS11, ENV3 and ENV4 of the development plan.

Trees.

There is no Tree Preservation Order on the site or covering any trees close enough to the site to be a consideration. There are however trees on and adjacent to the site that are still considered to contribute positively to the appearance of the site and wider landscape.

As described above there is line of mature evergreen Pine trees along the site frontage to Gore Road, that at 12m high and in good condition make a positive contribution to the character of the area and will provide an attractive filter to views of the development from Gore Road. Categorized as 'B' trees in the tree survey supporting the application the Built Framework parameter plan retains sufficient separation between the area proposed for built development and those trees in order to avoid direct impact on their root zones. Being to the north of the built area, they should not cast any shading towards the proposed dwellings, nor should needle or sap drop be an issue.

It is recognised that the proposed access would result in the loss of trees from this line, however the concept masterplan for the site accepted the principle of access through the line of trees and based on the landscape framework and opportunities for landscape along the main access road in to the site, as well as scope to supplement the line of trees at its eastern end, the loss would be readily mitigated for.

There are no trees across the middle of the site, whilst the detail of the landscape design and specific species would be subject to Reserved Matters applications, the scale of the open space provided on site would allow for large growing specimens to

be planted and mature in spacious setting making a positive contribution to tree coverage on site.

A condition securing a construction environmental management plan to include measures to protect retained trees from damage during construction would be merited.

As such the scheme complies with Local Plan policy ENV4

Public Open Space

The site is currently privately owned land and there are no public rights of way across it, or access for use, as such comments in representations received objecting to the loss of amenity space are given no weight.

In accordance with policy CS07, based on the principle of requiring 3.5ha per 1000 population, 178 dwellings requires a total of 1.62ha of Public Open Space. That breaks down to:

- 0.93ha of informal open space;
- 0.11ha of play space;
- 0.58ha of formal space.

As shown on the Landscape Parameter Plan a total of 0.93ha of informal open space is provided for throughout the site, including the existing landscape edges and within the development parcels and complementing the Alternative Natural Recreational Greenspace. Reserved matter applications of Landscape and Layout would present the detailed arrangement and design to achieve the minimum open space required and to ensure they deliver attractive spaces functionable for informal recreation.

The supporting design code includes a chapter on Green and Blue Infrastructure, presenting options for play and informal recreation in a section on public open space.

The green buffer provided along the west edge of the site has not been included in the area of informal open space being provided, but does have an important role in securing amenity for residents of dwellings proposed along the west edge of the site, complying with policy SS11 (iii) (a).

The Landscape Parameter plan also indicatively indicates the location of a variety of spaces for play. A single Local Equipped Area for Play (LEAP) would be provided, located within an area of open space to avoid conflict with the amenity of the closest residents, but close to the new north-south shared ped-cycle route and access to Fawcett's Fields to make it accessible to all and allow passive surveillance from users of a principal route across the site.

Two Local Areas for Play (LAP's) are proposed to make play provision for younger age groups. Shown in principle on the parameter plans, detailed proposals for the design and layout of the residential areas could accommodate LAP's within the residential areas. The Design Code presents details of what the play provision should contain to be successful and how to approach their design to successfully integrate them with the overall development.

Details of the type and range of equipment to be used in the play areas would be required to accompany the reserved matters applications in order that they meet the needs of the development.

Due to the size of the site and scale of the scheme it is considered unnecessary to require provision of formal recreation facilities on site. Policy SS11 does not require any site specific provision of formal recreation facilities. However, the Infrastructure Development Plan does indicate a financial contribution towards facilities at Fawcett's Fields should be secured. New Milton Town Council have published a Vision document for improving Fawcett's Fields, as such it is considered appropriate that a financial contribution is secured, in lieu of a specific provision, in order that the contribution can be put to most efficient use with any other sources of funding the Town Council can secure.

Subject to securing S.106 obligations and conditions the scheme would comply with the spatial requirements of policy CS07, contributing to the social wellbeing of residents, including those already living in this part of the District.

D) Highways and Access

Access to the site is the only detailed 'Matter' before the Council as part of this Outline Planning Application. The scheme proposes to form a vehicular and pedestrian access from Gore Road into the application site.

Access and trip generation.

The site only has a road frontage to Gore Road. The location of the proposed principal access is broadly as shown on the concept masterplan accompanying policy SS11 in the Local Plan. That access would make provision for all forms of movement. A second access on to the site for cyclists and pedestrians is proposed close to the eastern end of the frontage on to Gore Road.

The Highways Authority accepts the design and location of the access into the site would be safe and preserve highway safety along Gore Road. The access will secure adequate visibility and manoeuvring space for vehicle speeds and the vehicles expected to access the site. Due to the size of the development and scale of vehicle movements generated, a right turn lane for east bound traffic approaching the site, will be provided within the existing carriageway and can be delivered without compromising the existing reciprocal lane for west bound traffic turning right from Gore Road into Stem Lane.

In order to support and encourage pedestrians, new refuges will be provided on Gore Road to the east and west of the proposed access.

Plans have demonstrated these measures can be provided without compromising access to and from existing residential properties on the north side of Gore Road.

There is no objection to the amount of vehicle trips generated by the scheme. The Highway Authority accepts the trip generation modelling and distribution on the network, concluding that there would be no negative impacts on highway safety, the free flow of traffic or junction capacity in the vicinity. The scheme would secure safe travel in accordance with local plan policy CCC2.

Alternative modes of travel.

The application is supported by a movement network framework plan, showing the site in the context of movement options around the site and the proposed options to enhance them and integrate them through new routes across the site based on the built framework parameter plan.

There is an existing off carriageway shared pedestrian-cycle way along Gore Road approaching the application site from the east. It currently terminates at the vehicular access to Milton Barn, the pub-restaurant site to the east of the application site. This application proposes to extend the route across the front of Milton Barn and along the highway verge in front of the application site. This would make a significant contribution towards encouraging residents to cycle and walk towards New Milton town centre, and most particularly will provide a safe off-road route from the site to Arnewood School for pupils and visitors to the associated sports centre.

With the provision of the new refuges to cross Gore Road, the new cycle link would benefit existing residents to the north of Gore Road, where policy NMT14.5 of Local Plan part 2, also seeks to enhance facilities for cyclists along Stem Lane.

A new shared pedestrian-cycleway will cross the site in a north-south direction, from Gore Road, broadly in the location of the existing field access, to a point in the south east corner where it would provide access in to Fawcett's Fields and onwards towards Christchurch Road and Barton-on-Sea. Not only would this provide enhanced access in to Fawcett's Fields as sought by policy SS11 iii) c) for the recreation benefits, it would also provide a more direct and safe route for pedestrians and cyclists from the north of Gore Road to access Fawcett's Fields and beyond, or residents from south of Christchurch Road to access employment areas north of Gore Road and beyond in compliance with the aspirations of local plan policy CCC2. This is a significant benefit of the scheme that will contribute to reducing the reliance on the private car and enhance opportunities for active travel in the area.

Hampshire County Council (HCC) are in the process of producing a Local Cycling and Walking Infrastructure Plan (LCWIP) for the New Forest, that seeks to enhance priority and safety for cyclists and pedestrians on existing routes. Based on predicted additional vehicle flows as a percentage of overall flows along Gore Road towards the town centre, a contribution of £106,503 towards improvements identified by the LCWIP, is required. These enhancements would complement the provision of such dedicated routes across the site and allow residents and visitors to travel further by those non-motorised modes safely, contributing to a reduction in reliance on the private car and the multiple benefits for air quality and health that arise from less carbon based miles and improved active travel.

The Highways Authority seeks that a framework travel plan is provided, to provide an indicative action plan, cost estimate for the identified measures and a monitoring programme. It is considered best practice to have sight of this detail to inform the preparation of a S.106, however the lack of such a document at this stage does not undermine the ability to secure a Travel Plan via the S.106 or render the scheme unacceptable in highway terms.

The site is within walking/scooting/cycling distance of primary and secondary age schools, as such the request for a school travel plan is considered unnecessary, however it would be reasonable to secure a financial contribution from the development towards facilities at those schools to deal with increased cycling, walking and scooting to school, likely to arise due to the proximity. Such a contribution could be secured by a S.106.

The consultation response received from HCC Countryside Services seeks commitment by the applicant to make a financial contribution of £1000 per dwelling towards enhanced maintenance of the existing Public Right of Way (PROW) network, due to the increased use arising as a result of this development. There are no PROW's that cross the site, or on adjoining sites that the scheme proposes to

connect to. The closest adopted route, to the site, is a footpath linking Christchurch Road with Chiltern Drive, to the south of the site, opposite the access to Fawcett's Fields.

There is no evidence to demonstrate how the proposed scheme would place pressure on any of the nearby PROW's to require additional maintenance over and above the existing. There is no identified project or scheme of improvement presented, nor justification for maintenance being a requirement of making the scheme acceptable, nor is the contribution of £1000 per dwelling justified as being reasonable in scale to the impact or a reflection of the cost of the unidentified works.

Furthermore, being mindful of the benefits of the scheme for pedestrians and cyclists, by way of routes across the site and contributions to be secured towards identified projects to improve the existing highway network for pedestrians and cyclists, discussed above, it is not considered appropriate or justified to expect the development to make the requested contributions. The absence of such a contribution being secured does not make the application unacceptable in planning terms.

Parking.

There is an expectation that the scheme will be able to meet the NFDC adopted parking standards. Reserved matter applications will provide the detail design of the necessary vehicular parking. However, the design code sets out the principles of how parking would be accommodated on site and form part of the design approach to create the difference in character across the site. The design code seeks to ensure parking is functional for the scheme and residents, such as drives and parking spaces are wide enough to ensure bins, bikes and buggies can be navigated past neighbouring parked cars or walls.

The illustrative layout and design of the routes through the site include opportunities for on street parking to ensure they are integrated as part of the design solution.

Similarly the design code presents solutions for bin and bike storage for the variety of dwelling types proposed. Building regulations would require electric vehicle charging points are provided for each dwelling. A condition would be merited to secure details of provision of charging equipment for any shared parking courtyards in order to ensure provision.

Subject to reserved matter applications, S.106 obligations and conditions the scheme makes a positive contribution towards delivering a sustainable development, promoting active travel and due to its location reduced reliance on the private vehicle. It would secure safe access and preserve highway and pedestrian safety off site. The development would comply with policy CCC2 of the Development Plan.

E) Residential Amenity

There are no residential properties adjoining the application site. There are properties on the north side of Gore Road facing towards the trees on the Gore Road frontage of the site.

Whilst there are no detailed proposals for the layout, design and size of the dwellings to be provided on site, due to the proposed retention of the frontage trees and separation distances, across Gore Road, there would be no loss of privacy or amenity of the occupiers of those existing properties.

Representations received from residents of Gore Road raise concerns regarding a loss of amenity due to the position of the proposed access and vehicle movements generated by the scheme, most particularly head lights shining through windows.

The nature and scale of vehicle movements would be residential in character. There are street lights along Gore Road, including one in front of the houses most likely to be effected by vehicle headlights. Whilst it is accepted that lights do not currently shine directly at those houses positioned opposite the proposed access, however, the scenario is not unique to this site or scheme and is common place across urban areas.

The minor impact on amenity arising from the nuisance of vehicle headlights would not entirely compromise the amenity of the occupiers and is not considered to give rise to an unacceptable effect whereby this would weigh against the development making it unacceptable.

Within the site, at this time in the absence of detailed plans for the design, appearance, layout and size of the proposed dwellings it is not possible to assess the relationships between proposed dwellings, however there is nothing about the site or principles of the scheme under consideration that would suggest reasonable amenity and privacy between proposed dwellings couldn't be achieved.

The built framework parameter plan includes a landscape buffer of circa 6m width along the west edge of the site to achieve a reasonable stand off from the boundary with the adjoining horticultural site. This corridor would be outside any residential curtilages.

The supporting Design Code provides an illustration of that landscape buffer incorporating a heavily landscaped low embankment, which coupled with a gap of circa 15m to allow for operational needs between the east elevation of the glass houses and the common boundary, there would be sufficient separation and intervening features to screen the residential development from potential overbearing and shading impacts from the horticultural buildings.

As accepted by the NFDC Environmental Health Officer there is little noise generated by the horticultural business likely to have a detrimental impact on the amenity of residents, requiring detailed assessment or mitigation. The noise assessment provided, does highlight noise levels along Gore Road from vehicles have the potential to disturb residents of the proposed dwellings along the north edge of the site. A condition can ensure further analysis to ensure good acoustic design is incorporated in the design and layout of the houses along the northern edge.

Due to the use of a biomass boiler at the adjoining horticultural business, the NFDC Environmental Health officer has carefully considered air quality in the area. Whilst the boiler operates within its permit levels and the fumes discharged from the boiler flue are no cause for concern at present, the application would introduce residents much closer to the source of those fumes than existing.

Sufficient analysis of the potential impact of the biomass boiler flue should it operate to the maximum level of its permit, combined with the closer proximity of residents living on this scheme and additional vehicular movements, has been undertaken by the applicant. The NFDC Environmental Health officer is content with its conclusion, that there would be no detrimental impact on the health or amenity of residents of the scheme.

The horticultural operation undertaken within the glass houses uses extensive levels of internal illumination. Representations from local residents have raised concerns regarding the impact of this on amenity. The east elevation of the glasshouses has a black out film applied that contains the majority of the artificial light. This in addition to the proposed landscape bund would avoid causing potential nuisance to occupiers of the proposed scheme.

The consultation response from the NFDC Environmental Health officer also raises concerns over the potential for lighting on site to cause a nuisance, requesting a site wide lighting strategy is secured. There is nothing about the scheme to suggest that lighting over and above standard residential street lighting would be required. It is therefore considered unnecessary to require further detailed assessment of this matter for the purposes of residential amenity.

The scheme will preserve the amenity and privacy of local residents and subject to conditions adequate amenity and privacy could be achieved on site in accordance with policy ENV3.

F) Heritage

There are no designated heritage assets on the site, the site is not in or adjacent to a Conservation Area, nor are there any non-designated heritage assets identified on or close to the site.

There is a statutory Grade II listed building adjacent to the site. Identified as 'Barn at former Gore Farm in the Historic England listing description, it is listed for its special architectural or historic interest. It dates from circa 1830 and is identified as being a large barn of red brick with half hipped slate roof and red ridge tiles. Symmetrical design with centre double doors under porch with hipped gable. Planning permission and Listed Building Consent was granted for its conversion to a public house with bedrooms in 2002.

The Listed Buildings and Conservation Area Act 1990 requires Local Planning Authorities (LPA's) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

The site policy SS11 does acknowledge the presence of the listed building adjoining the site. The policy repeats national legislation, requiring development:

"respects the setting of the listed building of barn at former Gore farm"

The application is supported by a Heritage Assets Statement that assesses the significance of the Listed Building and potential impact of the development.

There would be no impact on the architectural significance, historic fabric or features of the listed building. The impact of the proposal on the listed building is limited to the change in the setting of the listed building. A review of historic maps of the area to assess the evolution and change in built form on the site and surroundings shows there were additional buildings adjacent to the barn in the early C20th, but that it wasn't part of a larger farmstead with a farm house. Those lesser buildings have been retained as part of the conversion of the barn to commercial use, but the fields around the barn sold off, developed or repurposed for formal recreational activities.

The agricultural setting of the barn has been extensively eroded over the late C20th and these proposals would perpetuate that change. The Built Framework parameter plan follows the principle of the concept master plan, by incorporating a

wide area of open space along the east edge of the site in excess of 30m, there would be almost 100m separation between the proposed development on the site and the listed barn itself. Whilst much of that open space would be landscaped and green, it would not reflect the agricultural activities of the past, but appear as natural recreational landscape.

The NFDC Conservation officer recognises this would amount less than substantial harm and in their opinion the scale of harm would be very minor. In line with NPPF paragraph 208, it is considered that the public benefits, described above, of the proposal would clearly outweigh the identified less than substantial harm.

The consultation response received from the Archaeologist objects to the failure of the applicant to undertake an assessment of the potential for the site to contain features of archaeological interest. As a green field site with no known previous development on it, there is little evidence to suggest the presence or absence of archaeological features.

The NPPF at paragraph 200 states; Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

In this instance there is no known evidence, from surrounding or nearby sites to suggest the site would include archaeological assets. As a green field site, where the ground has been undisturbed it has the potential for features to be present.

As the application is an outline application and no details of the layout are under consideration, it is considered to be entirely reasonable that appropriate archaeological research, surveys and investigations are undertaken before submission of reserved matters applications, in order that any findings can be evaluated and their significance factored in to the design and layout of the subsequent detailed designs.

There is high desirability for preserving the setting, special architectural features and historic interest of the listed buildings close to the site. The design and layout of the scheme minimises the level of impact on those features. Any impacts are outweighed by the public benefits of the scheme in line with NPPF paragraph 208. The designated heritage assets close to the site would be preserved as required by S.66 of the Listed Building Act, the NPPF and local plan policy DM1.

G) Ecology and Habitat Mitigation

i) Ecology and Protected Species

The site does not include any designated or protected habitats. It has been extensively managed as arable farmland for many years. As such the regularity of crop production and harvest has restricted the ecological value of the site to that largely inhabiting the north and east boundaries.

Birds have been surveyed on site and are likely to be nesting in trees around the edge of the site. Evidence of badgers being on the site has been identified, but no setts were identified. Bats are also likely to be foraging on site. A single adder was recorded.

Measures to protect and mitigate the impact of the development on these species have been proposed by the Ecological Impact Assessment, including, a sensitive

lighting strategy, pre-commencement badger survey and removal of reptile habitat under licence. All of these will be secured by conditions.

However, given the outline nature of this application and the passage of time until development may occur and the uncertainty regarding continued agricultural use prior to development occurring, it would be appropriate to ensure revised ecological surveys are undertaken to ensure mitigation is up-to-date and appropriate.

An ecological mitigation and management plan, secured by condition, can capture a raft of enhancements, such as the inclusion of bat and bird boxes and bee bricks, hedgehog highway gaps in boundary fences and provision of log piles and hibernacula and secure an appropriate future management strategy.

In addition, a condition securing a construction environmental management plan (CEMP) is merited in order to protect on-site ecology or species using the site from harm during construction.

Draft Biodiversity net gain metric calculations have been proposed that account for additionality above the landscape and ecology required to deliver public open space and ANRG. The metric has been revised since that time, however a condition will be imposed to ensure biodiversity net gain, consistent with national requirements is delivered.

Subject to conditions, the scheme would preserve and enhance the ecological value of the site in accordance with DM2 of the development plan.

ii) Recreational Activity Impact on the New Forest and Solent Habitats

Policy ENV1 of the Local Plan requires developments proposing more than 50 dwellings to make provision for ANRG on site as part of the proposed scheme. The policy expects 8Ha of ANRG to be provided per 1000 residents.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites.

Such adverse impacts would be mitigated by provision of Alternative Natural Recreational Greenspace (ANRG), on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 178 homes generate a need for at least 3.75ha of ANRG. The proposed scheme delivers 3.92ha of ANRG on site, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed in consideration of Landscape design. In principle the scheme provides sufficient quantity of ANRG to meet the policy requirements. It will be a requirement of the S.106 agreement that the developer forms a management company to have responsibility for the management and maintenance of all the open space on site.

Furthermore, a financial contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring will be secured in the S.106 agreement.

The site does not fall within the area identified as being likely to give rise to recreational pressure on Solent coastal sites, as such it is not required to make a financial contribution towards projects protecting those sites set out in the Bird Aware Solent strategy.

iii) Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with paragraph 4 (iv) of policy ENV1 and the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

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 address the additional nutrient load imposed on protected European Sites by the development.

A Grampian style condition will be imposed to ensure such mitigation is secured.

New Forest Habitats Air Quality Monitoring

To ensure that impacts on international nature conservation sites are adequately mitigated and in accordance with paragraph 4(v) of local plan policy ENV1 a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations.

Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

H) Other Matters

Provision of Education Facilities

The scheme will result in additional school age children living within the catchments of New Milton schools. Based on forecasting of birth rates and household size, the scheme will generate more children than there is capacity for in the Primary School age groups. A financial contribution has been calculated by the Education Authority to contribute towards projects to increase capacity at primary age schools in the New Milton area. No such contribution is required at Secondary school age groups as

there is adequate existing capacity to accommodate demand. A contribution of £915,376.00 towards local primary education would be secured by a S.106 agreement.

Drainage

The site is not at risk of any tidal, fluvial or surface water flooding. In accordance with paragraph v of local plan policy ENV3, the scheme proposes a network of attenuation basins leading to infiltration drainage lagoons that will manage surface water run off from roofs and hard surfaces in a sustainable manner. The Design Code includes a section on blue infrastructure to demonstrate how surface water drainage could be delivered attractively.

Hampshire County Council as Lead Local Flood Risk Authority are content with the principles of the strategy, but as the planning application is only for the principle of 178 dwellings and the proposed means of access, they request detailed proposals for the layout, design and capacity of the drainage network are provided to reflect designs agreed by reserved matter applications. This is reasonable and an appropriately worded condition could ensure details are provided and approved.

A significant portion of the representation from the NFDC Environmental Design Team is focused on the design of the drainage network, raising concerns that it doesn't provide a true sustainable drainage scheme and relies too heavily on enclosed pipes to transfer water from source to attenuation and soakaway basins. As indicated above, with the application in outline form a final strategy is not before the Council at this time. Furthermore, the design code supporting this application includes a chapter on 'blue' infrastructure identifying options for permeable paved areas, swales and linear wetlands, and rain gardens. It will be a requirement of the recommendation that the detail of the design code is secured so that it will then influence subsequent reserved matter applications.

Contamination

The site has not been identified as being a source of historic landfill or contaminating industrial processes, however given its historic agricultural use it would be prudent to impose a condition requiring reporting and disposal of any unexpected contamination uncovered during construction.

Climate Change

The Council has recently adopted the Planning for Climate Change SPD. This application pre-dates it, so is not captured by the requirements it places on new planning applications.

The improved network of routes for cyclists and pedestrians, including the proximity of the site to work places, leisure facilities and schools will make a significant contribution towards reducing the carbon footprint of residents' travel.

However one of the principles of the design code is to create a development that looks to the future with sustainable design solutions integral to the development.

The final chapter of the design code considers sustainable design and construction to maximise the opportunities to enable residents to live healthy lifestyles and minimise their environmental and carbon footprint.

It sets out where such measures can be delivered through the development infrastructure, within each individual plot, as part of each building and during the process of construction. This includes aspirations to exceed Building Regulations for energy efficiency and ventilation, comply with nationally described space standards, install eco-friendly heating systems, such as air source heat pumps, take

a fabric first approach to reducing reliance on artificial heating and lighting and explore modern methods of construction.

A condition will be imposed requiring broad compliance with the design code, which will include consideration of how these measures have been integrated in to the detailed designs subject to reserved matter applications.

Developer Contributions

As part of the development, the following is required to mitigate the impacts of the development and need to be secured via a Section 106 agreement:

NF habitats Air Quality monitoring £19,402

NF habitats recreational mitigation non-infrastructure per unit size

1-bed £489

2-bed £693

3-bed £956

4-bed £1,174

Secure 3.75ha of land as Alternative Natural Recreational Greenspace, including future management and public access

Contribution towards Primary age Education £915,376

Contribution towards LCWIP highways projects £106,503

Secure delivery of off site highway works shown indicatively on plans

Secure delivery of facilities to support scooting and cycling to schools

Public Open Space off site facilities contributions £102,422

Secure 0.95ha of informal public open space and play facilities on site including future management and public access.

Secure 37 dwellings as affordable housing, as:

13 Social rent,

12 Affordable rent,

12 Shared Ownership.

Monitoring costs:

BNG £5,225

ANRG monitoring £12,178

Commencement £847

Affordable Hsg £847

POS £6,863

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	16711.86		16711.86	16711.86	£80/sqm	£1,959,143.44 *

Subtotal:	£1,959,143.44
Relief:	£0.00
Total Payable:	£1,959,143.44

11 CONCLUSION / PLANNING BALANCE

Planning Committee Members will be aware that Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

The site is allocated for residential development within the adopted New Forest District Local Plan (Strategic Site 11) and is planned to make an important contribution to the districts housing supply.

As set out earlier in this report, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay. The lack of a demonstrable five-year supply of land for housing development, consistent with the recent Orchard Gate appeal decision means, however, that the presumption in favour of sustainable development in NPPF paragraph 11(d) is engaged for this application.

The site is allocated for residential development by Policy SS11 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5.

Being unable to demonstrate a 5year supply of housing land available it is imperative that the sites allocated for housing in the Local Plan are brought forward in order to ensure the supply of housing meets identified need in terms of annual delivery rates and overall supply.

The scheme makes a significant contribution towards the delivery of housing and making up the 5yr housing land supply shortfall, taken with the provision of 21% of the scheme in a policy compliant tenure mix of affordable housing weighs significantly in favour of the scheme.

As set out in section 10 A), the principle of the scheme delivers extensive economic, environmental and social benefits, contributing to the delivery of sustainable development as defined by NPPF paragraph 8.

The parameter plans and supporting design code deliver a development framework from which all the requirements of policy SS11 will be delivered, a high quality residential environment can be achieved and the significance of heritage assets preserved, in accordance with development plan policies. All of which contribute to environmental and social benefits.

Subject to conditions and S.106 obligations safe vehicular access to the site would be provided as well as multiple enhancements to improve options to travel by non-vehicular modes, to the benefit of existing and future residents, also considered to be scheme specific benefits.

The proposal has received local objections that are not supported by the technical advice of consultees such as the Highway Authority, Natural England and Lead Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to offset such harm. Furthermore an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. The scheme will protect important landscape features on and around the site, support ecology and deliver bio-diversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. The Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. In accordance with paragraph 11(d) of the NPPF the benefits of the proposal have been weighed against the identified harm. There are no other material considerations or significant impacts that demonstrably outweigh the identified benefits and therefore this proposed development is recommended for permission.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion by of a planning obligation entered into by way of a Section 106 Agreement to secure:

NF habitats Air Quality monitoring £19,402

NF habitats recreational mitigation non-infrastructure per unit size:

1-bed £489

2-bed £693

3-bed £956

4-bed £1,174

Secure 3.75ha of land as Alternative Natural Recreational Greenspace, including future management (including provisions for the scenario where management is not undertaken properly or the appointed management body ceases to exist) and public access

Contribution towards Primary age Education £915,376

Contribution towards LCWIP projects Highways £106,503

Secure delivery of off site highway works shown indicatively on plans

Secure delivery of facilities to support scooting and cycling to schools

Public Open Space off site facilities contribution £102,422

Secure 0.95ha of informal public open space and play facilities on site including future management (including provisions for the scenario where management is not undertaken properly or the appointed management body ceases to exist) and public access.

Secure 37 dwellings as affordable housing, as:
13 Social rent,
12 Affordable rent,
12 Shared Ownership.
Housing mix and local connection conditions to be secured.

Monitoring costs:	
BNG	£5,225
ANRG monitoring	£12,178
Commencement	£847
Affordable Hsg	£847
POS	£6,863

- ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Proposed Conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Approval of the details of the Appearance, Landscape, Layout and Scale, ("the reserved matters") shall be obtained from the Local Planning Authority before any of the development is commenced. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. Approved Plans

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

Site Boundary Plan Ref:SBP-01 Rev A rec'd 06/04/22
Proposed Right Turn Lane on Gore Road Ref:10377_2100 rev P3 rec'd 05/02/24
Proposed Cycle & Pedestrian Access Plan, Drg No.10377_2101 rev P1 rec'd 20/06/24

Reason: To ensure satisfactory provision of the development.

4. Approved parameter plans

The Reserved Matters details to be submitted in accordance with conditions 1 & 2 shall be substantially in accordance with the Development Parameter Plans comprising:

Building Development framework ref:BDF-01 rev C rec'd 11/04/23
Building Heights framework plan ref:BHF-01 rev B rec'd 11/04/23
Density framework plan Ref:DF-01 rev B rec'd 11/04/23
Landscape framework plan Ref:LF-01 rev D rec'd 11/04/23
Movement network framework plan Ref:MNF-01 rev C rec'd 11/04/23
Design Code (parts 1-4) received 11/04/23

Reason: To ensure satisfactory provision of the development.

5. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

6. Phasing condition

Prior to the commencement of development on site, a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG and POS will be provided to match the needs of occupation. The development will be carried out in accordance with the approved strategy.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs.

7. Design Code compliance

All reserved matter applications shall include a statement demonstrating how the details of the application complies with the design code.

Reason: In the interests of delivering a well planned and attractive development in accordance with the standards set.

8. CEMP

Prior to the commencement of development, (including site setup and ground preparations) a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include, but not be limited to, measures to provide:

- Protective fencing and buffering of all retained hedgerows and trees;
- Dust control and minimisation
- Pollution prevention measures;
- Lighting control;
- Noise control and minimisation
- Vegetation removal under supervision / timing of works e.g. birds and dormice; and
- Methods to prevent badgers (and other mammals) getting trapped in excavations.

The agreed plan shall then be implemented and followed for the duration of construction as appropriate to the nature of the works and impact.

Reason: In the interests of protecting sensitive features of nature conservation.

9. Construction Management Plan

Prior to the commencement of development on site, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of on site contractor parking and traffic management measures, site compound including the site office location and welfare facilities, delivery routes to the site and storage areas for material and equipment.
- Measures to prevent mud and debris from the site being transported onto the public highway.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.6 of this permission.

10. Revised ecology surveys

Notwithstanding the submitted Ecological Impact Assessment, prior to the commencement of development, revised ecological surveys, impact assessments and mitigation strategies, including timescales for implementation, shall be first submitted to and approved in writing by the Local Planning Authority.

The agreed mitigation strategies shall be implemented, in accordance with the agreed timescales.

Reason: Due to the outline nature of the application, age of the existing surveys and potential time lag until this permission is implemented, in order to secure appropriate and sufficient mitigation.

11. Sensitive lighting strategy

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- 1) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- 2) Identify and take account dedicated bat roost features provided by the development; and
- 3) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area.

12. 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.

13. Detailed surface water drainage

Before the commencement of development, a scheme for the whole site providing for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas;
- b) Details of the method of disposal, to include the provision of attenuation storage, infiltration lagoon or a means and location of discharge;
- c) Hydraulic calculations for the surface water drainage network and SUDS features, to consider peak rainfall allowances and an allowance for urban creep;
- d) Means of treatment or interception of potentially polluted runoff in accordance with the simple index, of the SUDS manual, approach;
- e) Existing and proposed run-off rates for the development site for storms up to the 1 in 100 year event plus a peak rainfall allowance;
- f) A plan indicating flood exceedance flow routes and the extent of any flooded areas; and
- g) A timetable for implementation

The drainage works shall be completed in accordance with the approved details prior to occupation of the development or in accordance with the approved timetable.

Reason: In the interests of ensuring the most sustainable solution and appropriate drainage capacity .

14. Drainage management

Details of the maintenance arrangements for the approved surface water drainage system, over the life of the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwellings. The submitted details shall include:

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

The agreed schedule shall then be implemented.

Reason: In order to ensure continued operation and to avoid the risk of surface water flooding.

15. Layout RM to include details of play provision

Concurrent with the submission of any reserved matter application for the detailed Layout of the scheme, as required by condition 3 of this permission, details of the location and layout of and play equipment proposed to meet the amenity needs of the development in accordance with policy CS07 shall be submitted.

Reason: In the interests of the amenity of residents.

16. Provision of access

Prior to first occupation of the development hereby approved the vehicular access shown on the approved plan ref: 10377_2100 rev P3 shall be completed.

Reason: In order to ensure safe access and to preserve highway and pedestrian safety.

17. Detailed noise assessment and mitigation

At reserved matters stage of layout and appearance, as required by condition 3 of this planning permission, a full stage 2 noise assessment, including the four key elements in accordance with ProPG shall be submitted to demonstrate that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated.

Reason: In order to ensure the design of the proposed dwellings provides adequate amenity for the occupiers from the risk of noise nuisance.

18. Housing Mix

The open market dwellings to be delivered by the scheme shall accord with the following housing mix:

	<u>1&2 bed</u>	<u>3bed</u>	<u>4bed</u>
Open Market dwellings	30-40%	40-45%	20-25%

Reason: In order to ensure a variety of dwelling sizes to deliver a mixed and balanced community as required by policy HOU1 of the New Forest District Council Local Plan Part 1: Planning Strategy 2020

19. Provision of shared ped-cycle way access from Gore Road

The shared pedestrian and cycle access from Gore Road, as shown on the approved plan Ref.10377_2101 rev P1, shall be provided prior to first residential occupation of the development hereby approved and thereafter kept open for public access by non-vehicular modes of travel.

Reason: In order to provide safe and convenient access for cyclists and pedestrians to and from the site.

20. Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, all work in the affected area must stop and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment of the scale and nature of the contamination must be undertaken and where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use must be prepared and submitted to and approved in writing of the Local Planning Authority before work can re-commence in the affected area. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to occupation of the affected area.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. BNG

Prior to the first occupation of any dwelling the details of a BNG package of on-site supplemented if necessary off-site of BNG shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified BNG arising from the development and include:

- i. an updated calculation of the number of biodiversity units required to provide a net gain in BNG in accordance with the most up to date DEFRA Biodiversity Metric;
- ii. if offsetting is needed the details of the BNG project including its location;
- iii. a timetable for the provision of the BNG units on and off site;
- iv. details of the management of the BNG units on and off site;
- v. details of the future monitoring of the BNG units on and off site. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.
- vi. written confirmation that the required number of offsetting BNG units has been secured

Reason: To ensure Biodiversity Net Gain is secured as part of the development.

22. Archaeology: A Programme of Archaeological Work

Prior to the submission of reserved matters applications required by conditions 1 and 2 of this decision, a desk based assessment of the sites archaeological potential shall be submitted to and approved in writing by the Local Planning Authority. Based on its conclusion it shall include a programme of archaeological work, including a Written Scheme of Investigation, which shall be submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The approved programme of timings shall be followed.

Reason: To ensure the archaeological interest of the site is investigated and assessed.

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23. Inclusion of archaeology.

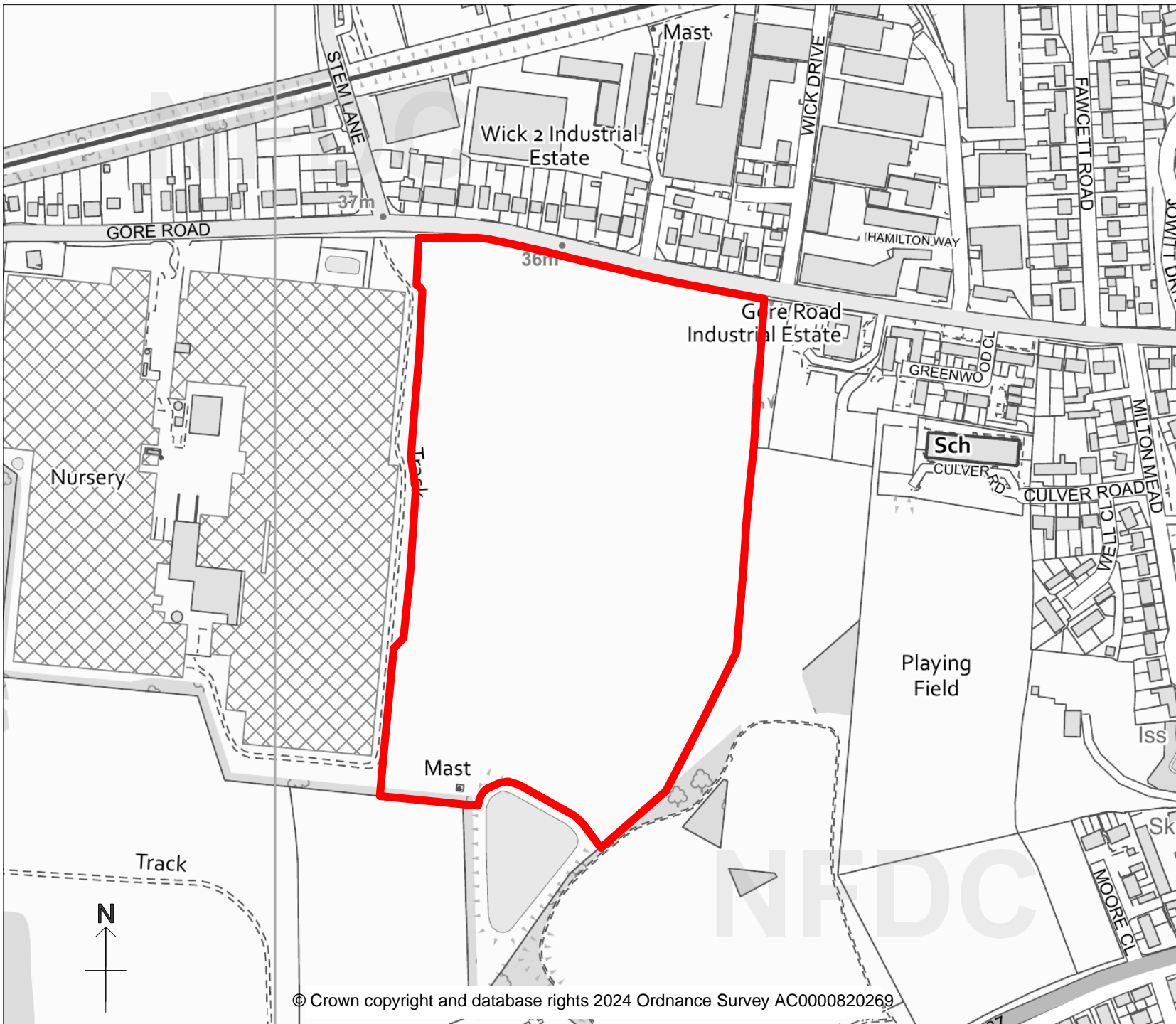
The reserved matters application required by conditions 1 and 2 of this permission shall be accompanied by a statement demonstrating how any features of archaeological interest, considered to be heritage assets, identified during surveys required by condition 22, have been accommodated within the design of the development.

Reason: In order to ensure appropriate respect for archaeological assets present on the site.

Further Information:

James Gilfillan

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199



New Forest

DISTRICT COUNCIL

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 SO43 7PA

PLANNING COMMITTEE

July 2024

Land South of Gore Road
 New Milton

22/10418

Scale 1:4000

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

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Planning Committee 10 July 2024

Application Number: 24/10173 Outline Planning Permission
Site: Land adj HILL VIEW, RINGWOOD ROAD, SOPLEY BH23 7BE
(SUBJECT TO LEGAL AGREEMENT)
Development: Construction of dwelling (Outline application - access, layout and scale only)
Applicant: Mrs Mitchell
Agent: Jerry Davies Planning Consultancy
Target Date: 23/04/2024
Case Officer: Jessica Cooke
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Contrary to Policy

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Impact on the Green Belt
3. Design, site layout and impact on local character and appearance of area
4. Residential amenity
5. Highway Safety
6. Impacts on Ecology
7. Air Quality
8. Habitat Mitigation

This application is to be considered at Committee due to the recommendation being contrary to Policy DM20 of the Local Plan.

2 SITE DESCRIPTION

The site to which the application relates is a parcel of land in the countryside and Green Belt, within a linear group of dwellings fronting Ringwood Road at the north-western extent of Sopley. The site was formerly within the curtilage of a residential property to the north-west known as Hill View, although subdivision is sought to create an independent dwelling. The surrounding land is in a mix of residential and agricultural uses.

3 PROPOSED DEVELOPMENT

The proposal seeks outline planning permission for the construction of a new dwelling (access, layout and scale only).

4 PLANNING HISTORY

20/11361 - To erect a self-build three-bedroom chalet bungalow in a farmhouse style - refused 09/02/2021 - appeal dismissed

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR3: The strategy for locating new development

Policy CCC2: Safe and sustainable travel

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

Policy ENV2: The South West Hampshire Green Belt

Policy ENV3: Design quality and local distinctiveness

Policy HOU1: Housing type, size, tenure and choice

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy STR1: Achieving Sustainable Development

Policy STR5: Meeting our housing needs

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022

SPD - Parking Standards

Relevant Advice

NPPF 2023

Plan Policy Designations

Green Belt

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council: We recommend PERMISSION, but would accept the decision reached by the District Council's Officers under their delegated powers.

The plans for the house are generally in line with others in the road, (if a little uninspiring, but probably to the applicant's advantage). And the infilling of this site would complement the rhythm of dwellings, filling in an obvious gap. There appear to be no environmental reasons for the development not to go ahead.

7 COUNCILLOR COMMENTS

No comments received.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecologist

Comment - raised an initial objection and requested further information that was subsequently provided; is satisfied that the outstanding concerns could be addressed by planning condition and raised no objection subject to conditions.

HCC Highways

No objection - additional information is requested as part of any future full application.

9 REPRESENTATIONS RECEIVED

1 letter of objection received:

- Objection to the plans put forward; concern that the applicant has used a neighbour's plans. Each property in the street is different and concern that the applicant has submitted a copy of the neighbouring property.

10 PLANNING ASSESSMENT

Principle of Development and Background

The site lies outside of a defined built-up area and within a sensitive area of open countryside designated as part of the South West Hampshire Green Belt. Policies STR1 and STR3 of the Local Plan seek to protect such areas from inappropriate and harmful development.

Local Plan Part 2 Policy DM20 states that residential development in the countryside will only be permitted where it is for a replacement dwelling, affordable housing or an agricultural worker's dwelling. The policy goes on to state that in all cases, development should be of an appropriate design, scale and appearance, in keeping with the rural character of the area.

In assessing the proposal against Policy DM20, the proposal is not a replacement dwelling, nor is it for an agricultural worker or for affordable housing. On this basis, this proposal for a new dwelling in the countryside does not accord with policy.

However, in this case, the conflict with Policy DM20 needs to be considered in the light of the site's planning history. A previous application (ref. 20/11361) was refused by the Council in February 2021 for the erection of a self-build three-bedroom chalet bungalow on the site due to a conflict with Policy DM20 and also due to impacts upon the openness of the Green Belt. the reason for refusal in respect of Policy DM20 read:

'The design, layout and appearance of the proposed dwelling would be contrary to Policy ENV3 of the Local Plan Part 1, Policy DM20 of the Local Plan Part 2 and the Rural Residential Design Guide, which require development to be in keeping with the rural character of the area and should not result in significant harmful impacts upon the countryside.'

An appeal against the refusal was made and this was subsequently dismissed, but only on the grounds of a conflict with the Habitat Regulations, the Inspector found that the proposal did not conflict with other policies in national and local planning policies. In respect of Policy DM20, the Inspector noted

'there would be no harm to the character and appearance of the area and no conflict those aims of LP1 Policy ENV3 that seeks to ensure that proposals are in keeping with the rural character of the area, sympathetic to their context, strengthening the character and identity of the locality. The Council's decision notice also alleges a conflict with Policy DM20 of the New Forest District (outside the National Park) Local Plan Part 2 2014 (LP2) on the basis of harm to the rural character of the area. However, my findings on this issue indicate that no such conflict would arise for this reason.'

However, the Inspector did not make comment on the *principle* of Policy DM20, which is to restrict residential development within the countryside. On this basis, whilst the proposal does not accord with Policy DM20, the appeal decision is a material consideration which carries significant weight in this instance. The Inspector additionally afforded great weight to national Green Belt policy, which is set out in the section below.

The South West Hampshire Green Belt

The application site lies outside of the defined built-up area and within the Green Belt. Guidance in relation to development within the Green Belt is contained within Chapter 13 of the NPPF, the advice of which is broadly echoed within Policy ENV2 of the Local Plan Part 1, which attaches great importance to protecting the Green Belt. NPPF Paragraph 142 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence.

NPPF Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except if it can be demonstrated that very special circumstances exist (which are set out in paragraph 154 of the NPPF). National policy further requires local planning authorities to ensure substantial weight is given to any harm to the Green Belt.

NPPF Paragraph 154 states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, but then lists 7 exceptions to this. The fifth of these exceptions, listed in subparagraph (e), indicates that limited infilling in villages is not inappropriate development. The Appeal Inspector gave significant weight in his decision to the then Paragraph 145(e) of the NPPF (now Paragraph 154(e) of the latest version of the NPPF).

In this instance, the application site is situated within the village of Sopley, which is classed as a small rural village within the Local Plan settlement hierarchy (as described in Policy STR4). Importantly, the site lies within a long row of existing dwellings on the east side of Ringwood Road, and so the proposal is considered to constitute 'limited infilling in villages' - which was the conclusion reached by the previous appeal inspector, who further noted:

'Some of the exceptions in the Framework require consideration of effects on openness as to whether development would be inappropriate in the Green Belt, but that is not the case for the exception at 145(e). Effects on openness are, by implication, already considered and accepted within that exception. As such the development would not run contrary to the fundamental aims of Green Belt policy to prevent urban sprawl by keeping land permanently open, nor to the essential characteristics of Green Belts, namely their openness and permanence. Therefore...there would be no conflict with national policy for the Green Belt, no harm to the Green Belt and, by extension no conflict with the aims of LP1 Policy ENV2.'

As such, the proposal is not considered to constitute inappropriate development in the Green Belt. The Appeal Inspector concluded that *'the proposal would not conflict with Green Belt policy and would not harm the character and appearance of the area.'*

The proposal is therefore considered to comply with Local Plan Part 1 Policies ENV2: The South West Hampshire Green Belt, STR1 Achieving Sustainable Development and NPPF Paragraphs 152-156. More specifically, the proposal is

considered to comply with subparagraph 154(e) of the NPPF, and the development's impact on the Green Belt would therefore be acceptable.

Site layout and scale

This application seeks outline planning permission for scale, layout and access only. Access is explored further in the section below. In relation to the scale and layout of the site, the proposed dwelling would be set back from the road by between 10-15m by reason of the slanted frontage.

The building line of Ringwood Road is relatively consistent, though the frontages of the dwellings are not strictly linear and rather have a more organic rhythm. The siting of the proposed dwelling is set back from its neighbouring property Hill View, but would be consistent with the pattern of development further to the south-east where the neighbouring property Avoncroft Farm lies. The set back position of the dwelling would leave sufficient space for vehicles on the frontage along with sufficient space for meaningful landscaping in accordance with the rural character of the road.

Local Plan Policy ENV3 (Design quality and local distinctiveness) is relevant to this application and requires that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. In particular, development should be:

- Functional: well connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces;
- Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and
- Attractive: visually appealing and enjoyable to be in

The proposed height of the dwelling would be 6.5 metres, which would limit the height of the dwelling to that of a chalet bungalow. The character of this stretch of Ringwood Road is predominantly chalet bungalows with a small number of two-storey houses. The two neighbouring properties to the north of the site are both chalet bungalows. A neighbour objection was raised in respect of the proposal copying the design of the neighbouring bungalow, however, this application seeks outline permission for scale, layout and access only and the design would be considered at the reserved matters stage.

As such, the scale of the dwelling is considered to be of an appropriate height in the context of the streetscene. In addition, the proposed width and depth of the dwelling would not be at odds with the properties on the road, so overall, it is concluded that the proposal would be of an appropriate scale and would therefore comply with Policy ENV3 of the Local Plan.

Highway safety, access and parking

Ringwood Road is a 'B' class road with parking restrictions. The proposal would utilise the existing access into the site. This application for Outline Planning Permission seeks approval of the access, layout and scale only. For this reason, the number of bedrooms is not specified on the plans.

Policy CCC2 of the Local Plan Part One requires new development to provide sufficient car and cycle parking and provide measures necessary to enable the development to be accommodated in a safe and sustainable manner.

Whilst bedroom numbers are not specified at this stage, the proposed front elevation would be set back from the front boundary of the site by between 10-15m by reason of the slanted frontage, which would leave sufficient space for a number of vehicles. The Highway Authority were consulted on the proposal and raised no objection to the proposal, noting visibility splays are acceptable. However, the Highway Authority have requested that the vehicle access gate be set back a minimum of 6m from the carriageway and that the full extent of the driveway and parking area be clearly defined on the plans. This can be secured through a planning condition as part of this application.

As such, the proposal is not considered to result in adverse impacts upon highway safety, access and parking and is considered to comply with Policy CCC2 of the Local Plan Part One and the NFDC Parking Standards SPD.

Residential amenity

Policy ENV3 of the NFDC Local Plan Part 1 requires the impact on the residential amenity of existing and future occupiers to be taken into consideration in making planning decisions. NPPF Para. 135, subparagraph (f) states development should promote health and wellbeing, with a high standard of amenity for existing and future users.

In relation to residential amenity, the proposed dwelling would be of a modest height at 6.5m, and its siting on the plot would be likely to result in only limited shading of the neighbouring property. The plot is sufficiently large and the siting of the dwelling on the plot would have an acceptable spatial relationship with the neighbouring properties. Therefore, whilst recognising that more precise design details will need to be considered at reserved matter stage, it is considered that the proposed dwelling could be provided without having a harmful impact upon residential amenities and it therefore complies with the amenity related provisions of Policy ENV3 of the Local Plan Part One.

Ecology On Site Biodiversity and protected species

As of 2nd April 2024, developers must deliver achievement of Biodiversity Net Gain (BNG) on 'smaller' sites such as this as a requirement of planning permission. However, as the application was submitted before this date, the requirement for BNG is not legally mandatory in this instance.

Policy DM2 of the Local Plan Part Two seeks to conserve nature and enhance biodiversity and states that the Council will use planning conditions to provide mitigation and where appropriate, enhancement measures.

The Council's Ecologist was consulted on the application and initially raised an objection to the proposal, expressing concerns relating to protected species (reptiles) and requesting that further information be submitted. A Reptile Precautionary Method Statement was duly submitted which concludes that no suitable habitats for reptiles are present. The Method Statement notes that the grass on the site is intended be kept short, but as a precautionary measure it is suggested that a further walkover survey be undertaken before development commences. The Council's Ecologist has expressed concerns regarding the site inspection being undertaken by a contractor rather than a suitably qualified ecologist and has requested further information relating to measures to be taken should reptiles be found on site. A planning condition is recommended accordingly to secure this, as well as securing the provision of ecological enhancements. Subject to the inclusion of the condition to secure the ecological enhancements, the proposal is considered to comply with Policy DM2 of the Local Plan Part Two.

Habitat Mitigation

Policy ENV1 of the Local Plan Part One states that development will only be permitted where the Council is satisfied that the necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal so that there will not be adverse impact upon any of the International Nature Conservation sites within the District.

Whilst the Appeal Inspector did not find conflict with the Development Plan in respect of the matters set out above, with regard to the Habitat Regulations, he concluded that:

'My findings in respect of European Sites bring the proposal into conflict with the development plan as a whole. As these findings also mean that I am unable to agree to the project under the Habitats Regulations, this matter must be decisive'

and he dismissed the appeal only on this matter. As part of this application, the applicant has sought to address the requirements of the Habitat Regulations and Policy ENV1 of the Local Plan Part One to overcome this reason for refusal, this is set out in the paragraphs below.

a) Recreational Impacts

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest European sites, in view of those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. The necessary contribution was secured by a completed Legal Agreement dated 5th June 2024.

b) Air quality monitoring

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. This contribution was secured by a completed Legal Agreement dated 5th June 2024.

Air Quality Statement

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development' Supplementary Planning Document 2022, the applicant has

provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be:

- Use of domestic heating solutions utilising low carbon technologies - Likely to include roof and/or ground mounted PV array; air source heat pump.
- No kerbside development - The development is set back 10m+ from the kerbside
- Installation of electric vehicle charging point

Policy IMPL2 relates to development standards and places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles. Whilst this was previously secured by planning condition by the Council, changes to the Building Regulations require the provision of electric charging points and therefore it is not considered necessary to secure this by planning condition.

c) Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the River Avon European sites, in view of those sites' conservation objectives, having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals, Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable the development's phosphate impact to be offset. Such a project has now been secured and a Grampian style condition can be imposed that will secure the appropriate level of phosphate mitigation.

Developer Contributions

As part of the development, the following has been secured via a Section 106 agreement:

- Habitat Mitigation - Infrastructure
- Habitat Mitigation - Non-Infrastructure
- Air Quality Monitoring

Community Infrastructure Levy (CIL)

New Forest District Council charge the CIL on all new residential dwellings in its area. The money will be used to support development by funding infrastructure that the Council, the local community and neighbourhoods need; for example, habitat mitigation measures or community facilities. The Levy is charged in pounds (£) per square metre on new floorspace, measured as Gross Internal Area (GIA) at a rate of £80 per square metre, plus indexation, for all new residential development.

Outline planning permissions which create new residential floor space will be liable to pay CIL when the development is built and the CIL Liability will be calculated at the Reserved Matters stage. An indication of the CIL liability is below and has used the proposed floor space provided in CIL Form 1: Additional Information Form with this application.

CIL Summary Table

Demolition (sq/m):

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	170		170	170	£80/sqm	£19,929.23 *

Subtotal:	£19,929.23
Relief:	£0.00
Total Payable:	£19,929.23

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the RICS CIL Index (<https://www.rics.org/uk/products/data-products/rics-community-infrastructure-levy-index/>) and is:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

11 CONCLUSION / PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'

As set out earlier in this report, NPPF paragraph 154 (e) sets out the exception criteria for inappropriate development, of which limited infilling in villages within the Green Belt does not constitute inappropriate development.

The proposal would result in a new dwelling within the countryside which is contrary to Policy DM20. However, in this case, the conflict with Policy DM20 needs to be considered in the light of the site's planning history and the appeal decision for application 20/11361 which affords great weight to national Green Belt policy. In balancing out the benefits and harm of the proposal, it would provide social and economic benefits including employment for construction workers and increased spending in local shops. The proposal would provide an additional dwelling, although a very modest contribution to the Council's housing supply. In addition, the proposal accords with other national and local policies and it would be of an appropriate scale for the rural character of the area. Whilst the proposal is contrary to Policy DM20, in taking account the appeal decision on this site, a departure from Policy DM20 is acceptable in this instance.

The relevant Habitat Mitigation contributions have been secured by legal agreement as part of this application and a Grampian Condition has been imposed to secure phosphates mitigation which satisfies the requirements of the Habitat Regulations and Policy ENV1 of the Local Plan Part One. Consequently, this addresses the reason the appeal was dismissed on the site and as such, the proposal is acceptable on this matter.

In addition, the scale, layout and access proposed are acceptable, therefore the recommendation is accordingly one of approval.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. No development shall commence until the appearance of the development and the landscaping of the site, (herein referred to as the "reserved matters"), have been submitted to and approved in writing by the Local Planning Authority, and the development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

- Location Plan
- Dwg.01A Proposed Site Layout Plan
- Dwg.02A Proposed Plans
- Preliminary Ecological Appraisal Report by KJF Consultancy
- Reptile Precautionary Working Method Statement by KJF Consultancy
- Planning Statement
- Air Quality Statement

Reason: To ensure satisfactory provision of the development.

5. Before the commencement of development, details of a parking layout and turning space for the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with those details and shall thereafter be retained.

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.

6. The development hereby approved shall be undertaken in strict accordance with the Preliminary Ecological Appraisal Report by KJF Consultancy dated 15.02.2024 and the Reptile Precautionary Working Method Statement dated 24.05.2024. Notwithstanding the submitted details, before development commences, a scheme of ecological enhancements and a programme for the implementation of these enhancements 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: 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).

7. Prior to the commencement of the development, and notwithstanding the recommendations made in the Reptile Precautionary Working Method Statement submitted as part of the application, the following measures and

details shall, as stated below, be carried out / submitted to and approved in writing by the Local Planning Authority:

- a) A walk-over survey of the site shall be carried out only by a suitably qualified ecologist to check for the presence of reptiles. The walk-over survey shall only be carried out during the active reptile survey window (March to October).
- b) Following the walk-over survey taking place by a suitably qualified ecologist, the details and results of that survey shall be submitted to the Local Planning Authority, irrespective of whether reptiles are found on site.
- c) If reptiles are found on site during the walk-over survey, then prior to any development taking place on the site, a scheme for the translocation of any reptiles found on the site shall be submitted to and approved in writing by the Local Planning Authority and that scheme of translocation shall then be implemented in accordance with the approved details before the commencement of development.

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).

8. The development hereby approved shall not be occupied unless

- 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;
- proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
 - (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

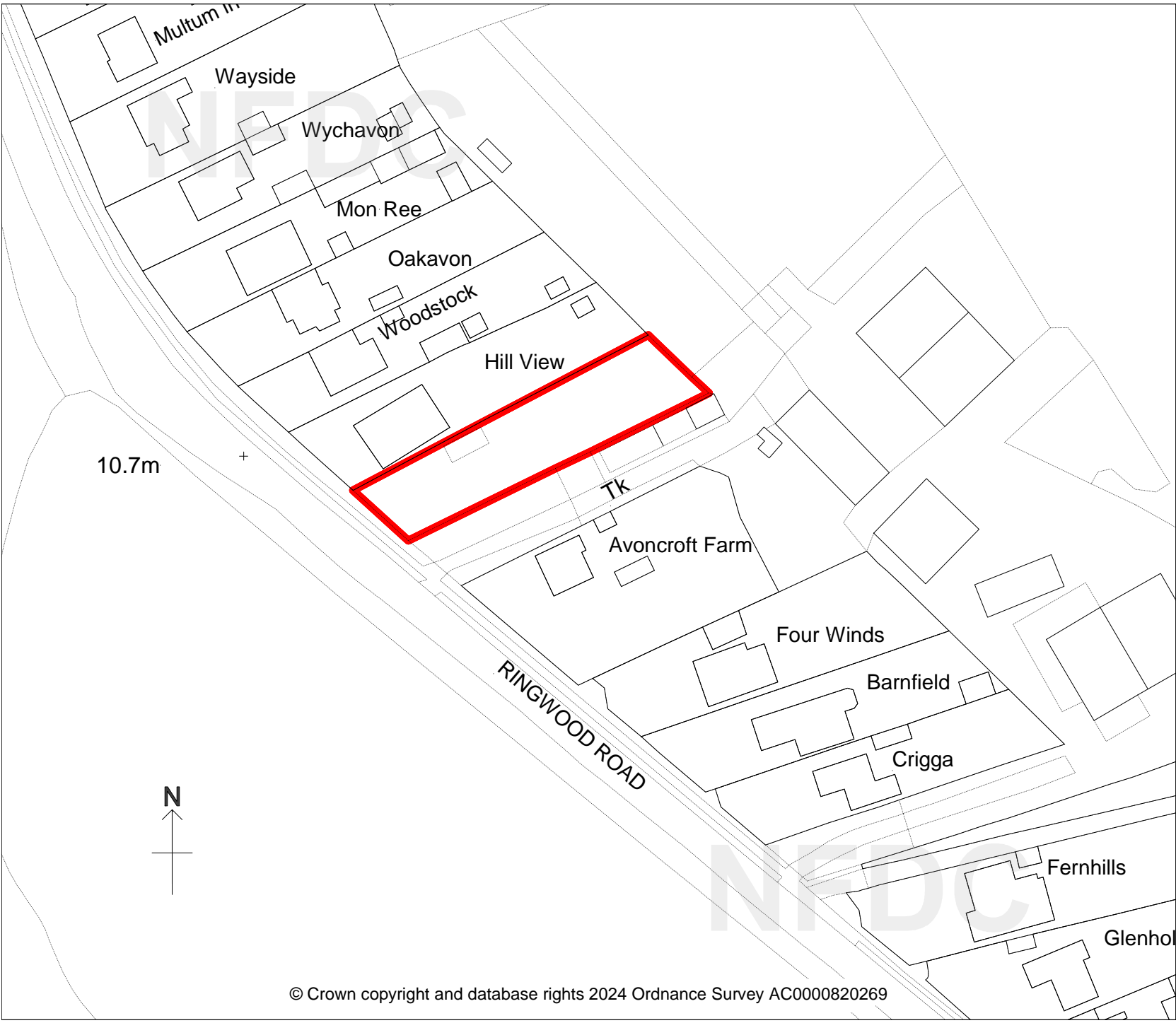
The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC).

Further Information:

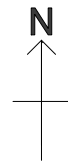
Jessica Cooke

Telephone: 023 8028 5909



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New Forest
DISTRICT COUNCIL

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Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

July 2024

Land adj to Hill View
Ringwood Road
Sopley
24/10173

Scale 1:1000

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

Planning Committee 10 July 2024

Application Number: 24/10315 Full Planning Permission
Site: THE FORGE, CHRISTCHURCH ROAD, DOWNTON,
HORDLE SO41 0LA
Development: Change of use of garage building from ancillary residential to
a short term holiday let (Retrospective)
Applicant: Mr Paglia
Agent: ET Planning
Target Date: 27/06/2024
Case Officer: Jessica Cooke
Officer Recommendation: Service Manager - Grant
**Reason for Referral
to Committee:** Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

- 1) Principle of development
- 2) Design, layout and impact upon the character and appearance of the area
- 3) Tourism and visitor facilities and the local economy
- 4) Residential amenity
- 5) Parking provision
- 6) Habitat mitigation
- 7) Nutrient mitigation

This application is to be heard at Planning Committee due to the recommendation being contrary to the views of the Parish Council.

2 SITE DESCRIPTION

The site relates to a detached garage associated with the property 'The Forge' which lies within the Green Belt and is within the parish of Hordle. It is located on a corner plot close to the junction of Christchurch Road with Hordle Lane, and is adjacent to the site of a Listed Building, Barn Cottage. The application building is located to the rear of the dwelling and lies adjacent to the rear northern boundary of the site. The building is set back from the road opening and benefits from its own driveway and access through the provision of a graveled area accessed directly from Hordle Lane.

The Forge additionally benefits from a residential annexe named Jacks Cottage.

3 PROPOSED DEVELOPMENT

A previous application (ref.19/10764) granted permission for the detached garage and a planning condition was attached securing its use solely for incidental purposes. The building was subsequently converted to ancillary accommodation which breached this condition and the building has subsequently been in use as a self-contained holiday let since at least August 2021 and it is currently listed on Airbnb.

This application seeks planning permission for the continued use of the building to be used as a self-contained short term holiday let and this would regularise the breach of condition.

The holiday let has one bedroom and an open plan living, dining and kitchen area as well as a bathroom. The holiday let benefits from its own private access off Hordle Lane where there is space for 3no. vehicles.

The existing building measures 8.5m in length, 5.86m in width and 4.9m in height.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
19/10764 Detached garage/store	14/10/2019	Granted Subject to Conditions	Decided	
15/10326 Detached garage with room over	19/05/2015	Granted Subject to Conditions	Decided	
14/11162 Detached garage/store	15/10/2014	Refused	Appeal Decided	Appeal Dismissed
13/10933 Detached garage/store	29/10/2013	Refused	Decided	
08/91966 Detached double garage with storage above	08/05/2008	Granted Subject to Conditions	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

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

Policy STR3: The strategy for locating new development

Policy ENV2: The South West Hampshire Green Belt

Policy ENV3: Design quality and local distinctiveness

Policy IMPL1: Developer Contributions

Local Plan Part 2: Sites and Development Management 2014

DM3: Mitigation of impacts on European nature conservation sites

DM13: Tourism and visitor facilities

DM22: Employment development in the countryside

The Local Plan Part 1: Core Strategy 2009 (Saved Policies)

CS19: Tourism

CS21: Rural economy

Supplementary Planning Guidance And Documents

SPD - Mitigation Strategy for European Sites

SPD - Parking Standards

SPD - Air Quality in New Development. Adopted June 2022

National Planning Policy Framework

NPPF 2023

Plan Policy Designations

Green Belt
Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council:

We recommend refusal.

The Parish Council had many concerns regarding this retrospective application.

- The Case Officer of the original application (15/10326) stated that "The Parish Council has requested that a condition is added to any forthcoming consent restricting the use of the garage. Even though the size of the building has been reduced, there could be capacity to utilise the first floor for additional accommodation and taking into account the restrictions on additional floorspace in the countryside and its position adjacent to the boundary with Barn Cottage a restrictive condition would be justifiable in this instance". This and the subsequent application (19/10764) was therefore conditioned that:

"4. The building the subject of this permission shall only be used incidental to the dwelling on the site and not ancillary to its main accommodation. Reason: To protect the character and appearance of the countryside in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy) and Policy DM20 of the Local Plan for the New Forest District outside of the National Park. (Part 2: Sites and Development Management)."

This current retrospective application is clearly in contravention of this condition.

- The Parish Council considers this inappropriate development in the Green Belt, with the possibility this now residential development could be severed from the property in the future. If the application is approved, it could set a precedent for similar developments. Its current iteration could be detrimental to the grade II listed property to the north of the site.
- increased volume of cars present in vicinity of busy junction with compromised sightlines and increased danger caused by car parking / manoeuvrings.
- Frequent parking of cars on HCC Highway verge due to inadequate parking provision for main residence and AirBnB.
- Presence of surface water in the area which causes significant flooding on junction, leading to increased traffic issues.
- The Parish Council is concerned that an AirBnB property in this location could be detrimental to neighbour amenity through noise disturbance.

The Parish Council requests this application be refused.

7 COUNCILLOR COMMENTS

No comments received.

8 **CONSULTEE COMMENTS**

HCC Highways

No objection

9 **REPRESENTATIONS RECEIVED**

No representations received.

10 **PLANNING ASSESSMENT**

Background

A number of applications have been submitted on the site for detached garages. The most recent application (ref. 19/10764) was a resubmission of application ref. 15/10326 which granted approval for a replacement garage with a first floor. A planning condition was attached to both permission restricting the building for uses incidental to the main house taking into account the restrictions on additional floorspace within the countryside and its proximity to the boundary of Barn Cottage.

Principle of Development

The site lies outside any established settlement boundary and within a sensitive area of open countryside designated as part of the South West Hampshire Green Belt. Policies STR1 and STR3 of the Local Plan seek to protect such areas from inappropriate and harmful development.

The proposal would create a single unit of accommodation for a holiday let (tourism) within the open countryside and Green Belt. Local Plan Part 2 Policy DM13 Tourism and Visitor Facilities only permits development providing tourism and visitor facilities outside the defined built-up areas subject to limited criteria as set out within the policy. This includes the conversion of existing buildings in accordance with Policy DM22, which refers to the re-use of existing permanent buildings which are structurally sound so that they can be re-occupied without major rebuilding or extension. Saved Policy CS19 subparagraph (d) supports new tourist provision in the countryside through the reuse of existing buildings. As such, given these policies, it is considered that the conversion of the existing building (which is structurally sound and of permanent construction) to provide of a new self-contained holiday let would be acceptable in principle.

Tourism and visitor facilities

As previously mentioned, the proposed use of the detached garage as a holiday let would be subject to the tourism related provisions of Policy DM13 which supports tourism and visitor facilities outside of the built up area and within the countryside, subject to compliance with the specific criteria as set out in the policy. This includes the conversion of existing buildings in accordance with Policy DM22, paragraph b) - the re-use of existing permanent buildings which are structurally sound so that they can be re-occupied without major rebuilding or extension.

Additionally, Saved Policy CS19, paragraph (d) supports rural tourism through the conversion of existing buildings, with particular encouragement of enterprises that have little adverse environmental impacts.

However, notwithstanding the local policy context as set out, a more up to date position is set out in the NPPF (2023). Paragraph 88 states that planning decisions should enable the sustainable growth and expansion of all types of business in rural

areas, both through conversion of existing buildings and well-designed, beautiful new buildings.

The proposed holiday let would contribute towards the rural economy and provide accommodation within the countryside through the conversion of an existing building. On the basis of the policy context as set out above and the weight afforded to paragraph 88 of the NPPF, the proposal is considered to accord with both national policy in respect of tourism facilities and supporting the rural economy.

South West Hampshire Green Belt

Guidance in relation to development within the Green Belt is contained within Chapter 13 of the NPPF, the advice of which is broadly echoed within Policy ENV2 of the Local Plan Part 1 which attaches great importance to protecting the Green Belt. NPPF Paragraph 142 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence.

The application site lies outside of the defined built-up area and within the Green Belt where NPPF Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. National policy further requires local planning authorities to ensure substantial weight is given to any harm to the Green Belt.

However, NPPF Paragraph 155 sets out certain forms of development which are not inappropriate within the Green Belt provided they preserve openness. One of these, as set out at subparagraph (d), is the re-use of buildings provided that the buildings are of permanent and substantial construction. In this instance, the proposal comprises the re-use of an existing permanent building within the Green Belt which is considered to be of substantial construction and capable of conversion. As such, the proposal is not considered to constitute inappropriate development in the Green Belt.

The proposal is therefore considered to comply with Local Plan Part 1 Policies ENV2: The South West Hampshire Green Belt, STR1 Achieving Sustainable Development and NPPF Paragraphs 152-156.

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

Policy ENV3 requires all developments to contribute positively to local distinctiveness, and to be sympathetic to the environment and their context.

The provision of the building at this size and scale as a detached garage was accepted under application reference 19/10764. When compared to the approved plans of application 19/10764, a number of windows and doors have been added at ground floor level. However, the amendments to the design are of an acceptable appearance and do not raise any concerns in respect of the design of the building.

The proposal remains similar to that approved under application 19/10764, and the external alterations are contained within the boundary of the property and are not visible from the streetscene - though they are of an acceptable appearance in any case. As such, the proposal is considered to comply with the design related provisions of Policy ENV3 of the Local Plan Part One.

Listed Buildings

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

Barn Cottage is a Grade II Listed Building which lies adjacent to the application site. Concerns were expressed by the Parish Council that the proposal would result in detrimental impacts upon the setting of the Listed Building.

Barn Cottage is sufficiently set away from the proposed holiday let and the impact of the existing building on the setting of the Listed Building has already been accepted in application ref. 19/10764. It is not considered that the proposed use of the existing building as a holiday let would be harmful to the setting of the Listed Building and as such, the proposal is considered to comply with the provisions of Policy DM1 of the Local Plan Part Two.

Highway safety, access and parking

The holiday let benefits from its own driveway and parking area which is accessed from Hordle Lane. Off road parking for approximately 2-3 vehicles lies adjacent to the holiday let, directly to the east of the building.

Concerns were raised by the Parish Council in respect of highway safety and inadequate parking.

The proposal comprises a one-bedroom holiday let which requires 2no. parking spaces in accordance with NFDC Parking Standards and therefore sufficient spaces are provided on the existing driveway, in accordance with the Parking Standards SPD. Furthermore, Hampshire County Council Highway Authority were consulted on the proposal and raised no objection in respect of highway safety or parking provision and therefore the proposal is not considered to result in any material harm to highway safety. In terms of parking provision for the existing property, the property benefits from two driveways one of which both for The Forge and Jacks Cottage (annexe) which is within the blue line of the site. Both driveways have sufficient space for a number of vehicles for the host dwelling, the annexe and the holiday let.

As such, the proposal does not raise concerns with regard to parking provision, or highway safety and access and is considered to comply with Policy CCC2 of the Local Plan Part One and the NFDC Parking Standards SPD.

Residential amenity

Policy ENV3 of the NFDC Local Plan Part 1 requires the impact on the residential amenity of existing and future occupiers to be taken into consideration in making planning decisions. NPPF Para. 135, subparagraph (f) states development should promote health and wellbeing, with a high standard of amenity for existing and future users.

Given the modest size of the holiday let unit and its distance from Barn Cottage to the north, the proposal would have no significant impact on the amenities of this neighbouring dwelling. The use would have a greater impact on the occupants of The Forge, noting the entrance to the holiday let faces southwards. However, again the intensity of use would not be so significant as to be materially harmful and the occupation of the holiday let could easily be controlled from the main dwelling.

The Parish Council has raised concerns regarding additional noise coming from the application site. However, given the nature of the holiday let (only being 1-bedroom), it is not considered the proposal would generate levels of noise that would be harmful to residential amenities. In any event, occupation of the holiday let unit is fully in the control of the occupants of The Forge.

The area of amenity space for the holiday let comprises a small area of patio with planting and a lawn with a seating area and a jacuzzi. The amenity space is of an adequate size for a 1-bedroom short term holiday let and is enclosed by boundary treatment comprising fencing, creating a level of privacy for the users.

Rooflights were approved as part of the 19/10764 application and are therefore existing. These rooflights face towards the host property with a separation distance of only 9m. If the holiday let use were to operate entirely independently from the residential occupation and ownership of The Forge, then this would be a problematic relationship, as there would then be inappropriate overlooking of The Forge. However, provided that the holiday let use is linked to the residential occupation of The Forge (so that the owners of The Forge have control on how the holiday let is occupied) then the relationship is considered to be justified. As such, a planning condition is recommended to ensure that there continues to be a link between the occupation of the holiday let and the residential occupation of The Forge. Such a condition would also mitigate other potential amenity impacts.

Overall, the proposed use of the detached garage as a holiday let would not lead to additional amenity impacts by reason of the spatial characteristics of the application site, and the proposal would not cause unacceptable impacts on privacy, loss of light and outlook available to the adjacent properties and the proposal is therefore considered to comply with the amenity related provisions of Policy ENV3.

Ecology On Site Biodiversity and protected species

As of 2nd April 2024, developers must deliver achievement of Biodiversity Net Gain (BNG) on 'smaller' sites such as this as a requirement of planning permission. However, certain exemptions apply including a change of use to a development where there is no or only a de minimis impact on on-site habitat. The proposal comprises the conversion of an existing building whereby no loss of habitat occurred as a result of this change of use and therefore the requirement for BNG is not legally mandatory in this instance.

Habitat Mitigation

a) Recreational Impacts

In accordance with policy ENV1 and the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent European sites, in view of those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. This contribution will be secured by a completed Legal Agreement prior to any decision being issued.

b) Air quality monitoring

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. This contribution will be secured by a completed Legal Agreement prior to any decision being issued.

Air Quality

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be:

- Development designed to reduce site user's exposure to pollutants - the applicant considers that the proposal accords with all parameters outlined;
- Modal shift – encourage or require travel by vehicles other than the car including measures to improve public transport or promote use;
- Installation of an electric vehicle charge point.

Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with policy ENV1 and the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of those sites' conservation objectives, having regard to nitrogen levels in the 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 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development.

As the application is retrospective, a Grampian style condition cannot be imposed on the application and an appropriate mitigation package will be secured prior to any decision being issued.

Developer Contributions

As part of the development, the following will be secured via a Legal Agreement prior to a decision being issued:

- Habitat Mitigation (Infrastructure)
- Habitat Mitigation (Non-infrastructure)
- Air Quality

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	70		70	70	£80/sqm	£8,206.15 *

Subtotal:	£8,206.15
Relief:	£0.00
Total Payable:	£8,206.15

11 OTHER MATTERS

The Parish Council raised concern relating to surface water which causes significant flooding on the junction outside of the site, leading to increased traffic issues. This application relates to an existing building and a change of use would not result in additional impacts on flooding by virtue of additional surface water.

12 CONCLUSION / PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'

The proposal would provide a single unit of tourism accommodation within the countryside through the conversion of an existing building. The proposal complies with Policies DM13 and DM22 of the Local Plan Part Two and saved policy CS19, as well as the provisions of the NPPF, particularly paragraph 88. Though it is small scale, it is widely recognised that holiday makers contribute to local economies and the proposal would contribute positively to the rural / tourist economy. In the absence of any harm to the character and appearance of the area or residential amenity, the proposal is acceptable.

As such, the recommendation is for approval subject to the prior completion of a necessary legal agreement and then conditions as set out below.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion by of a planning obligation entered into by way of a Section 106 Agreement or Unilateral Undertaking to secure:
- Habitat Mitigation (Infrastructure) (in respect of both New Forest and Solent sites)
 - Habitat Mitigation (Non-infrastructure)
 - Air Quality Contribution

- ii) the completion of a nutrient (nitrate) mitigation package including:

A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings which will need to demonstrate that no more than 110 litres of water per person per day shall be consumed within the development;

A mitigation package addressing the additional nutrient input arising from the development. 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

- iii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development permitted shall be carried out in accordance with the following approved plans:
- 11437 PRE 01 Location & Block Plan
 - 11437 PRE 02 Proposed Floor Plans & Elevations
 - Air Quality Statement

Reason: To ensure satisfactory provision of the development.

2. The development hereby permitted shall only be used for the purpose of holiday accommodation and shall not be occupied by any one person for more than 28 days in any calendar year and shall not be used at any time as an independent residential dwelling.

Reason: To ensure the building is not used as an independent dwelling, which would be contrary to Policy ENV3 of the Local Plan Part 1 2016-2036 and DM13 of the Local Plan Part 2 for the New Forest outside of the National Park.

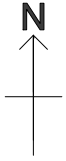
3. The holiday let use hereby approved shall only be operated by the owner / occupier of The Forge (Christchurch Road, Downton, Hordle, SO41 0LA), and at no time shall the holiday let use be operated independently of the residential ownership / occupation of The Forge (Christchurch Road, Downton, Hordle, SO41 0LA).

Reason: This is the basis on which the application has been assessed, and to ensure an acceptable use of the building in the interests of amenity 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.

Further Information:

Jessica Cooke

Telephone: 023 8028 5909



NFDC

25.6m

The Barn

Barn Cottage

The Forge

A 337

CR

25.6m

Smallacres

North Breeze

The Old Post House

Mistletoe Cottage

Garage

TCB

Box

11.9m

4

2

W Co

Kenn Co

Me

Badge

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New Forest
DISTRICT COUNCIL

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Development Management
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Lyndhurst
SO43 7PA

D

PLANNING COMMITTEE

July 2024

The Forge
Christchurch Road
Downton
24/10315

Scale 1:1000

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

226

Planning Committee 10 July 2024

Application Number: 24/10065 Full Planning Permission
Site: 58-60 COMMERCIAL ROAD, TOTTON SO40 3AG
Development: Demolition of existing building; construction of replacement commercial building (Use Class E and B8)
Applicant: Exbury Properties Ltd
Agent: C&L Management
Target Date: 19/03/2024
Case Officer: Sophie Tagg
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Design, site layout and impact on the character and appearance of the area
- 3) Impact on highway safety, including matters relevant to car parking and access
- 4) Impact on the residential amenity of existing occupiers of neighbouring properties
- 5) Impact on ecology

2 SITE DESCRIPTION

The application site is located in Totton town centre, on the south side of Commercial Road, a classified road, positioned behind the row of frontage properties, at the end of a 2-storey terrace.

The site is currently occupied by a vacant 2-storey outbuilding that was previously used in connection with commercial uses in the adjacent frontage buildings. The site falls within the Totton Primary Shopping Area, and the frontage buildings and the larger retail units to the south are designated as Primary retail frontage.

There are residential properties above ground floor commercial uses in the buildings fronting Commercial Road.

An access track wraps around two sides of the building, providing access from Commercial Road to the rear of neighbouring properties along Commercial Road and those on Junction Road. There is evidence that the track to the rear is used by vehicles to park in rear gardens/garages. However, the width of the track precludes vehicles passing within the site.

There is a high fence and brick wall along the edge of the access track, separating it from the service bay and parking associated with the adjoining retail units at Totton retail park.

3 PROPOSED DEVELOPMENT

The proposal seeks to demolish the existing building and replace it with a commercial building to be used independently from the frontage buildings. Access would be from the access track to the side, with no provision for on-site parking. Cycle parking and bin storage is proposed externally to the north of the proposed building. The building is proposed to have a flexible use covering uses with Use Class E and Use Class B8.

With respect to Use Class E, the applicant's agent has clarified that permission is sought for the following specific uses:

E(a) Display or retail sale of goods, other than hot food

E(c) Provision of:

E(c)(i) Financial services,

E(c)(ii) Professional services (other than health or medical services), or

E(c)(iii) Other appropriate services in a commercial, business or service locality

E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)

E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

E(g)(i) Offices to carry out any operational or administrative functions,

E(g)(ii) Research and development of products or processes

Use Class B8 covers Storage or distribution - this class includes open air storage.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10296 Construction of 2no. flats; demolition of existing building	19/05/2023	Refused	Decided
22/10180 Use as 2 flats (Prior Approval)	11/04/2022	Prior Approval refused	Decided
14/10807 Use of the ground floor and outbuilding as ice cream parlour (Use Class A3); shop front alterations	08/08/2014	Granted Subject to Conditions	Decided
95/NFDC/58172 Conversion of ground floor to unit of accommodation	06/03/1996	Refused	Decided
XX/NFR/02653 Storage building.	30/12/1953	Granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR4: The settlement hierarchy

Policy ENV3: Design quality and local distinctiveness
Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy ECON6: Primary, secondary and local shopping frontages
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature Conservation, biodiversity, and geodiversity
DM5: Contaminated land
TOT15: Totton town centre opportunity sites

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards
SPD - Planning for Climate Change
SPG - Totton Town Centre - Urban Design Framework

6 PARISH / TOWN COUNCIL COMMENTS

Initial response

Totton & Eling Town Council: recommend REFUSAL

The lack of satisfactory vehicular access and parking is a concern should the building be granted a commercial use.

Whilst the building would benefit from refurbishment, due to the building's history it should be preserved rather than demolished.

Amended response

Totton & Eling Town Council: recommend REFUSAL

It was acknowledged that Highways raised no objection to the proposal (subject to satisfactory Construction Management plan). However, the main area of concern would be the complete lack of satisfactory vehicular access to the site and the absence of any parking arrangements for potential staff, visitors or customers.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Environmental Health (Contaminated Land)

No concerns

Environmental Health (Pollution)

No objection in principle - conditions suggested relating to hours of operation, burning of waste, demolition, activity outside building, noise.

Ecologist

No objections to the proposals on ecological grounds; the supplied PEA undertaken by EcoSupport Ltd highlights the building as being unlikely to support roosting bats. Recommendations are made in Section 6 of the report for ecological enhancements; these should be secured.

HCC Highways

No objection subject to conditions

NFDC Conservation

The current building on the site appears to date to the mid-20th century and is of concrete block construction. Map regressions shows the building has no association with the mills that were historically located to the south of Commercial Road. The building is not considered to have any significant historic or architectural interest.

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

Principle of Development

The site is located in the built-up area where the principal of new development is acceptable subject to compliance with policy. The site is within the town centre of Totton, one of the most sustainable and well served urban centres in the District and included in the top tier of the settlement hierarchy identified by STR4.

Policy ECON1 of the Local Plan seeks to support the redevelopment or intensification of employment uses provided that:

- safe and suitable access can be provided;
- the proposal would not unacceptably impact the environment, landscape or amenity of neighbouring residents;
- the proposal would not impact the operation of other businesses;
- the use is proportionate in scale for its location with regard to the settlement hierarchy.

Policy ECON2 seeks to support the retention of employment use wherever possible.

At the moment, the existing building is in a poor state of repair and of limited architectural merit. It is not being used in conjunction with the frontage unit and lies empty. The proposal seeks to demolish the existing building and erect a new building, severing the site from the frontage use so that it is used as an independent planning unit. The new building is proposed to be used for employment purposes, and whilst the exact use is not yet known, the different proposed Class E uses as well as the proposed Class B8 use would be compatible with this central town centre location. The building would provide valuable employment opportunities and accommodation for local businesses.

Being in the town centre, the site is well located for users such as staff and visitors to be able to easily access sustainable forms of transport, via a bus stop on Commercial Road in front of the site and Totton train station which is within 5 minutes easy walk. There are also several large public car parks in easy walking distance of the site.

The principle of the development would therefore accord with strategic policy ECON2 of the development plan, as set out above. However, a consideration of various details as set out within Policy ECON1 and other relevant considerations including the design and layout, highway safety, impact upon residential amenity and ecology, is necessary to determine if the proposal is sustainable development in accordance with the development plan as a whole.

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

Policy ENV3 of the Local Plan stipulates that new development will be required to be well-designed to respect the character, identity and context of the area's towns. Moreover, the policy states that new development will be required to create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

Having regard to the overall design and site layout, as set out above, the proposal seeks to sever the site, with the existing building being demolished. Given the state of disrepair of the existing building, it is considered that the character and appearance of the area would be preserved. The replacement building would be sited slightly further into the site, set off the northern boundary, with a pedestrian door sited on the northern elevation and a roller shutter door and pedestrian door sited on the eastern elevation fronting the access path.

As noted above, the Agent has set out proposed uses of the building, encompassing various Class E uses and B8 storage. However, it is clear that the overall design and siting of the building, with its minimal fenestration and its position not on the street frontage, would make some of the proposed uses far more likely than others - with a storage use being the most likely use. From a character perspective, these uses are considered appropriate.

The overall height of the existing building is 7.7m to the ridge and 4.7m to the eaves. The existing depth of the building is 10.5m and the width is 9m. The proposed building would be considerably lower: the height would be 5 metres to the ridge and 3.2m to the eaves. The overall footprint is also reduced: the depth would be 9.5m and the width would be 8.5m. Within the site a bin storage area and cycle store is proposed. It is considered that the replacement building would improve the character of the area, being constructed in facing brick and cladding, with composite doors and windows, and solar panels to the roof. The development of the site with access proposed from the pathway would increase the footfall and improve the overall character of this pathway. Overall, it is considered that the proposal would have an acceptable impact upon the character and appearance of the area.

Overall based on the assessment above it is considered that the proposal would accord with the principles set out within Policy ENV3 of the Development Plan.

Highway safety, access and parking

Drawing upon the relevant considerations within Policy ECON1 of the Development, the commercial use needs to identify that a safe a suitable access can be provided.

The building would be accessed from Commercial Road, using the side access route. This side access route is approximately 3 metres wide. The Highway Authority have been consulted on three occasions as part of the application process and have confirmed that they raise no objection to the building being used as a separate unit. Deliveries to the site can be made from Commercial Road using the allocated 20 minute restricted parking bays. The access path from Commercial Road provides safe access for pedestrians into the site. 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. Officers are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network. Overall, it is considered that the proposal would not result in severe harm to public highway safety.

Having regard to the construction phase of the demolition and replacement building, HCC Highways have identified within their consultation response that a construction method statement is to be submitted setting out the management of the works required and this forms a recommended condition.

There is no parking available or proposed as part of this proposal. However, in line with Policy ECON1 and Policy ENV3 of the Development Plan, the Parking Standards SPD and as set out above, the site is well located so visitors and staff can easily access sustainable forms of transport, and there are several large car parks in easy walking distance. This therefore does not form a reasonable reason to refuse the application.

Overall the proposal is considered to be in accordance with Policy ECON1 of the Development Plan, providing a safe and suitable access arrangement for pedestrians, cyclists and for the types of vehicles making deliveries to the site.

Residential amenity

Policy ENV3 seeks to ensure that proposals would 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. Policy ECON1 sets out that any proposal should not unacceptably impact on the amenity of nearby residents.

The closest residential property lies directly adjacent to the site above the frontage unit. The building is sited in the same position as the existing building, with a slightly smaller footprint and reduced height. The Council's Environmental Health team have been consulted and requested a condition to seek to limit the hours of deliveries to protect the amenities of residents in the locality. The uses proposed are considered to be compatible with this town centre location, and overall the use and design of the building would not result in a detrimental impact upon the amenities of local residents. The condition relating to the hours of use of the building and deliveries proposed seeks to ensure that the building is not used and no deliveries accepted or despatched from the site outside the following times: 08:00 and 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays, and at no time on Sundays, Bank or Public Holidays. It is considered that this appropriately limits the activity within the building and in relation to deliveries externally to ensure that there is not a detrimental impact upon the amenities of nearby residents.

It is considered that the proposal would accord with ENV3 of the Development Plan in respect of the impact on residential amenity with the imposition of the condition set out above.

Ecology

In accordance with Policy DM2 of the Development Plan and Chapter 15 of the NPPF which seeks to ensure mitigation and site management measures are imposed where necessary to provide compensatory and enhancement measures, a Preliminary Ecological Appraisal has been submitted and the Council's Ecologist raises no objection to the works, provided development is carried out in accordance with the report and ecological enhancement recommendations set out within Section 6. A condition has been attached in this regard.

11 CONCLUSION / PLANNING BALANCE

Overall, on balance, it is considered that the proposal would be in accordance with policies set out in the development plan specifically Policy ECON1, Policy ECON2, Policy ENV3 of the Local Plan 2016-2036 Part 1: Planning Strategy and Policy DM2 of the Local Plan Part 2: Sites and Development Management 2014 as set out in the planning assessment above. It would not have a harmful impact upon the character of the area, highway safety or neighbouring amenity, subject to conditions as set out in the report above. The application is therefore recommended for approval subject to conditions.

12 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:

1132-110 Rev C
1132-111 Rev C
1132- 202 Rev C
1132-203 Rev D
1132- 310 Rev F
1132-311 Rev F
1132- 400 Rev F.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. 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 development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:

- (a) A programme of and phasing of demolition and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;

- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;
- (h) Wheel washing facilities and mud prevention methods

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Local Planning Authority can properly consider the effect of demolition / construction works on the amenity of the locality.

5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, the development hereby approved shall only be used for uses falling within Use Class E (a), Use Class E (c), Use Class E (d), Use Class E (e), Use Class E (g) (i), Use Class E (g) (ii) and Use Class B8 and for no other use purposes, whatsoever, including any other purpose in Use Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: To protect the amenities of nearby residents.

6. The building shall not be used and no deliveries accepted or despatched from the site outside the following times: 08:00 and 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays, and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of nearby residents.

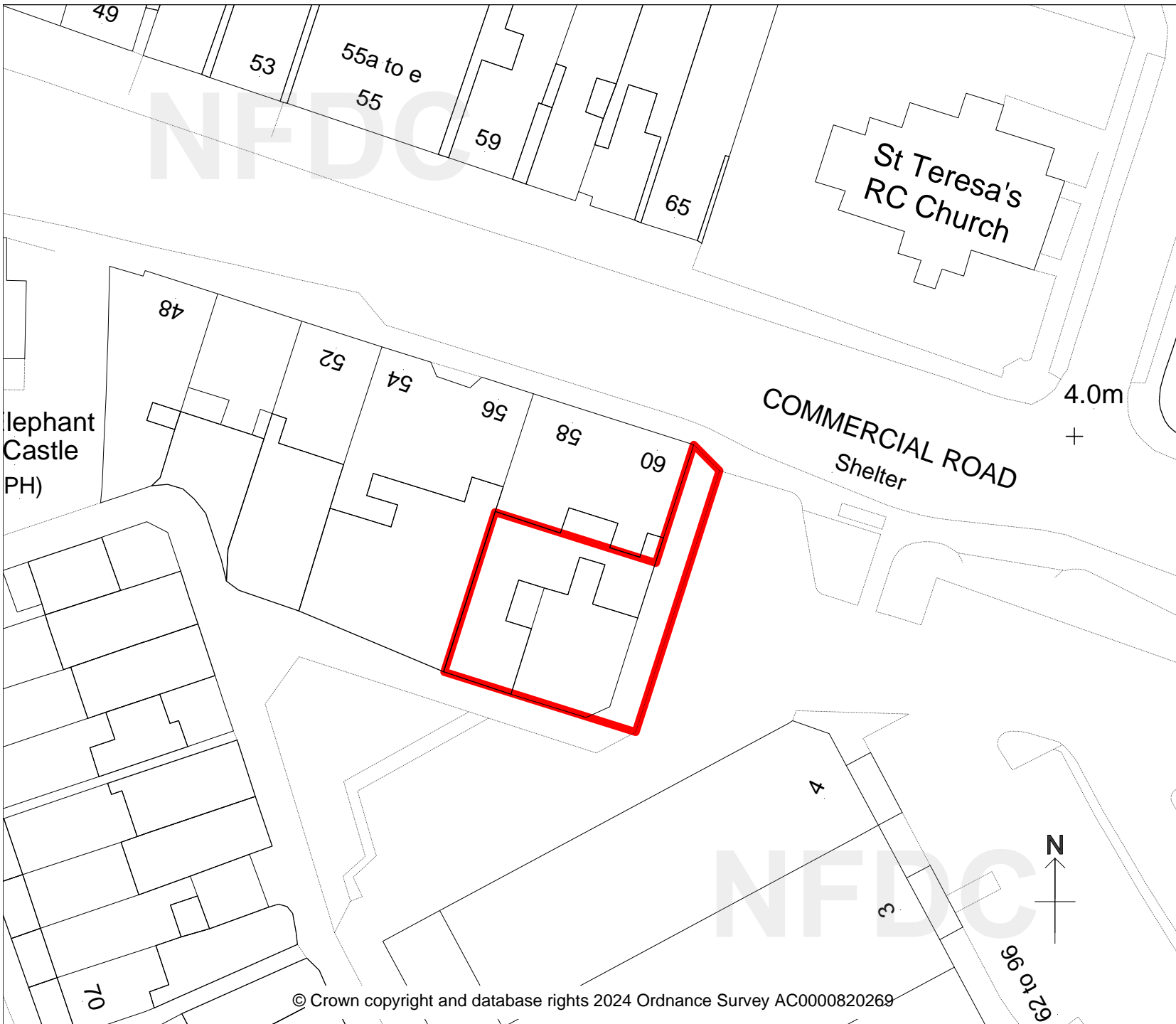
7. The development hereby approved shall be undertaken in full accordance with the recommendations described in Section 6 of the ecosupport Preliminary Ecological Appraisal dated 2nd April 2024 unless otherwise first agreed in writing with the Local Planning Authority. The new bat and bird box features described within the Appraisal shall be provided before the replacement building hereby approved is first occupied.

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

Further Information:

Sophie Tagg

Telephone: 023 8028 5439



New Forest

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Tel: 023 8028 5000
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Mark Wyatt
 Service Manager
 Development Management
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

July 2024

58-60 Commercial Road
 Totton

24/10065

Scale 1:500

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235

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Planning Committee 10 July 2024

Application Number: 21/10052 Outline Planning Permission
Site: LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE
Development: Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)
Applicant: Pennyfarthing Homes Limited
Agent: Terence O'Rourke Ltd
Target Date: 21/05/2021
Case Officer: Stephen Belli
Officer Recommendation: Service Man Planning Grant
Reason for Referral to Committee: Extension of time to allow completion of S106

The Planning Committee, at its meeting of January 2024, resolved to grant planning permission for the proposal subject to the prior completion of the required legal agreement by June 30th, 2024. Good progress has been made on the drafting of the agreement with all the obligations agreed between the parties. Whilst good progress has now been made on the agreement, it has not been completed by the agreed deadline.

The principal reason for the delay in completing the S106 has been due to some last minute changes in names of signatories and other land title changes. The agreement is now in its final form but unfortunately was not completed by the deadline of 30 June 2024. To that end, the Committee is asked to grant a further extension of time to allow completion of the Section 106 agreement until the end of September 2024.

There are no matters that require updating from the previous January 2024 report a copy of which is annexed for information.

RECOMMENDATION

That Delegated Authority be given to the Service Manager, Development Management to **GRANT PERMISSION** subject to:

- i) the completion by the end of September 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the September 2022 Planning Committee report including any amendments shown in the August 2023 and January 2024 update reports; and,
- ii) the imposition of the conditions set out in the September 2022 Committee report and the 2022 Committee Update Report, and any additional / amended conditions deemed necessary by the Development Manager.

Further Information:
Stephen Belli
Telephone: 023 8028 5430

Application Number:	21/10052 Outline Planning Permission
Site:	LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE
Development:	Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)
Applicant:	Pennyfarthing Homes Limited
Agent:	Terence O'Rourke Ltd
Case Officer:	Stephen Belli
Officer Recommendation:	That the Committee allow a further six-month period until 30 June 2024 to allow for the completion of the S106 Agreement and the subsequent issuing of the Planning Permission.
Reason for Referral to Committee:	To grant an extension of time to allow completion of the Section 106 agreement and to consider the updated matters set out below. The principal reason for the delay in completing the S106 has been due to the protracted drafting time required for the completion of the Section 106 relating to the application 21/11237 for Site 18 which the applicants have considered a priority.

UPDATE REPORT JANUARY 2024

Introduction

This application is presented to Committee for the third time. The original Committee report in September 2022 is included in the later report of August 2023 and can be found at Appendix A. This report provides an update to the Planning Committee before a final decision is issued. This will allow Members to consider any national and local changes to planning legislation and policy guidance; any representations not considered previously; and any changes to the terms of the Section 106 set out in the original report.

Members will recall that this outline planning application for 342 dwellings and associated infrastructure works was considered originally at the Planning Committee in September 2022. At the September 2022 Committee, the Planning Committee resolved to Delegate Authority to the Executive Head for Planning, Regeneration and Economy to grant permission subject to:

- i) the completion by the end of the June 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the report including amendments shown in the Update Report; and
- ii) the imposition of the conditions set out in the Committee report and the Update Report, and any additional / amended condition deemed necessary by the Executive Head for Planning, Regeneration and Economy.

The Section 106 legal agreement (in respect of those matters set out in Section (L) of the original Committee report) was not completed by 22 December 2023 (as was later resolved in August 2023) and this application is brought back to Committee to allow a further period to complete the S106 Agreement, to consider other matters and to authorise the issue of the planning permission.

Update on other Fordingbridge Strategic Sites SS18 decisions/resolutions

Following the original resolution at the September 2022 Planning Committee three further Fordingbridge Strategic Site applications have been the subject of reports and resolutions.

- First the hybrid (part full/part outline) application 21/11237 (404 dwellings and link road on Site 18 Land at Burgate) was approved by the Committee at their meeting in January 2023 subject to a S106 Agreement being completed by 31 January 2024.
- Secondly, a separate full application 23/10518 for the link road through Site 18 was approved by Committee in August 2023 and planning permission has been issued. The conditions of that permission are currently being discharged such that the development of the new link road can start this winter.
- Finally, a full application for 198 dwellings on land at Station Road (Strategic Site 16) was the subject of an approval resolution at the November 2023 Planning Committee subject to the completion of a S106 Agreement.

Update to policy changes

The Government has now published a revised National Planning Policy Framework (NPPF) on 20 December 2023. The changes set out in the revised NPPF do not alter or set aside the principle of the primacy of the Development Plan as set out in section 38 of the Town and Country Planning Act 1990 (as amended) and any approved policies or allocations. In addition, it should be noted that the new text of the NPPF does not apply to the need for a five year land supply consideration of the tilted balance in the case of applications already in the system. The site the subject of this report is an allocated site and remains so.

Added to this policy guidance change the Levelling Up and Regeneration Bill has now become law gaining royal assent on 26 October 2023. Most of the Act's provisions however need to be the subject of secondary legislation not yet laid before Parliament. Again, the new Act does not change the basis on which the application was approved as an allocated strategic housing site as confirmed in the adopted Development Plan.

There are no changes to the Development Plan or other local policy guidance to warrant a fresh consideration of the application as submitted and revised.

Update to submitted plans

Following the September 2022 Committee resolution, the applicants discovered that the red line boundary plan included a narrow strip of unregistered land alongside the Sweatfords Water and a further sliver of land now within the registered title of the first few houses on the Augustus Park site. To correct these anomalies a revised red line plan

which makes the development site marginally smaller (plan PP005 rev F) has now been submitted. To accompany this amendment the applicants has also submitted amendments to other plans which show the original red line amended. The following amended plans will be included in the approved plans list as appropriate.

- PP001 Rev H Land Use and Landscape.
- PP002 Rev F Building Heights.
- PP003 Rev K Density.
- PP004 Rev F Access and Movement.
- PP005 Rev F Application Boundary.
- SK104 Rev B Temp ANRG.
- PL002 Rev O LAP

These changes to the submitted plans have no material impact on the original Committee resolution and simply correct drafting errors. The applicants have also confirmed they can still connect the Ford 1 SANG with the new ANRG to the south of the river on Site 17 albeit with a slightly different alignment to the link as now shown. All these amended plans are lodged on the web site under the date 21 December 2023 together with the cover explanatory emails.

Consultations and representations

The following is an update to comments previously considered by Committee

Hampshire County Council Countryside Service

- Response dated 15 June 2023

Reference made to the three public rights of way (PROW) that run through the site as well as the two bridleways – also PROWs (Marl Lane and Puddleslosh Lane) that abut the southern and western boundaries but lie outside the site. The Countryside Service expects a development of this scale to make a contribution of £1000 per household to the enhancement of the local PROW network and would expect to this to be secured via a S106 agreement (i.e. in this case £342,000).

- Response 21 December 2023

The County Council Countryside Service has now responded with amended comments. Their revised advice will require the improvement of the PROWs as part of the development with a commuted future maintenance sum for the three on site PROWs (£148,800), and a financial contribution towards the improvement of the whole length of Puddleslosh Lane (£129,315). Any works to PROWs should also be covered by the Section 278 Agreement and included in the S106. The Service recommends conditions be applied to cover the necessary onsite footpath improvement works and the maintenance of public access, and that obligations are included in the S106 to deal with the legal requirement for the County Council to approve the works. The suggested conditions can be incorporated into the decision notice.

Section 106 update

For ease of reference the original report section (including the Committee Update sheet) relating to the terms of the Section 106 is set out below.

Any update or suggested changes and comments are in italics after each section.

Members should note the financial figures set out are the original report figures but will need to be indexed to reflect the April 2023 sums required and will potentially be indexed again to reflect any April 2024 figures if the agreement has not been signed by that point.

SECTION 106 REQUIREMENTS

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits:

Affordable Housing – provision of affordable housing including future monitoring costs – to achieve a total of 21 First Homes, 24 affordable rent homes, and 40 shared ownership homes. No change.

Education - financial contribution of £1,471,592 towards expansion of Fordingbridge Junior and Infants School payable to Hampshire CC. No change

Biodiversity net gain (BNG) long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site and other areas within the application site currently designated as SINC. No change

ANRG provision and maintenance and long-term management/maintenance plan, monitoring costs and requirement – potentially privately managed. Structure of management company. Failure safeguards. If managed by Council, then maintenance contributions TBC. No change

SINC enhancement and maintenance scheme – as per the ANRG clauses above with contribution level TBC. No change

POS provision and maintenance including play spaces – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas. If to be adopted by the Council, future maintenance financial contributions TBC, and monitoring costs. No change

Monitoring charges – as set out in the April 2022 Cabinet paper relating to affordable housing , BNG, POS, and ANRG. No change

Formal open space (playing pitches and infrastructure) contribution towards off-site formal open space and new playing facilities for the town to be confirmed. £1000 per dwelling = £342k. No change

Internal roads not to be adopted – management company arrangement etc potentially a County Council bond. No change

Provision of on-site drainage – management company to look after on-site drainage including SuDS basins and any underground equipment within POS areas if not publicly adopted. No change

Air quality assessment monitoring contribution of £91 per dwelling = £31,122 in line with Local Plan policy. No change

Sustainable travel improvements including new bus stop(s) on Whitsbury Road, provision of hourly bus service and re-routing of bus service to Whitsbury Road through link road if available at point of commencement for Site 17 See report below.

The new bus route provision is now incorporated into the drafting of the Site 18 application S106 referred to above and a monetary sum is also included in the housing viability assessment for the Site 17 application the subject of this report. The bus company has met with the Town Council and discussions have now culminated in an agreed new route for the new service. The whole amount put forward for Site 17 may not be needed to support the new service and if there is any excess money not required this can be put towards other sustainable transport improvements such as footpaths either within or adjoining the site.

Highway works for new junction, roundabout and bridge works, and associated highway works– under S278 Highways Act agreement. See report below

The S278 Highways Act agreement should also include any works to the existing PROWs within the application site. The PROWs may also need to be the subject of a formal diversion order which can be incorporated into any reserved matters application. The details of the contributions will be determined following negotiation between the Service Manager and the applicant.

Puddleslosh Lane improvements – localised improvements to the surface of Puddleslosh Lane along its length to remove pot holes in particular. Costed scheme to be drawn up and secured through S106 agreement with works to be carried out by Hampshire County Council Highways or Countryside team with funding met by applicant. See report below.

The County Council Countryside Service have now formalised their contribution request at £129,315 based on them carrying out the work. The applicants can carry out these works themselves under license from the County Council to an agreed specification. The County Council have also now requested the whole of Puddleslosh Lane be improved rather than just the site frontage. The details of the contributions will be determined following negotiation between the Service Manager and the applicant.

Provision of a full Residential Travel Plan with bond, monitoring fees and approval fees so as to encourage more sustainable forms of transport other than the private motor car. No change

RECOMMENDATION

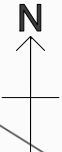
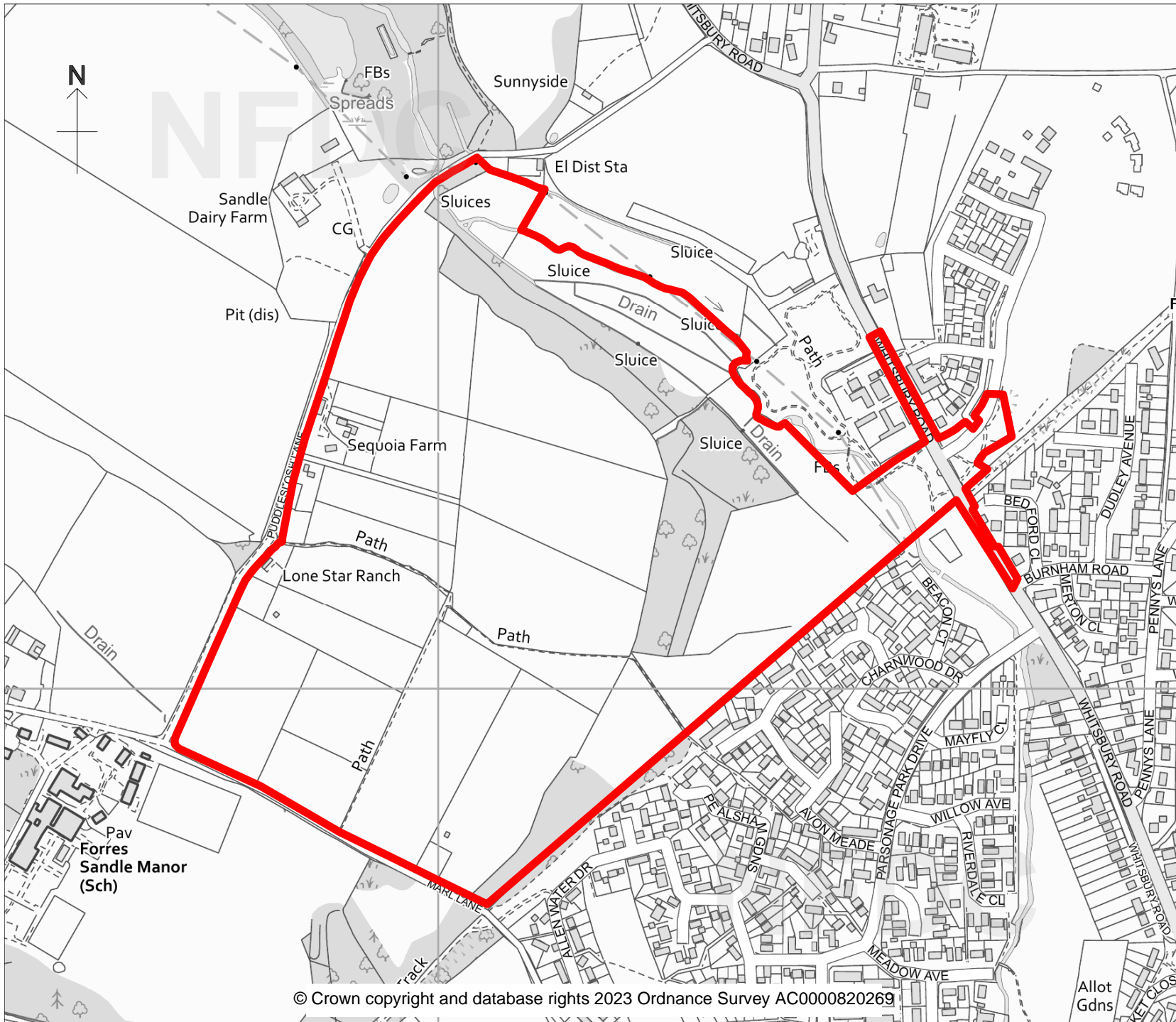
Delegated Authority be given to the Service Manager, Development Management to GRANT PERMISSION subject to -

- i) the completion by the end of June 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the September 2022 report including amendments shown in this Update Report; and,
- ii) the imposition of the conditions set out in the September 2022 Committee report and the 2022 Committee Update Report, and any additional / amended conditions deemed necessary by the Service Manager, Development Management.

Further Information:

Stephen Belli
Telephone: 023 8028 5430

243



NFC



New Forest

DISTRICT COUNCIL

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David Norris
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

January 2024

Land to West of Whitsbury Road
Fordingbridge

21/10052

Scale 1:5286

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

Allot
Gdns

Planning Committee 09 August 2023

Application Number:	21/10052 Outline Planning Permission
Site:	LAND TO WEST OF, WHITSBURY ROAD, FORDINGBRIDGE
Development:	Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)
Applicant:	Pennyfarthing Homes Limited
Agent:	Terence O'Rourke Ltd
Target Date:	21/05/2021
Case Officer:	Stephen Belli
Officer Recommendation:	That the Committee allow a further four-month period until 22 December 2023 to allow for the completion of the S106 Agreement and the subsequent issuing of the Planning Permission.
Reason for Referral to Committee:	To grant an extension of time to allow completion of a Section 106 agreement

INTRODUCTION AND UPDATE NOTE:

This application is presented to Committee for the second time. The previous Committee report in September 2022 is appended.

Resolution to grant consent subject to S106 and Conditions (Appendix A)

UPDATE REPORT AUGUST 2023

INTRODUCTION

Members will recall that this full planning application was considered at the Planning Committee in September 2022.

At the September 2022 Committee, the Planning Committee resolved to Delegate Authority to the Executive Head for Planning, Regeneration and Economy to grant permission subject to

- i) the completion by the end of the June 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of the report including amendments shown in the Update Report; and
- ii) the imposition of the conditions set out in the Committee report and the Update

Report and any additional / amended condition deemed necessary by the Executive Head for Planning, Regeneration and Economy.

The Section 106 legal agreement (in respect of those matters set out in Section (L) of the original Committee report) was not completed by the end of June 2023 and this application is brought back to Committee to allow a further four-month period to complete the S106 Agreement and issue the planning permission.

Following the resolution at the September Committee a further resolution on the application 21/11237 (404 dwellings and link road on Site 18 Land at Burgate) was made by the Committee at their meeting in January 2023 to grant permission subject to a S106 Agreement being completed by 31 January 2024.

The applicants have provided the following comment as reasons for the delay in completing the S106 and in their agreement of an extension of time to determine the application until 22 December 2023.

We are agreeable to extend the period on the basis that current resources both at the Council and within PFH are unable to deal simultaneously with the complex and lengthy process of completing Section 106 Agreements for both SS17 and SS18. Accordingly, because of the wider community benefits to be achieved through the earliest delivery of the link road, which is now the subject of a current planning application, our efforts are currently focused on achieving planning permission for SS18 in the first instance thereby expediting commencement of development. We are also mindful that with the link road in place, the construction and occupation of the houses at SS17 will be managed more easily and reduce the impact upon local residents. Under these circumstances we feel, at the present time, it prudent to allocate more time to the completion of the legal agreement relating the application for SS18.

Given the time since the original Committee resolution was passed, it is considered appropriate to provide an update to the Planning Committee before a final decision is issued. This will allow Members to consider any national and local changes to planning legislation, policy and the site that have occurred since September 2022.

POST SEPTEMBER 2022 REVIEW

Due to the length of time that has elapsed since the September 2022 Committee, officers have carried out a review of changes to legislation, policy and the site, with a view to making sure that the original Committee resolution is still sound. Relevant legislative changes, policy updates and site changes are therefore considered below. In addition, since the Committee. There have not been any significant changes to Planning Policy including SPD guidance, and national guidance or legislation.

Changes to Site Context Since September 2022

There have not been any significant changes to the site context over the last year, and the site largely remains in agricultural and woodland use and paddocks grazed by horses. Accordingly, it is considered that there has not been any changes which materially affect the Local Planning Authority's assessment of the proposed development.

Representations/consultation responses

There have been no further representations or consultee responses received since the date of the Committee.

CONCLUSION

Upon completion of the Section 106 legal agreement, the Service Manager Development Management be authorised to grant planning permission for the proposed development subject to the amended set of conditions attached to this report.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development including 5-year land supply and the Tilted Balance
- 2) Site layout and design, number of dwellings, impact on the character and appearance of the area
- 3) Access and highway safety, including design of highway infrastructure, trip generation and local road capacity, sustainable transport opportunities, and car parking provision
- 4) Ecology - on site impact on protected species, Biodiversity Net Gain (BNG), Recreational Habitat Mitigation and provision of Alternative Natural Recreational Greenspace (ANRG formerly called SANG), and impact on Sites of Interest for Nature Conservation (SINC), nutrient neutrality and impact on River Avon SAC
- 5) Flood risk, surface and foul water drainage
- 6) Impact on setting of Listed Buildings (Forres Sandle Manor School)
- 7) Environmental health considerations
- 8) Impact on residential amenities of near neighbours, in terms of light, outlook and privacy and general amenity in relation to road infrastructure impact
- 9) Minerals – safeguarding and sustainable use of minerals on site
- 10) Affordable housing policy, application submission not policy compliant
- 11) S106 contributions and Heads of Terms in the event of an approval

2 SITE DESCRIPTION

The site comprises the main part of Strategic Site 17 and includes various parcels of land running to 29.9 hectares in extent located on the north western edge of the town and situated mid-way between Strategic Site 16 (land at Station Road) and Site 18 (land at Burgate). The site is currently in a mix of agricultural, horticulture and woodland uses with a number of small holdings. The site is bounded to the south east by the former railway line which itself forms the edge of the town and adjoining estate development of Avon Meade/ Parsonage Park built in the 1980s and 90s; to the north by the Sweatfords Water mains river and its floodplain with a significant area of woodland; to the south by Marl Lane (a public bridleway and vehicular access route with a limited number of direct accesses to residential properties); and to the north west by Puddleslosh Lane (a public bridleway with a limited number of residential properties accessed directly from it along with an electricity substation). The site also has a small frontage direct onto Whitsbury Road (class C public highway).

Forres Sandle Manor School which contains Listed Buildings lies close to the south western corner of the site near the junction of Puddleslosh and Marl Lanes. Arch Farm forms a small collection of buildings used for a variety of industrial uses along

with a new farm shop all of which front onto Whitsbury Road. Directly opposite this part of the site lies a new housing development built and completed by Pennyfarthing Homes in early 2022 known as Augustus Park/Avenue (17/10150 refers – see planning history below).

There are three locally designated sites of interest for nature conservation (SINCs) included within the site and located alongside the river. The River Avon is an internationally designated Special area of Conservation (SAC) and lies approximately 900 metres north east of the site, with the New Forest National Park (a designated SAC and Special Protection area and Ramsar site/SSSI) with its boundary along the River Avon at this point a similar distance to the north east. Cranborne Chase AONB lies approximately 2kms to the north west of the site. The site is also covered by a blanket Tree Preservation Order imposed prior to the site being formally allocated.

The Whitsbury Road frontage of the site lies approximately 1km to the mini roundabout in the town centre. Fordingbridge Junior and Infants School and Burgate secondary school lie within 500 metres of the Whitsbury Road Frontage. The SW corner of the site is approximately 800 metres measured in a straight line to Whitsbury Road.

Tinkers Cross forms a small hamlet at the junction of Whitsbury Road and Fryern Court Road. A parcel of agricultural land at Tinkers Cross is also included within Strategic Site 17 and this site which was the subject of a report to Committee in February 2022 (20/11469 refers) and is located immediately to the north of the river with a common boundary between the two development sites formed by the river. Site 17 also contains two other smaller parcels of development land east of Whitsbury Road.

The site is currently crossed by two public footpaths with FP79 and FP78b running centrally east- west and connecting Puddleslosh Lane and Avon Meade/Parsonage Park estates. FP 78a connects with the other two footpaths and runs south connecting to Marl Lane. The old railway line along the south eastern boundary of the site marks the line of FP 501 but this lies outside the application site. This footpath terminates further north as dwellings and gardens on Avon Meade have been allowed on the line of the former railway.

Site constraints/ designations

- Strategic Allocated Site Local Plan 2016-2036
- Flood zones 2 and 3
- Tree Preservation Order covers whole site
- Adjacent to public bridleway (Puddleslosh Lane)
- Adjacent to public bridleway (Marl Lane)
- Includes parts of three SINC areas
- Article 4 Direction restricting means of enclosure – confirmed 13/04/15 for the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Class A of Part 2 of Schedule 2 to the Order and not being development comprised within any other class.

3 PROPOSED DEVELOPMENT

Introduction

The originally proposed development was for a total of 403 new dwellings together

with new road access infrastructure etc. Following a series of meetings with your officers and consultations with statutory and other consultees along with the public, the development now proposed is for outline planning permission for up to 342 dwellings with all matters reserved for future approval except for means of access.

Access proposals

Access into the site will be formed from a new roundabout on Whitsbury Road which will in itself replace the existing T junction which serves Augustus Park. The roundabout will have four arms, one leading northwards out of Fordingbridge along Whitsbury Road, one arm leading southwards to the town centre, one arm leading eastwards into Augustus Park (and then onwards into Site 18 eventually exiting on the A338 to the north of the town), and one arm forming the principal and only means of vehicular access into the current development site. The development site access will also be required to cross the Sweatfords Water and will do so via a new river bridge. The access road from Whitsbury Road into the site as far as the first residential parcel to be developed is included in the details for approval at this stage along with the bridge and the roundabout. The plans indicate emergency only points of access onto Puddleslosh Lane but there are no details submitted at this stage.

Masterplan and Parameter Plans

The applicants have submitted an illustrative masterplan and a series of parameter plans setting out individual residential blocks separated by areas of open space and drainage channels with each block served by a series of estate roads and footways. The plans also indicate a series of new walking and cycling routes through the site connecting the site with Whitsbury Road, Marl Lane and Puddleslosh Lane. The plans indicate a series of drainage ponds and channels as part of the surface water drainage strategy. The existing public footpath lines on the site are to be protected albeit one of these is bisected by the main access road into the site (with a formalised road crossing point included). An overall masterplan of the site is submitted for illustrative purposes, with this plan exactly overlaying the parameter plans and building blocks shown so can be considered to be a good representation of the building blocks that will likely form the basis of any future reserved matters application.

In terms of land uses the Parameter Plans indicate the existing woodland area lying south of the river will be retained and incorporated into a network of public open space (POS) and Alternative Natural Recreational Greenspace (ANRG formerly known as SANG). The SANG that was formed to go with the Ford 1 Augustus Park development will be partly removed by the new roundabout and bridge/road works. This is to be replaced and brought forward by a S106 agreement prior to any works taking place to create the access. Parts of the POS will have restricted access e.g., through some of the wooded or flood plain areas because ecological sensitivity of those parts. The layout also makes provision for a series of drainage basins and a dedicated wetland area.

Phasing of development

With regard to the phasing of development at this point there is no indication if the development will be phased into two or more phases or built out in one phase. What is clear is the roundabout and river bridge with the primary access route into the site are likely along with the consequential flood water attenuation works and other infrastructure works likely to be the first phase. No dwellings will be constructed until the access road is completed to at least basecourse level. Construction traffic will not be permitted to access the site other than through the new road. In terms of development economics this is a substantial financial outlay required well in

advance of the first house being sold. Whilst there are no guarantees it is likely that the development will be built out in one go over a period of 2-6 years. As for phasing with other Fordingbridge sites the applicants have indicated that the site will not come forward until after their major land interests on Site 18 have been completed (see application 21/11237 for details). Again, there is no guarantee that Site 17 will be taken forward by the current developer – it might therefore come forward earlier in the suggested programme.

Amended plans

The original plans submitted in January 2021 have been amended previously in September 2021 with a further round of consultations. A further set of amended plans (June 2022) has again been the subject of full consultation with statutory and other consultees as well as neighbours and other interested 3rd parties who have expressed views on the earlier plans. The application is accompanied by an Environmental Statement and the changes have been the subject of the necessary press notice publication and site notices. Changes to the original Environmental Statement have formed part of the latest set of amendments. All the documents now submitted including an affordable housing viability assessment are available to view on line.

Finally, following on from the June 2022 amendments the applicants have responded to the negative comments of some consultees and provided a further selected set of amendments dealing with highway matters, landscaping, lighting, and drainage. These plans received on 12 August and 24 August have been placed on line and any further comments received will be reported either below or via late correspondence update at the Committee meeting.

4 PLANNING HISTORY

20/10351 Applicants agreed to submit an Environmental Statement to cover the bulk of Strategic Sites 17 and 18

Scoping Opinion issued 29/05/20 for Site 17

15/10960 1.1m high boundary fencing; gate
Land off MARL LANE, FORDINGBRIDGE SP6 1JR

Planning permission granted 09/10/2015 (See Article 4 constraint above)

Various planning permissions based on the use of Sequoia Farm and other holdings within the site for agricultural purposes and use in association with horses – not directly relevant.

Other Fordingbridge Strategic Site applications

Site 16 Land to the north of Station Road

20/10522 Infinite Homes Ltd

Development of 240 dwellings, a new access off Station Road, 10.7ha of public open space (SANG, formal open space and informal open space), associated private amenity space, off-street car parking and access roads." (Outline Application with details only of Access) - LAND NORTH OF, STATION ROAD, FORDINGBRIDGE SP6 1JW

Withdrawn 22 April 2022 – new submission pending from CALA Homes Ltd.

Site 17**Land at Whitsbury Road**

20/11469

Pennyfarthing Homes Ltd (PFH)

Erection of 64 dwellings, change of use of land for Alternative Natural Recreational Greenspace, new access onto Whitsbury Road, and all necessary on-site infrastructure

LAND AT TINKERS CROSS, WHITSBURY ROAD, TINKERS CROSS, FORDINGBRIDGE SP6 1NQ

Resolved to grant permission subject to S106 at February 2022 Committee – permission not yet issued.

17/10150

Pennyfarthing Homes Ltd

Development of 145 dwellings comprised: 39 detached houses; 31 pairs of semi-detached houses; 1 block of 8 flats; 1 block of 7 flats with terrace of 3 houses; 1 block of 7 flats; 1 terrace of 6 houses; 2 terraces of 5 houses; 1 terrace of 3 houses; garages; parking; SANG; public open space; access onto Whitsbury Road; associated infrastructure; associated development works; landscaping

LAND at WHITSBURY ROAD, FORDINGBRIDGE SP6 1NQ

Planning Permission granted 26/03/18

(Now completed and occupied and known as Augustus Park – site allocated as part of Local Plan part 2 in 2014 – Ford 1 – NB this number of new dwellings is not included in the overall new minimum allocation of 330 for Site 17)

Site 18**Land at Burgate**

20/10228

Metis Homes Ltd

Construction of 63 dwellings, creation of new access, parking, landscaping, open space and associated works, following demolition of existing buildings - Land at BURGATE ACRES, SALISBURY ROAD, BURGATE, FORDINGBRIDGE SP6 1LX (NB: PROPOSED LEGAL AGREEMENT) – Resolution to grant subject to S106 10 February 2021

Planning permission granted 14 April 2022 – work commenced July 2022.

21/11237

Pennyfarthing Homes Ltd.

Hybrid planning application comprising: Outline planning application (all matters reserved except means of access only in relation to new points of vehicular access into the site) for residential development and change of use of land to Alternative Natural Recreational Greenspace, together with a community hub (to comprise a mix of some or all of; local food retail, local non-food retail, community use and business use) and all other necessary on-site infrastructure. Full planning application for the first phase of development comprising 111 dwellings, public open space, Alternative Natural Recreational Greenspace, surface water attenuation and all other necessary on

site infrastructure
LAND WEST OF BURGATE, SALISBURY STREET,
FORDINGBRIDGE SP6 1LX

Not determined – awaiting amended plans

5 PLANNING POLICY AND GUIDANCE

The Core Strategy 2009 (Saved policy)

CS7: Open spaces, sport, and recreation

Local Plan Part 2 2014 Sites and Development Management Development Plan Document (Saved Policies)

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity, and geodiversity
DM4: Renewable and low carbon energy generation
DM5: Contaminated land
DM9: Green Infrastructure linkages

Local Plan Review 2016-2036 Part One: Planning Strategy

STR1: Achieving Sustainable Development
STR2: Protection of the countryside, Cranborne Chase AONB & New Forest National Park
STR3: The Strategy for locating new development
STR4: The Settlement hierarchy
STR5: Meeting our housing needs
STR7: Strategic Transport Priorities
STR8: Community services, infrastructure, and facilities
STR9: Development within a mineral safeguard area

ENV1: Mitigating the impacts of development on International Nature Conservation sites
ENV3: Design quality and local distinctiveness
ENV4: Landscape character and quality

HOU1: Housing type, size, and choice
HOU2: Affordable Housing

CCC1: Safe and Healthy Communities
CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions
IMPL2: Development standards

Strategic Site SS17: Land at Whitsbury Road Fordingbridge

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites 2021
- SPD Parking standards 2022
- SPD Housing design, density and character 2006
- SPD Fordingbridge Town Design Statement 2008
- Air Quality SPD 2022
- Developer contributions towards air quality

- Cabinet Report on Monitoring Contributions 2022
- Draft SPD guidance on play provision within development sites
- Draft SPD Strategic sites masterplanning
- Ecology and Biodiversity Net Gain Interim Advice Note

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

Listed Buildings and Conservation Areas Act 1990

S66 duty - special regard to desirability of preserving the building or its setting etc.

- Significance of the heritage asset
- Setting - wider rather than narrower meaning
- Substantial harm (complete loss) – exceptional circumstances
- Less than substantial harm – weighed against the public benefit

Relevant Government advice

National Planning Policy Framework July 2021 (NPPF)

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 14 Climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

National Design Guide 2021

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council (comments set out in full)

Earlier submission comments (December 2021)

As discussed, at an extraordinary meeting of the planning committee to consider application 21/10052 (Land to West of Whitsbury Road, Fordingbridge) the Town Council recommended REFUSAL under PAR4.

The reasons for the recommendation were as follows:

- Pedestrian links need resolving - They are not adequate at present including having to cross the road at a roundabout
- The roundabout is too intrusive
- The bridge is not in keeping
- Flood risks have not been addressed
- There is a lack of usable ANRG
- There are concerns about the effectiveness and attractiveness of the suds
- The density of houses is too great
- The biodiversity net gain target has not been reached - The Town Council is not happy to consider net gain across more than one site
- Any standards that need to be met should be in excess of the bare minimum. The developer needs to look to the future regarding sustainability.
- There are concerns about lighting affecting biodiversity
- Ecology and nature recovery needs much more thought - Merely providing bat boxes etc. is not sufficient, especially if creatures have already moved on because of the development as that is too late.
- The phosphate issues have not been addressed
- There is no updated HCC traffic report - This is in the context that it is felt there is inadequate information in relation to a number of issues, without which the Town Council can only recommend refusal.

The Town Council is also of the view that no roundabout should be built or there be any development to the west of Whitsbury Road until the sites to the east have been finished with the road to A338.

Amended plans comments (August 2022)

Fordingbridge Town Council recommends REFUSAL of planning application 21/10052 under PAR4 for the following reasons.

1. The link road from the A338 must be built before this application can be started. This should be the most important condition. The existing roads will not be able to cope with all the construction traffic and vehicles from 342 additional dwellings unless a link road to the A338 is built first.

2. We disagree with the Highway Authority for raising no objection, as they do not report on the impact of traffic using (i) residential roads that carry school traffic, are used for school parking and have children walking to school or (ii) a single lane country road too narrow for cars to pass without pulling into residential drive entrances in order to reach the A338 to the north of the town. In addition, previous Highways comments on the traffic assessments for the Bridge Street mini-roundabout junction appear to conflict with one another:

20/10522 comment

"The model results show that without the proposed development in 2024...the Bridge Street mini-roundabout would breach its capacity and is likely to experience delays and congestion as a result..... Any additional traffic would exacerbate this situation and add further delays, congestion and the likelihood of accidents to the highway network such that any additional impacts would be considered severe."

21/10052 comment

"The modelling forecasts that with the traffic development and committed development, the mini-roundabout B3078/Salisbury Street/B3078 Bridge Street junction would operate within capacity in both future years of 2025 and 2036."

3. With 342 new houses and no new employment land all traffic will have to travel through the already congested town roads to access employment. There is a lack of measures looking at sustainable transport.

4. The Council consider a traffic management plan necessary for this development.

5. The figures on the amount of recreation land do not add up. Most of the proposed open spaces are small areas spread around the site, rather than accessible ANRGs. The proposed areas don't compensate for the SANG being lost from the previous development to form the new roundabout and access road. Some areas noted as ANRG will not be able to be used all year round. The proposed new road separates the existing SANG, reducing both its utility for recreation and also for wildlife, eliminating the possibility of creating a wildlife corridor as recommended in the Nature Recovery Plan adopted by Fordingbridge Town Council. The fact that the provision of Formal Public Open Space can be avoided by way of a contribution detracts from the proposed scheme and is to the detriment of residents of the site. Appropriate Formal Public Open Space should be included within the scheme.

6. The impact on existing facilities such as healthcare and schools. The existing facilities struggle to provide services to existing residents and won't be able to cope with additional demands. There are no proposals to improve these facilities.

7. The ecological damage caused by developing this green space which has always been an important rural part of the town.

8. The impact on, and the reduction in, the quality of life of the residents of Fordingbridge due to construction work and additional traffic using roads through residential areas. There will be significant harm to quality of life for many residents.

9. The large number of conditions is not acceptable. The responses from some statutory consultees are dependent on many conditions being complied with, and most of these will be difficult to enforce. The Highway Authority require an hourly bus to be provided, but the adjacent roads are not suitable for buses. They also require a construction phase traffic management plan, but no roads are currently suitable for large lorries.

10. Phosphate mitigation needs further explanation, especially if decommissioning of the Bickton trout farm has already started. What was the level of phosphates from the Trout farm previously versus what will be the level of phosphates from all the developments? Was the farm already being decommissioned prior to purchase by Penny Farthing homes? Allowing additional phosphates (mitigated elsewhere) is to the detriment of the local area.

11. The capacity of the sewerage system needs further explanation. There appears to be no overall strategy to improve the sewerage works. The proximity of the proposed new pumping station to existing properties in Sharpley Close was considered to be very close.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

The following comments in summary have been received. The full comments of each consultee can be found on the planning web site. Comments received are split between those submitted for the original plans and the first amended scheme submitted in September 2021 (together under heading earlier submission), and the second amended scheme (submitted in June 2022) the subject of this final report (under heading of amended plans).

Cranborne Chase AONB Partnership

Earlier submission – refers to national guidance and protection policies for AONB areas. Expresses concern regarding impact on Dark Skies Reserve, but no objections on landscape impact. Concerns however expressed regarding increased recreational impact on AONB from new development which is close and accessible to the protected area.

Amended plans – Dark skies reserve will be adversely impacted - suggests light survey is flawed as carried out when moonlight was present. Makes other comments regarding technical inadequacies of the survey and requests this be carried out again.

Environment Agency

Earlier submission – No objection subject to conditions requiring the following

- Compensatory flood plain works to compensate for bridge and road impact
- Any raising of land levels should be outside of the flood plain
- No storage of materials including soil within flood risk areas
- Bridge level is more than 600mms above post development flood levels.
- Implementation time period for mitigation works
- Maintenance requirement for flood compensation works

Amended plans - We have reviewed the additional information that has been submitted and have no further comments to make. Our previous response dated 29 October 2021 (our ref; HA/2021/122963/02) still stands, and this is copied below for ease of reference:

“We have no objection to the proposed development as submitted, subject to the inclusion of conditions and mitigation measures as set out in our response.

National Park Authority (Archaeology)

No archaeological interest - no objections

Natural England

Earlier submission - standing advice provided with regard to nutrient neutrality, impact from recreation on protected areas, SuDS schemes being suitable for biodiversity and BNG requirements of NFDC ecologist. These measures must be addressed.

Amended plans – Provided the applicant complies with the NFDC SPD for recreational disturbance impacts on European sites, we have no further comments than those made in our remarks dated 09 November 2021.

NFDC Conservation

Earlier submission - Concerns expressed regarding the impact of the development on the setting of Forres Sandle Manor at the south west corner of the site. Refers to adverse impact on setting of Listed Building with new development now so close. Harm to setting sits at lower end of scale, however. Any harm to be balanced against overall public benefits.

Amended Plans – No further comments received.

NFDC Ecology

Earlier submission - In summary my main, currently unaddressed concerns relate to:

- The assessment does not address the core biodiversity net gain principle of additionality.
- Habitat Creation - Use of 'Urban - Suburban/ mosaic of developed/ natural surface' is not appropriate; and
- Habitat Creation & Enhancement – use of unrealistic target condition given intended use.

Subject to satisfactory resolution of my concerns surrounding biodiversity net gain, I have provided a number of suggested wordings for planning conditions or otherwise flagged the need for planning conditions including the following:

- The need for updated ecological surveys to identify shifts in the baseline ecological condition and
- to support EPS derogation licence applications as required given the proposed phased delivery of
- the development;
- Requirement for a Great Crested Newt Mitigation Strategy (and licence) to be submitted; Sensitive lighting strategy to be submitted at detailed design;
- Secure bat boxes on 25% of dwellings and bird boxes on 75% of dwellings; and
- Pre-construction badger and reptile surveys.

Amended plans – My previous comments have now all been addressed satisfactorily e.g. relating to additionality, the realistic target condition of created and enhanced habitats etc.

I have no problem in principle to the shortfall in biodiversity units (to reach the 10% BNG) being provided on SS18 or offset via another provider e.g. Environment Bank or other provider. I do think however that the offset needs to be linked to the point of impact i.e. offset to be provided pre-occupation (or other timeframe which you are content with). I wouldn't want a situation where the offset is provided a decade after the impact for example, there needs to be an end point. Recommend approval subject to conditions.

NFDC Environmental Health (Contaminated Land)

No objections subject to standard contaminated land condition being imposed to deal with unexpected contamination should this be encountered on the site.

NFDC Environmental Health (Pollution)

Earlier submission - No objections subject to further noise assessment being required at detailed stage and Construction Environmental Management Plan

condition should be applied to any approval to be agreed prior to commencement of development works. Condition also required to agree any lighting scheme to ensure this is not detrimental to public health.

Amended plans – No objections to lighting scheme for road and roundabout. Condition needed to cover future reserved matters application.

With regard to noise levels the increase as a result of the proposed development will generally be less than 3 dB for identified receptors on all but one of the road links, these increases will be negligible and not significant. Receptors on Whitsbury Road south of the site access are predicted to experience a 5.5 dB increase in road traffic noise levels, which is considered to be a moderate, significant adverse effect. The ES further outlines that such impacts upon receptors in Whitsbury road would only occur if the development were to be brought forward in isolation and with the construction of a spine road and access to the A338 as a result of the Land at Burgate development (which according to the proposed phasing would be constructed first), traffic will be diverted from Whitsbury Road.

It is noted that the overall conclusions of the revised assessment are not affected by the revised addendum, as the changes in noise levels resulting from the revised traffic movements associated with the proposed development are similar to those set out in the original ES. No significant residual adverse noise effects are predicted as a result of the proposed developments; however, should the applicant amend the proposed phasing plan advised in the application, the potential impact from traffic noise should be revised and mitigation measures outlined.

Environmental Health (Pollution) do not wish to raise any objection to this application, subject to the proposed conditions outlined in our email below dated 04 March 2022 being attached to any granted permission.

Air Quality

Earlier submission - With regard to air quality awaiting further information and clarification on traffic routes together with final approval of highway authority with regard to trip assignment for all traffic. Further information is therefore required to satisfy air quality issues.

Amended plans - The submitted air quality assessment (ref: A11338/7.0 June 2022) appropriately assesses the potential impact of the proposed development of SS17 on local air quality in terms of the operation and construction phases of the development. As such the conclusions are agreed.

It should be noted that should the applicant amend the developmental phasing scheme advised in the application (including reference to the development of SS18), the potential impact on local air quality should be reconsidered by the applicant and if required a further air quality assessment undertaken. Environmental Health (pollution) supports the applicant's reference to the New Forest District Council Air Quality Assessments in New Development SPD and noted intended mitigation measures as stated in paragraph 5.3.2 of the air quality assessment.

In conclusion Environmental Health (pollution) has no objection to the application subject to the following condition be applied should permission be granted:

Prior to construction (including demolition) commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

NFDC Strategic Housing Manager

Earlier submission - Affordable housing needs stand at around 361 homes per annum from 2016-2036. Refers to Local Plan guidance on tenure type and mix required. Awaiting viability assessment and proposed offer. Need for S106 to secure eventual affordable housing offer.

Amended plans – No further comments received.

NFDC Open Spaces

Earlier submission - Requires the following matters to be addressed adequately either now or at detailed stage

- Replacement SANG lost from FORD 1 scheme due to road infrastructure works
- Details of all play areas and equipment to be provided at detailed stage
- Details of all paths and cycleways
- Drainage basin and potential conflict with POS to be resolved
- Potential conflicts between ANRG and drainage basins to be resolved
- Adequate access needed for maintenance of all POS and ANRG areas.

Amended plans – Detailed comments set out on web site - further details to be conditioned and submitted for approval. Further to the plan submitted for the “replacement SANG”, provided this area is provided in full and Practical Completion is certified by NFDC prior to commencement (of the SS17 access) and subject to construction, planting and ecological protection details (at the appropriate stage), the plan proposed looks very satisfactory and has my full support.

The proposed path/route would be attractive to potential users, therefore delivering the mitigation functions, alongside starting to cohesively link together the mitigation/POS space within all three developments, so they start to work “as one”, therefore delivering stronger public and ecology benefits and community cohesion. The potential for SS17 ANRG to be ready before first occupation and therefore connect the existing SANG, this “replacement SANG” across the river valley ANRG and into the PROW network has potential to be a strong contributor towards CS7 and mitigation outcomes for residents in the local area.

NFDC Trees

Earlier submission – Trees on site protected by a group TPO. Some elements of the proposal such as drainage basins and proximity of new roads may have an adverse impact on important trees. Two veteran oak trees in particular are bisected by the new access road and will be adversely impacted. Currently object pending further information.

Amended plans – Further information requested on impact on veteran trees. Also concerned about new pathway through woods. Currently holding objection.

Further to my previous comments the applicant has now submitted an amended road layout WSP drawing ref 1334-SK-516 which show the road layout with the surface water drainage layout overlaid with the root protection areas of the trees on the western side of the site. This shows that the drainage course will have a small impact on the southern end of the woodland group and result in the loss of a small categorised C grade tree. No drains are shown within the root protection areas of

the veteran oak trees.

The layout for the access road, bridge, drainage basins for the site. Broadly, follows what has already been discussed and the two veteran Oak trees are still to be retained with the maximum root protection areas of 15m provided for these trees. The trees on the north eastern side of the river that are shown to be lost have already been, in principle, accepted provided sufficient replacement tree planting is included within the landscaping of this site to mitigate this loss.

A number for footpaths have been shown in the woodland areas, these can be constructed/created with minimal impact to the trees if sufficient tree protection measures and non-dig construction techniques are used. The position of these paths can be agreed as a reserved matters submission.

Overall, I have no objection on tree grounds subject to the conditions on work details and tree protection measures which need to be agreed.

NFDC Urban Design

Earlier submission - There is much to commend this application in terms of design within the development areas and in the provision of a green infrastructure, but the access issues – particularly the bridge and roundabout are currently matters for objection while other matters need further clarification in terms of design.

Please ask the applicant for the following:

- Amendments to ANRG to increase size of main area
- Development on brow of hill to be further justified
- Phasing diagram for the site
- Density should be reduced to accommodate lower density along site edges
- Bridge and roundabout need to be reduced and their impact softened
- More details needed on access road to assess impact
- Sustainability aspirations should be included in DAS
- Possible design code to guide Reserved Matters
- Any conditions should tie reserved matters applications to details now submitted.
- Condition number of dwellings to be no more than 340.

Amended plans – Objections - see detailed response dated 26 July and 19 August (in response to the 12 August plans) – notes the improvements in layout and reduction and removal of housing blocks in sensitive locations and welcomes these positive changes, but there are still some remaining concerns regarding access pathways, location of road, landscaping for road, lighting, and impact of the foul water storage area, as well as adverse impact from engineering works associated with the roundabout and bridge, and how SuDS basins and channels will work in practice. More tree and hedgerow planting also needed to reduce impacts overall. Further amendments now received do partially address the points raised. This project has come a long way through a fruitfully iterative process, engaging the applicant's team. I really cannot see why embracing my comments should be so difficult or why it might be seen as onerous.

NFDC Landscape officer

Earlier submission -

- Further details required regarding planting strategy and habitats proposed.
- Note LVIA impacts and design of site and planting needs to be mitigate this.

- New road access and bridge will have an adverse landscape impact. Raising of existing levels and sharp slopes from road and bridge down to river.
- Poor design and over engineered creating a conspicuous landscape feature not in character with other local bridges.
- Detailed comments offered on ANRG strategy. Management plan needed for existing woodland together with new planting proposals.
- Number of crossing points of river need to be rationalised to reduce physical disturbance to this sensitive area. Two crossing points suggested.
- Makes suggestions for detailed planting plan. SuDS features not fully detailed and need to be well designed.
- Quantum of POS and ANRG not clear yet. Loss of FORD 1 SANG needs to be clearly provided.
- SINCS must not be counted as ANRG

Amended Plans – see urban design comments above

NFDC Waste Management

Need to consider requirements of new waste strategy in detailed plans.

Hampshire Constabulary

Provides detailed advice regarding designing out crime. Recommends condition be imposed seeking full Secure by Design accreditation.

Hampshire County Council (Countryside Services)

Would not be in favour of Puddleslosh or Marl Lane being used for vehicular purposes as this will impact on a right of way (bridleway in both cases). Any day to day use would not be acceptable. Emergency access use would need to be tightly controlled.

Hampshire County Council (Education)

Earlier plans - The County Council has used previous extension projects to derive a cost for the proposed expansion to the primary places within Fordingbridge, and this is estimated at **£1,721,100**. This is based on the provision of two teaching spaces at both Fordingbridge Infant and Junior School, i.e., a total of four classrooms. Details of how these costs were derived can be found in Appendix B. This will go towards any expansion at Fordingbridge Infant and Junior Schools. In summary, the contribution towards the expansion of Fordingbridge Infant and Junior Schools is necessary as without an expansion they will not be able to accommodate the children from the development.

No contribution will be sought to provide additional secondary school places owing to the out country recruitment of pupils to the school.

Amended plans – As I understand that this is an amendment rather than a new application, I will base my response on the 2019 guidance rather than the 2022. That would make the revised contribution £1,471,592. This cost is indicated, at 4th Quarter 2018 prices (BCIS All-in TPI Index 322) as per the 2019 guidance.

Hampshire County Council (Fire and Rescue)

Standing advice provided regarding building regulations and other fire safety

regulations. No further comments to add with amended plans.

Hampshire County Council (Highways)

Earlier submission – Holding objection pending the submission of further information to cover the following issues

- Design of roundabout needs further details before we can comment fully
- Details of bridge not acceptable and further improvements needed in road safety terms.
- Proximity of bridge to roundabout raises concerns
- Details and access to sewage holding tank needs to be re-assessed.
- Further details needed on access road into site
- Street lighting schedule needed
- Attenuation of highway water from the increased catchment not yet clear
- Sustainable transport inadequate at present. Puddleslosh Lane needs to be improved
- Farm shop link needed from both this development and the Tinkers Cross development.
- Public transport and bus route improvements are not adequate at present.
- Travel plan needs to be amended
- Need further information to assess junction capacity, local road capacities and trip assignment to different roads along with assessment of impact
- Traffic modelling further work required - Different routes for traffic to be agreed along with junction modelling – impact on various roads and junctions to be completed.
- Mitigation for any impacts needed along with mitigation on roundabout at Ringwood

Amended plans – see detailed comments dated 5 August.

In summary the highway authority has reviewed the information submitted and raises no objection subject to provision of the following obligations:

- Travel plan
- Public transport strategy
- Off-site highway improvements including footpath improvements

and conditions to cover the following matters

- construction traffic management plan
- vehicle cleaning measures during construction
- access road detailed design including foot and cycle paths

Hampshire County Council (Local Lead Flood Authority - LLFA)

Earlier submission – no objections **subject to** detailed surface water drainage plan and maintenance plan being submitted at detailed application stage.

Amended plans – comments awaited.

Groundwater level information has been added to the surface water drainage. The general strategy has not changed, and a condition has already been proposed for surface water drainage so we have no further comments at this time.

Hampshire County Council (Minerals)

No comments received to original or amended plans consultation

Hampshire County Council (Public Health)

Welcome provision of open spaces, sustainable transport links and other measures to control air and noise pollution. Encourages good design and affordable housing.

Scottish and Southern Power

Advice provided on apparatus affecting site.

Southern Gas Networks

Standing advice on working with or close to pipelines

Wessex Water

Earlier submission - The foul attenuation tank shown has not yet been formally approved by Wessex Water. Provided the Burgate schemes are able to connect foul drainage through site SS17 then Wessex Water will be to facilitate design and construction of this tank. We also acknowledge concerns regarding access to the foul storage tank and would seek a site meeting to discuss this further with our final comments to follow that.

Amended plans – I refer to the email below, the amended drawing from WSP attached (version P05) and a site meeting between the applicant and our project manager on 3rd August 2022. We acknowledge the Highway Authority are satisfied with the revised arrangements. We note the swept path analysis on the drawing and accept that vehicles will be able to access and exit the site compound providing a turn is not made immediately into the site from the south (vehicles from this direction will need to navigate the entire roundabout)

We withdraw our objection but wish to identify the following items to be considered during detailed design of the station compound which will be instrumental to it's successful operation:

We acknowledge the aesthetical requirements and will endeavour to use surface materials to lessen visual impact including, for instance, "truck pave" type surface as opposed to concrete hard standing.

A concrete hard standing may be required, however, for a dosing kiosk if modelling shows a need for chemical dosing to reduce septicity risk. Kiosks will be placed balancing operational requirements with visual impact. Most of the apparatus will be below ground.

We have some concerns over the open nature of the compound and reserve the right to consider installation of bollards or other security measures if the area starts to be used inappropriately by third parties.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations. There are a number of objectors who have written in on more than one occasion, so the number of overall objectors listed is not representative of the number of households objecting or supporting. All comments received can be viewed on the public comments section of the web site.

160 letters of objection

- In principle objections – brownfield not greenfield,
- Change in character of town
- Visual intrusion into countryside and loss of open green spaces and green lungs
- Adverse impact on areas of natural beauty
- Impact on local infrastructure like doctors, dentists, and schools – town can't cope at present, increase already in traffic speeds along Whitsbury Road from Augustus Park development
- Promises of facilities and services after development is wrong way round.
- Development at Alderholt will exacerbate the impact of Fordingbridge developments
- Development is not sustainable
- This development is not carbon neutral - house design should be improved
- Impact on more anti-social behaviour since last development
- Where are all these new residents supposed to work. Town is fast becoming a dormitory settlement – not sustainable in the long term.
- New development will not bring new affordable homes
- Area being flooded with new homes already - we don't need any more
- Loss of green fields works against need for food security
- Cumulative impact with other housing developments and loss of amenity to adjoining residents through noise, disturbance, and light pollution
- No new development should take place until the Burgate link road is completed.
- Concern about safety of pedestrians trying to cross Whitsbury Road – better crossing points needed and better pavement network
- Concern about road layout and the gap onto Puddleslosh Lane leaving door open for future town expansion to the west of the Lane.
- Augustus Avenue can't cope with increase in traffic from all developments
- Concerned about raised nature of road and its impact on adjoining residents
- Access road is too close to neighbouring properties.
- Local roads will suffer from rat running and extra traffic
- Location of roundabout and road near existing play area not acceptable
- Adverse impact on ambience of Marl Lane and Puddleslosh Lane
- Concern about Puddleslosh Lane being used for emergency or general access as it is simply inadequate for motor traffic.
- Alternative view that access should be from Puddleslosh Lane and not as

shown

- Additional use of Roger Penny way for commuting traffic
- Lighting assessment submitted is flawed and incorrect – adverse impact on local wildlife as well as dark skies.
- Potential adverse light impact on Cranborne Chase dark skies reserve
- Ecological survey work and analysis is inadequate.
- Proposals for long terms biodiversity not guaranteed
- Loss of SANG land from Ford 1 development unacceptable and must be replaced
- Concerns about local disruption through building works
- Adverse impact on local wildlife
- Additional impact on water courses and River Avon, this development with others will adversely impact and create more pollution and flood risk. Chalk systems and Karst especially sensitive to such changes to water environment.
- Surface water drainage to Sweatfords Water must be avoided.
- Concerned about impact already on water quality on Sweatfords Water
- Site of pumping station should be moved away from local housing.
- SuDS design needs to be improved from that shown on Augustus Park
- Large developments not being monitored for adverse impacts
- Concerns about off-site flooding and downstream flooding on existing homes
- Adverse impact from roundabout
- Impact of roadway on veteran trees
- Impact of bridge and roadworks will exacerbate flood risk.

10 letters of support or neutral comments

- Supports additional housing will help to widen choice and benefit young people
- Affordable housing needed for our young families
- Additional revenue to the Council will assist in supporting infrastructure improvements
- Fully supports new road link through Augustus Avenue
- How will biodiversity be protected from dog impact
- Off and on-site maintenance of any new infrastructure is vital
- Any permission should be subject to legal agreement and robust monitoring takes place
- Would support reduction in speed limit along Whitsbury Road to 30mph
- New development will help to support local businesses in the town centre.
- Open space management should be handled by Town Council not the developer

- Makes sense to expand town next to existing estate development.

10 PLANNING ASSESSMENT

A) PRINCIPLE OF DEVELOPMENT AND HOUSING LAND SUPPLY

Members are referred to the web link below which gives details of the Fordingbridge Strategic Sites and indicates how they fit together both in geographic and in infrastructure terms. (See Local Plan pages 161-175 for the Fordingbridge sites).

[Local_Plan_2016-2036_Part_One_FINAL.pdf \(newforest.gov.uk\)](#)

SS17 policy is set out in full below

- iii. *Land at Whitsbury Road, Fordingbridge as shown on the Policies Map is allocated for residential development of at least 330 homes and open space dependent on the form, size and mix of housing provided, in addition to the 145 homes already permitted within the site boundary.*

- iv. *The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed new neighbourhood of Fordingbridge securing the protection and management of the Sweatford green corridor and helping to deliver enhanced flood management for the wider town by:*
 - a. *Protecting and enhancing the landscape and ecological value of the woodlands, wetlands and watercourse features that make up a central belt of green infrastructure through the site, centred around Sweatford Water and the woodland tree groups west of the stream and along the former railway line.*

 - b. *Integrating the management of fluvial, surface and groundwater flood risk for all development at Strategic Site 17: Land at Whitsbury Road and to Strategic Site 18: Land at Burgate, into the design and management of landscape and greenspace.*

 - c. *Providing three distinctive neighbourhoods in terms of setting, sense of place and character with a gradual transition to lower densities and detached properties along rural edges including Puddleslosh Lane and Marl Lane: • Enhancing Tinkers Cross as an identifiable hamlet accessed off Whitsbury Road and close to the top of Puddleslosh Lane. • A new rural edge neighbourhood between Sweatfords Water and Puddleslosh Lane. • The land east of Whitsbury Road as a suburban neighbourhood focused on a corridor of high quality streets and linked spaces. • Provision of footpath adjacent to former railway line east of Whitsbury Road 92.*

 - d. *Creating two main access points as a roundabout on Whitsbury Road, offering a new access for local traffic towards the A338 (via development at Strategic Site 18: Land at Burgate) and providing a sympathetically designed bridge to provide the primary access to land west of Sweatfords Water.*

- iii **Site-specific Considerations to be addressed include**
 - a. *The developers of Strategic Site 16: Land to the north of Station*

Road, Strategic Site 17: Land at Whitsbury Road, and Strategic Site 18: Land at Burgate will be required to work cooperatively with each other and with Wessex Water to deliver a suitable foul sewer connection to the Fordingbridge treatment works.

b. Access to the site will be from a roundabout on Whitsbury Road, with access to the south west side from a bridge crossing Sweatfords Water.

c. Contributions towards the provision of formal open space on Strategic Site 16: Land to the north of Station Road and/or Strategic Site 18: Land at Burgate.

d. The loss of healthy specimen trees to accommodate development or provide access should be minimised.

e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b

Site 17 is split between the current applicant's other development at Tinkers Cross (north of the current site) for which Members resolved in February 2022 to grant permission for a total of 64 dwellings, and three other smaller parcels of land on the eastern side of Whitsbury Road for which as yet there are no planning applications submitted.

The Council cannot at this point in time demonstrate a five-year supply of deliverable housing land and the Council's 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. The updated housing land supply position remains 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). The current proposal is for a new estate development of 342 dwellings which will make a valuable contribution to housing supply in the District.

The July 2021 NPPF states the following

*For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 7; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The remainder of this report will now turn to other environmental and

sustainable development factors to be balanced against this government advice to Local Planning Authorities.

B) SITE LAYOUT, NUMBER OF DWELLINGS, DESIGN AND IMPACT ON LOCAL CHARACTER AND APPEARANCE

Policy ENV3 of the Local Plan states that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive. New development should be accessible for those with different needs with realistic levels of car parking, and attractive and appropriate green spaces. The Local Plan includes a concept Masterplan on which any new developments that come forward should be based unless the developer can show any changes to that concept masterplan are improvements or equal in quality. The Council's draft SPD guidance on masterplanning sites is also to be afforded some weight. Added to this local policy the Government has now revised its NPPF in July 2021, and this together with the Governments Design Guidance provides further advice in achieving improved standards of design in layout and house types.

(i) Masterplan and Parameter Plans

The applicants have now submitted what is their third illustrative masterplan for the site. Whilst the masterplan is for illustrative purposes it is supported by a detailed Design and Access Statement (DAS) which includes a number of drawings which show how the proposed densities in various parts of the site can be achieved, as well as typical street scenes and a commentary on quality of design and open spaces. The Masterplan should be read in conjunction with the submitted Parameter Plans which are for approval at this stage and which set out zones of density, maximum building heights, land use and open space, and vehicular and pedestrian movement through the site. These documents together now refer to an upper limit of 342 dwellings being proposed. This is a significant reduction from the original proposal for 403 dwellings. The Local Plan indicates a minimum requirement on this site of 270 dwellings based on the work carried out to create the concept Masterplan. There is however no impediment to a greater number of units provided it can be demonstrated that the quality of the design and layout is acceptable in policy terms.

This is an outline application, and any approval can be conditioned with an upper number of dwellings and that reserved matters plans shall be based on those submitted plans and design statements submitted at outline stage. At this stage the application does seek approval of the Parameter Plans as well as the detailed drawings supporting the means of access into the site (see section below) but matters of design and appearance of the houses and the exact layout of the site along with matters of landscaping and public open space are matters for future approval. The quantum of ANRG land and other recreational public open space land is directly related to the number of dwellings so the current submission must show a correlation between dwelling numbers and sufficient land being available for open space etc.

In design and layout terms the applicants have met with officers on a number of occasions. Amendments have been made by the applicants to address officer's comments on earlier submissions. The site has now been laid out in masterplan

terms such that the sensitive western, southern and northern development edges have been reduced in density and pulled back from the public highways known as Puddleslosh Lane and Marl Lane. These countryside edges have been protected by the transitional approach to development with lower densities and lower building heights and more landscaping and open space areas on the edge of the development.

Overall densities on the site will vary with the lowest band of up to 20 dwellings per hectare (dph) along the sensitive countryside edges, rising to a higher density of between 35-45 dph in the centre of the site to create a new 'centre' and focal point to the development. A parameter plan showing building heights indicate the highest buildings being 2.5 storey. In design terms these density arrangements across the site are considered acceptable. The overall density of the site is around 28 dph which is well below government expectation. There is a balance here between making effective use of land and recognising the sensitive location of the site on the edge of the settlement and respecting the character of the adjoining countryside. It is noted that the Local Plan expresses a minimum housing number on this part of Site 17 as being 270. This however is not an upper target. Applicants can put forward a greater number of units and this can be considered acceptable provided the overall design and layout along with all other considerations pointing to this being a sustainable form of development which is expressed in the NPPF as satisfying economic, social and environmental objectives. The Development Plan policies must also be considered as part of this sustainable development test. In this case the number of dwellings originally put forward did not pass that test but the current reduced scheme has it is considered met both the policy and national guidance tests.

To conclude on this topic there has been considerable discussion which has led to the improved site layout and overall design framework and Design and Access Statement (DAS) to the point where subject to conditions and further Reserved Matters application(s) which provide for final details to be agreed the scheme is now considered acceptable in design and layout terms. The submission of Reserved Matters detailing the individual house designs, and further design of the public open spaces, landscaping and other elements of the scheme will be expected to follow the masterplan and DAS

(ii) ANRG and Public Open Space

The proposals for ANRG and POS are summarised as follows

Required ANRG for 342 dwellings based on submitted mix = 7.34 ha.

- Total ANRG provided 7.98 ha (1 hectare = 10,000 sq m or 2.471 acres)
- Ford 1 SANG lost to road works = 0.43 ha
- Reduced ANRG with need to compensate for loss of Ford 1 SANG = 7.55 ha
- Informal Open Space = 8.45 ha
- POS land located within SINCS and with some restrictions on access = 3.59 ha
- Net informal open space without SINCS = 4.86 ha
- Children's play space = 0.25 ha with additional opportunities for doorstep play provision in the informal open space to be determined at the detailed design stages.

Added to this the Local Plan also requires the provision of formal open spaces i.e., playing pitches or kick about areas. There is no requirement to provide formal POS on this site, but the development would be expected to contribute towards an off-site provision of a new formal multi use and all weather playing pitch with ancillary facilities which is being sought elsewhere in the town.

Officers have looked at the applicants suggested ANRG and POS offer which has been calculated on the basis of an unknown housing mix taking the maximum number of dwellings and an average occupancy rate as part of the Council's agreed methodology. A further calculation has been carried out on the basis of the housing mix set out in the affordable housing viability assessment and the result is there is still more than sufficient land to accommodate policy requirements.

Regarding public open space and ANRG the revised masterplan shows sufficient areas to accommodate the number of dwellings now proposed. The main ANRG area to the south of the access road now shows a better pedestrian linkage to ANRG areas to the north of the access road with better and narrower crossing points of the road. The ANRG areas also avoid those areas of highest ecological sensitivity (SINC areas) and there is sufficient quantum of ANRG land now shown to accommodate 342 dwellings.

Similarly, the plans indicate sufficient areas of public open space which will include play areas throughout the site. Play areas will take the form of natural play areas alongside more formalised play areas containing larger pieces of play equipment. The future management of all ANRG and open space will be delivered through the S106 agreement attached to any permission.

The site at Augustus Park (Policy allocation Ford 1) will have to sacrifice some of its ANRG (known then as SANG) area to accommodate the new roundabout, road and bridge works. This lost SANG land will be replaced in the current application site and can be made available prior to any works taking place on the road infrastructure works. There is also an alternative access to this new ANRG area safely separated from any road works.

With regard to formal POS an off-site contribution currently of the order of £1000 per dwelling has been collected from other strategic housing site applicants to put towards a project currently being developed elsewhere in the town to provide a multi-use all weather pitch together with suitable floodlighting and ancillary facilities. This can be collected by a S106 contribution.

(iii) Wider benefits of new ANRG and POS

It is important to recognise that the site will deliver significant benefits not just to the residents who live on the site but to those adjoining and other local residents in the wider town in terms of recreational opportunities. At the present time access provision within the site is strictly limited to narrow defined partly tightly fenced public rights of way routes. Whilst there may be some divergence away from these routes at present from users of the public footpaths these amount to trespass on private land and are not legal access rights. Access and recreational opportunities will be considerably expanded with this new development with a much expanded area of public access and dog walking routes throughout the site. The objectors are incorrect in suggesting their rights to recreate will be harmed by the development. This development will also link through to other adjoining developments at Tinkers Cross, the Ford 1 site at Augustus Park and beyond to Site 18 which are also to

have their own ANRG and POS facilities, as well as southwards to Site 16 when that comes forward. Members are also referred to the ecology section of this report which sets out the benefits of the development under that heading.

Notwithstanding the comments of the Town Council, it is considered that both the quantum and quality of ANRG and POS land is sufficient to serve the new development. The Fordingbridge Strategic Sites between them will deliver a wider choice of green spaces and green infrastructure linked by improved public rights of way and river crossings linking Site 16, 17 and 18 together and opening up areas of what were once private land for people to enjoy.

(iv) Local and wider landscape character impact

Officers recognise from the outset the development of this site will have a marked impact on its current greenfield agricultural character. This has formed the bedrock of local objections to this development and is a common theme. The site however is allocated for housing development in the Local Plan and therefore the principle of residential development on this land has been established. The question now is how the proposed development has mitigated this landscape impact and retained wherever possible landscape features of importance, and what the impact will be on the wider character and landscape.

In localised terms the key impact for the public will be the views currently enjoyed from the river bank and Ford 1 SANG as well as from Puddleslosh and Marl Lane. These local views are much enjoyed and appreciated. There will also undoubtedly be a significant impact on the local scene when viewed from the entrance to Augustus Park and along this limited stretch of Whitsbury Road across the river. The proposals as amended however have reduced the impact when seen from both Puddleslosh and Marl Lane by reducing housing densities and pulling the edges away from those lanes.

Regarding the impact from the Augustus Park entrance and Whitsbury Road the negative impact of the road infrastructure works has been the subject of much discussion between your officers and those of the County Highways team. They have stressed the need to ensure that all road infrastructure works are designed so that they are safe for all road users. The most appropriate form of junction here is a roundabout it is considered from both a safety and traffic flow point of view.

The height of the bridge, size of the roundabout and details and width of the road have been influenced by safety concerns which are critical matters which cannot be set aside. A more traditional design may have been originally envisaged. That said the road works have been reduced in their scale and with appropriate landscaping in the longer term will not have a wider landscape impact. Added to this the design of the bridge itself has been improved and its height above existing levels and the river has been reduced as far as possible.

The road into the site it should also be noted is for a significant part of its length without any built up frontage, this is a high cost for the developers and unusual in urban design terms. The road access as proposed will therefore assist in retaining some of the local rural character.

Turning to the wider impact on landscape and landscape character, the site is sensitively located in a countryside edge position situated more widely between two protected landscapes i.e., New Forest National Park to the east and Cranborne Chase AONB to the west. The Council has a statutory duty to consider the impact

on both protected landscapes. Policy STR2 applies and requires there to be no unacceptable impact on the special qualities and purposes of both areas including their settings. Great weight must be given to ensuring that the character and scenic beauty of the two areas is protected and enhanced.

In this case the site is well screened from the National Park by the existing mature tree belt along both sides of the river. The impact of the development when seen from the National Park will be limited and at a distance. The retention of nearly all the existing tree cover and a significantly large block of native woodland will help to reduce any adverse impact either when the site is seen from the National Park or on the setting of the National Park looking from the site itself eastwards. Breaking up the residential parcels with further tree planting will assist in assimilating the development into the wider landscape.

Similarly, the impact from and to Cranborne Chase will be limited again because of distance and existing tree cover along the western and southern boundaries of the site. Again, the river corridor tree planting will provide an attractive backdrop to the development when seen from high land to the west. It is considered that in both cases the development is not sufficiently prominent or intrusive as to harm the special qualities of either area.

The AONB Partnership have referred to light pollution and this is a matter that can be better controlled at detailed application stage. The lighting of the access road and a general restriction on any significant lighting within the residential blocks will be encouraged along with the correct type of lighting and suitable restrictions on security lighting affixed to dwellings to reduce general sky glow and to protect the Dark Skies Reserve status of the AONB. A restriction on lighting will also benefit wildlife corridors (see below under ecology). Overall, it is considered that the requirements of policy STR2 have been met.

Overall, officers are satisfied that the submitted plans can form the basis of an approval. The layout forms a balance between making effective use of land and achieving a quality layout and integrated green spaces strategy which will link up well with adjoining strategic site allocations. There are no overriding concerns in relation to the local or wider landscape impact.

C) ACCESS AND HIGHWAY SAFETY

(i) Trip generation and capacity of local roads

Much concern has been expressed by local objectors and the Town Council regarding the impact of additional houses of the scale envisaged on local road capacity. In particular there is concern regarding the impact on the town centre and its ability to cope with the extra traffic without significant periods of delay for road users. In addition, there is concern about 'rat running' through residential streets to avoid the town centre. The Highway Authority have been asked to consider the Traffic Assessment submitted by the applicant now with revised data and provide views on local road capacity and the suggested split between various routes and the impact of this. The Highway Authority are aware of the concerns raised by local objectors and the Town Council.

The applicants Transport Assessment addendum has updated the earlier 2016 survey information with new information gleaned at a 2020 survey and one carried out this year. The Assessment also takes account of traffic generated now by Augustus Park and the soon to be developed new estate at Tinkers Cross. In

addition, a further survey has been carried out at the mini roundabout junction in the town centre which is the major pinch point. The applicant's assessment concludes traffic generated by the development can be accommodated on the existing network without a severe residual cumulative impact on the highway network. The assessment concludes that a proportionate contribution towards an improvement of the A31/A338/B3347 roundabout at Ringwood is however required and they confirm they would be willing to provide a reasonable and proportionate contribution to those works.

The Officer report on the development at Snails Lane, Ringwood (Strategic site 15 – application 18/11606) included the following comments when the same matter was raised by the Highway Authority.

Two junctions were assessed as to whether they can acceptably accommodate the additional traffic volume, this included the proposed modified junction at the A338 /Snails Lane and the existing A338 Salisbury Road/A31/B3347 roundabout at Ringwood. The results show that both junctions are expected to operate below their capacity during the agreed future assessment year, 2023, with the development.

However, the only exception to this is on the northern arm of the existing A338 Salisbury Road/A31/B3347 roundabout during the 2023 AM peak period when the traffic estimated to be generated by the recently adopted Local Plan allocation sites at Ringwood, Bransgore and Fordingbridge are included within the traffic flows.

This means that, when the other allocation sites are included in the traffic flows, and the proposed development, the forecasts show that there will be an increase in queuing on the A338 northern arm of the junction by 24 vehicles and increase the average delay on this arm by approximately 20 secs. Even without the proposed development, the forecast show that the north arm of the roundabout will exceed its capacity. However, it is important to note that the junction is only forecast to operate at over its capacity on the northern arm of the junction only for ¾ of an hour over a full day.

Accordingly, it is considered that this level of increase in delay would not be noticeable by drivers during a busy morning commute. It should also be noted that Highways England do not raise any objection in relation to the increase in traffic flows onto the A31.

Given the above your Officers consider that the current proposal on Site 17 would not justify a contribution to the upgrade of this roundabout at Ringwood.

The Highway Authority's detailed comments dated 5 August 2022 are available to view on line but notwithstanding the concerns raised by the Town Council they do not dispute the modelling provided by the applicants and consider the scheme is acceptable as submitted.

(ii) Vehicular access

There are separate elements of road infrastructure to consider i.e., a new 4 arm roundabout on Whitsbury Road, a new road bridge over the Sweatfords Water, and a new access road serving the residential development site. The application contains a high level of detail for all three elements, and these are submitted now for approval and not left to reserved matters. All three elements however will need final engineering drawings and details to be prepared as part of the Section 38 and Section 278 agreements under the Highways Act. It will be important the LPA are a party to and agree those final details so this will be covered under conditions and

the S106.

Roundabout - There is only point of vehicular access into the site from Whitsbury Road. This follows the line shown in the concept Masterplan, and is to be created with a new roundabout leading to a bridge across the river and an approximate 500 metre long section of carriageway south of the bridge. The roundabout is required by the Highway Authority because there will be in effect a four way junction. A roundabout is the most effective way of providing such an access and easing the flow of traffic. The roundabout is approximately located on the junction of the existing access into Augustus Park using land set aside as partly open space land and existing public highway land. None of the land required falls within any private ownership, and is all within the control of the applicant or public highway land. The land required which forms part of the now completed Augustus Park development was safeguarded as part of the S106 covering that site.

The plans indicate a roundabout of some 34 metres in outer circumference including a two lane carriageway on each arm with short stretches of cycle way and pedestrian crossing points and central refuge areas, and with a centre circle of some 22m which is large enough to accept some tree planting to soften the impact. The scale of the roundabout has been questioned by officers and the comments of the Highway Authority here are noted. Whilst the roundabout is large in overall landscape terms it is contained and for the most part uses the existing T junction serving the new estate. On balance it is considered the roundabout is acceptable subject to a good planting and landscape mitigation scheme. The details as submitted at this stage are generally acceptable and final details together with landscaping mitigation will need to be agreed prior to commencement of any works in consultation with the Highway Authority. The roundabout will also need to provide service vehicle access to the foul storage tank holding facility (see below under drainage). Wessex Water had concerns with the original arrangements but are now happy to agree the details as shown on the amended scheme.

The Highway Authority have been asked to consider a reduction in normal standards to offset any visual harm and have done what they can to reduce the impact subject to adhering to necessary safety requirements.

River bridge - The carriageway then swings south from the roundabout towards the river leading to a bridge across the river. The bridge details are shown on the submitted drawings as being a double carriageway of some 6.5 m in width with a 3.5m wide pedestrian and cycleway on the northern side of the road. The bridge is set back from the existing road frontage by about 45m and has a river span length of some 16 m with a 12m approach section each side of the bridge. The bridge is designed with a single shallow span arch across the river and has a clearance above the river of 3m with a minimum head height clearance under the bridge onto the bank of 1.5-1.8m. An otter ledge is to be incorporated into the bridge design. The bridge will be constructed with pre cast concrete with an outer skin of facing brick. Above the level of the bridge deck a 1.4m high length of painted steel safety railings will be provided. The approach roads to the bridge will be raised gradually and embanked from ground level up to 3.5m above existing ground level.

Concerns have been expressed by officers regarding the impact of the bridge and if it can be reduced in height above the river, but this has not proven possible taking into account the comments of the Highway Authority. The height of the bridge is governed by clearance needed above the river as required by the Environment Agency as well as the need for safe maintenance working under the bridge. The bridge will also remove some significant tree planting along the river bank which will

need to be replaced.

There is no doubt that the dual impact of the new roundabout and bridge will be very urbanising until landscaping works have taken place and reached a level of maturity. That said this is the only potentially feasible access into this site. A roundabout is referred to in the SS17 Local Plan policy with the need for a bridge being self-evident. Suggestions by some objectors of using Puddleslosh or Marl Lane would require those bridleways to be considerably expanded in width on land that is not all public highway land. The loss of these two bridleways as generally car free and very popular access and recreation routes for local people would not be acceptable.

The submitted lighting strategy centres on those parts of the scheme which are for approval at this stage i.e. the roundabout, bridge and main site access road. The summary of the lighting scheme concludes there will be no harmful impact on dark skies, residential amenity, or on any ecological receptors. That said the impact of lighting will inevitably add to the overall impact of the roundabout, bridge and access road. Further comments are set out below regarding residential, ecological and wider landscape impact.

The Highway Authority in their comments have agreed to some changes to the bridge which have been incorporated into the latest plans. This together with a more sensitive approach to external cladding is sufficient to allow the development to go forward. Officer's agree that the details of the bridge are guided both by highway safety and flood risk requirements as well as safe working under the bridge itself during any need for maintenance. Again, landscaping will play a crucial part in mitigating any initial harmful impact. Over time however the bridge impact is adjudged to be acceptable.

Carriageway into development site – leading downhill from the bridge and then sweeping up hill to the first residential parcel the main carriageway is for the most part 7m in width but narrowing at two pinch points to create a chicane type feature to single carriageway width of 4.8m which makes it much easier for pedestrians to cross, and which has the double benefit of slowing down traffic coming out of and going into the development site. The pedestrian walkway and cycleway is apart from that section going over the bridge separated from the vehicular carriageway by a grass verge of between 2 and 4 m in width. This will provide a safer and more pleasant experience for those walking and cycling to and from the site. The main carriageway into the site has been designed on a sinuous line to take into account landscape form and the need to protect trees. The road is for the most part provided at level with only a 90m section shown to be on a slightly raised embankment of no more than 0.5m. Adhering to existing contours will assist in ensuring the road is not intrusive in landscape terms.

The Highway Authority again have been asked to consider amendments to the original standard two lane design and have agreed to the reduced widths and crossing points. Over time with new landscaping, it is considered that the road will blend into the local landscape and the proposals as now submitted subject to approval of final details will be acceptable.

Emergency access points onto Puddleslosh Lane – Given the cul de sac nature of the main carriageway and the need to cross the river it will be necessary to make provision for perhaps one or two emergency access points westwards onto Puddleslosh Lane should the bridge be closed for any reason. In the unlikely event this happens then any emergency access provision should be shown in a future

Reserved Matters application and tightly controlled so that it is not used at any other times by lockable bollards or some other control mechanism. There is a potential conflict here to be noted regarding the loss of open space which is required for BNG purposes. Any emergency access should therefore not be through the central open space corridor onto Puddleslosh Lane. Such an access should be further north towards the upper end of Puddleslosh Lane to minimise any impact on the use of the Lane by walkers and cyclists. Any access should also be prohibited in allowing traffic to turn right and to run southwards towards the junction with Marl Lane as this part of Puddleslosh Lane is totally unsuited to vehicular traffic.

(iii) Pedestrian, cycle access and sustainable transport

Walking and cycling - The Parameter Plans indicate movement through the site with a network of roads, footways and cycleways with some routes based on the existing definitive footpath routes and other routes being new. This plan forms a basis for the Reserved Matters application going forward and the details of these internal links will need to be more fully shown. The existing rights of way that cross the site are to be maintained in their current location with no diversions being necessary albeit Footpath 79 which connects the site with the Avon Meade/Parsonage Park development to the east is bisected by the new main road into the site. A new crossing point will be located at the point where the footpath hits the road with a localised narrowing so whilst it will still be possible to cross the road at an angle on the line of the definitive right of way it is likely that pedestrians will use the new safer crossing point. In time that may lead to a formal diversion application, but it is not required at this stage. Generally, all the existing rights of way will be preserved in their current positions and provided with green corridors of a much greater width than at present with some of these footpaths tightly constrained on either side by post and wire fencing.

In addition to on site provision there is a requirement to provide sustainable transport links on foot or cycle to the wider strategic site network and beyond. In this regard the site is well located and served by public rights of way along the western, southern and eastern boundaries. Puddleslosh Lane and Marl Lane are existing very popular walking cycling and horse-riding routes which are enjoyed by many people. However, in places these routes are hampered by poor surfacing due to a small amount of vehicular traffic accessing residential properties. Puddleslosh has a very poor surface in places which is not conducive to safe cycling or walking. Marl Lane is also worthy of localised improvements, but it is considered the surfacing along the site frontage with Site 17 is adequate. Any improvements to Marl Lane lower down towards the junction with Station Road can be picked up as part of the Site 16 application. Both these routes form part of a potential strategic rights of way network which can be more fully utilised both for recreation but also for safe routes to school.

Other sections of rights of way alongside Strategic Site 18 will provide footpath widening improvements and resurfacing. In the case of Puddleslosh Lane a scheme of localised surface improvement is required only rather than any widening. Given the routes are used for access only purposes to a small number of dwellings it seems unlikely that either route will experience any significant increase in vehicular use. This is certainly not something the council would wish to encourage as these routes should be retained in their principal use as rights of way. A condition will be applied to require a scheme of localised improvement and repair to Puddleslosh Lane as part of any grant of outline permission along with an implementation

timetable.

For clarity, the improvements will only be required along the edges of the site (including the section of Puddleslosh Lane from the electricity substation to the junction of Whitsbury Road), as the remainder of Marl Lane can be picked up as part of Site 16. Whilst the surface of the rights of way are not controlled by the Highway Authority there are rights to carry out improvements to rights of way under other highway legislation. The most appropriate way of securing this work would be for the developer to cost up a scheme and provide the full cost contribution to the Highway Authority and Hampshire Countryside Team who can either carry out the works themselves or through one of their approved contractors. Whilst this work has not been requested by the Highway Authority it is a key requirement in terms of sustainable transport improvements and is required to make the development acceptable.

One of the most significant improvements locally brought about by the three Strategic Sites in Fordingbridge will be the availability of a new network of sustainable walking and cycling routes brought forward by the housing sites. At the present time Site 16 and Site 18 have no public access with Site 17 only having limited access. These three sites between them will open up a much wider network of walking routes to the benefit of all. Such new opportunities are also designed to prevent and reduce car borne trips to the National Park particularly but not exclusively by dog walkers so fit well with the sustainable travel aspirations set out in the Local Plan policies. Every dwelling will also be provided with secure cycle storage.

Bus Services - The Highway Authority in their comments have also asked for an improvement to the X3 bus service which currently runs between Salisbury, Ringwood and Bournemouth.

This service currently has the following stops in the town

- Burgate Cross A338
- Surma Valley restaurant A338
- Waverley Road
- Alexandra Road
- Salisbury Street (town centre)
- Fordingbridge service station

The Highway Authority in their recommendation require the S106 agreement to include

Delivery of a public transport strategy prior to commencement, setting out the details of the bus service serving the site; noting this must as a minimum provide a bus service stopping within close proximity to the site access roundabout on Whitsbury Road and provide a bus service with a minimum hourly frequency on Monday – Saturday (excluding bank holidays) between the hours of 07:00 – 19:00 between the development, Fordingbridge Town Centre and Ringwood Town Centre.

This Service should be provided with a new route which should be re-routed through Site 18 from Salisbury Road along the new link road through Augustus Park and then onto Salisbury Road in the vicinity of the new roundabout and bridge serving Site 17. The existing route stops will also need to be picked up so this may require a new service in addition to the existing service. The existing X3 route running down Salisbury Road and then onto the town centre needs to remain as

this is necessary to pick up passengers along Waverly and Alexandra Road and to serve the two Site 18 parcels served directly by the A338 rather than the new link road. Added to this there will be a requirement for new bus stops. The Site 18 application can pick up any stops required within its boundary with the current application funding two new bus stops on Whitsbury Road. The current unacceptable distance of 1.4kms from Site 17 to this service will then be cut to a maximum of 800 metres with many residents much closer than that to Whitsbury Road.

Travel Plan - Finally there will be a need for a residential Travel Plan to encourage more sustainable forms of travel. This will need to be monitored with a bond, along with the usual set up fees administered by the County Council. Contributions can be collected via the S106 agreement.

(iv) Car parking

Paragraph 107 of the NPPF specifically addresses car parking. It does not prescribe standards, but provides guidance for councils when setting out local standards for residential and non-residential development. It states that any local standards 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.

The Council uses its Parking Standards SPD to inform as to an adequate standard of car parking spaces and car space sizes bearing in mind also Government and other local policy seeking a shift away from cars to more sustainable forms of transport.

The applicant's Transport Assessment suggests that both car and cycle parking would be provided in accordance with the Council's Parking Standards, as set out in the Parking Standards Supplementary Planning Document April 2022. This would be appropriate. The detailed arrangements, however, will need to be considered at reserved matters stage as part of a detailed layout. It will be important that the parking is well designed.

D) ECOLOGY

(i) On Site Biodiversity and protected species

The Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats.

Development Plan policy, Government advice and emerging legislation all require an enhancement to on site biodiversity wherever possible.

In accordance with policy DM2: Nature conservation "*Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site.*"

The Council's Ecologist has carefully assessed the proposals and subject to conditions set out below is satisfied the proposal adequately protects on site

protected species, and provides for sufficient opportunities for new facilities to encourage wildlife. There are concerns and objections raised by local residents regarding the harmful ecological impact, but this is not borne out by the evidence and protection and enhancement measures included. A balance here needs to be struck as the site is allocated for development. The LPA has discharged its duties set out under the policies and through separate legislation to protect and enhance wildlife opportunities. Of course much of the important woodlands areas are to be retained and enhanced with specific areas protected with public access restrictions.

(ii) Biodiversity Net Gain (BNG)

The recent Royal Assent of the 2021 Environment Act formally requires new developments to provide for biodiversity net gain for all housing developments (not just major schemes). Whilst secondary legislation is not yet in place it is considered that policy STR1 of the Development Plan can require a 10% improvement in biodiversity post development. This is compared to pre-development and that this improvement should be secured over a minimum 30-year time horizon which will then be subject to Secretary of State extension of that time period potentially subject to regulations. Accordingly, the Councils policy position is clear that new development requires a 10% improvement in biodiversity.

The submitted application is supported by a 'Biodiversity Metric Assessment'. The report sets out whether the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures. The results show a shortfall of BNG from the required 10% uplift principally because of the high ecological value of parts of the current site. The latest calculations indicate a net gain of around 6% with a shortfall of approximately 6 'habitat units'. The applicant proposes to make this shortfall up by using potentially surplus capacity on Site 18 within their ownership or alternatively in line with Government advice contributing to an off-site scheme. Either way the shortfall can be made up and the matter can be covered by condition requiring the details of any off site scheme to be submitted to and agreed in writing with the LPA. It is likely that by the time site 17 comes to be commenced Site 18 will be completed and other off site projects will be brought forward.

The Councils ecologist has provided detailed views on BNG in his response dated 25 November 2021 and 11 August 2022. He is now satisfied with the application proposals subject to an off-site scheme being secured to offset any shortfall.

A financial monitoring contribution to ensure long term performance of BNG based on the April 2022 Cabinet report will need to be included in the S106.

(iii) Habitat Mitigation against recreational impact on protected areas and species

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the

European sites.

In accordance with Local Plan policy the applicants have put forward a range of on-site ANRG areas to provide areas of recreation for dog walkers including a range of pathways and woodland walks as well as a main off lead exercise area measuring some 60m x 80m with a suitable fence enclosure to keep dogs in and prevent uncontrolled access onto the main carriageway. The site will also form part of a wider strategic network of access including linkages with other parts of Site 17 to the north both at the Tinkers Cross end and the Ford 1 end of the development. Linkages with and improvements to public rights of way network will provide good quality dog walking opportunities linking to both Site 16 to the south and Site 18 to the north both of which will provide further extensive ANRG opportunities. In this regard the proposals comply with policy and are sufficient to offset the potential for harmful impact on protected areas within the New Forest National Park. At this point it should be noted that the Cranborne Chase AONB Partnership have raised similar impact issues, but the provision of financial contributions cannot be supported as there is no policy requirement to do so. In any event the points made above will deflect visits away from the AONB it is considered.

Policy also requires that all development involving additional dwellings makes a contribution towards New Forest Access Management and Visitor Management Costs (the New Forest People and Wildlife Ranger service). This contribution cannot be calculated exactly due the outline nature of the application; a precise contribution will be calculated through the submission of reserved matters. What is important is that the required mitigation contribution is secured through a Section 106 legal agreement. Payment based on the precise dwelling mix can then be taken at Reserved Matters stage.

Finally, of the above Access Management and Visitor Management costs there is an element which requires that all additional dwellings make a contribution towards monitoring the recreational impacts of development on the New Forest European sites. This contribution is currently sought at a flat rate of £68 per dwelling, and included in the contribution noted above.

(iv) Air Quality mitigation

Policy ENV1 of the Local Plan Part 1 Strategy requires all new residential development to provide for air quality monitoring, management and mitigation. To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

The applicant will be required to contribute towards a District wide monitoring programme as part of the S106 contributions in the event of a permission being granted. The current contribution is set at a rate of £91 per dwelling = £31,122.00.

(v) Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable to be offset. Such a project has now been secured (see below).

Applicant's phosphate mitigation scheme

The applicants have now brought forward their own phosphate migration scheme which involves taking an established fish farm at Bickton out of production and revoking any Environment Agency licenses to operate. A standalone Section 106 Agreement has now secured this new scheme which also has the blessing of Natural England and the Environment Agency.

As there is now a 'Project' the Council can use a Grampian style condition and again grant planning permissions within the Avon Valley including the whole of Fordingbridge for residential development. The applicant can use this new scheme to demonstrate Phosphate credit to discharge the Grampian condition. It should be noted that this applicant is not linked to the Bickton Fish Farm project and the applicant could come forward with credit from other project in the future. The Bickton Fish Farm project did not require planning permission.

E) FLOOD RISK, SURFACE, AND FOUL WATER DRAINAGE

(i) Flood risk

The majority of the site lies in flood zone 1. This covers all the intended house building zones on the site which will not therefore be at risk from river flooding. However, the river corridor lies within flood zone 3 and this is the area affected by the proposed river bridge and road works. The larger site is subject to flooding from both the river and surface water due to the underlying geology. This requires any new bridge and associated works to be accompanied by compensatory flood overflow areas as well as a detailed surface water drainage strategy. The Environment Agency are concerned with fluvial flood risk whereas the Hampshire Local Lead Flood Authority are concerned with surface water drainage and flood risk.

The proposals provide a new bridge set at a height appropriate above the river to avoid future impedance to flows and together with flood zone compensatory shallow basins either side of the bridge are considered by the Environment Agency to be acceptable subject to condition which includes reference to the submitted documents which includes a framework CEMP to be further detailed at Reserved Matters stage to include for the overall mana agent of the construction works on site and the monitoring of those works to prevent any pollution into the river and other watercourses.

(ii) Surface water

HCC LLFA have considered the detailed surface water management scheme. This takes the form of a series of shallow SuDS basins to take surface water that may be displaced by building works and other run off from the dwellings and hard surfaced areas with preferably a series of swales to filter that run off prior to it entering into the basins. The basins themselves need also to fulfil a biodiversity and amenity function so will not take the form of deep steep sided ponds but rather a series of shallow depressions and land scrapes in line with best practice issued by the government. None of these surface water basins are intended to be wet all year round apart from the larger basin to the north of the main access road specifically designated as natural wetland. None of the drainage basin areas will need to be fenced either. The strategy is shown on plan dated 12 August 2022 and with further illustrative details set out in the Design and Access Statement dated 28 June 2022. HCC are satisfied that the strategy is acceptable subject to condition. Your officers are also content that the illustrative details set out in the DAS will form attractive areas with a multiple use allowing them to be used for biodiversity and amenity as well as surface water overflows. All the basins will need to be conditioned as part of the Reserved Matters approval.

(iii) Foul water

Wessex Water is the sewerage undertaker responsible for the foul sewer network in Fordingbridge. In general, the northern part of Fordingbridge drains via a gravity foul a sewer network which takes flows through the centre of the town, eventually discharging to the Fordingbridge Waste Water Treatment Works (WWTW) at the southern end of Frog Lane. This includes the properties located to the south-east of Site 17. One potential point of connection – the sewer located in Whitsbury Road – has recently been extended northwards as far as the access to Augustus Park, adjacent to the proposed site access. WW has advised that the existing sewer network has limited capacity and that engineering works to increase the capacity of the network through Fordingbridge would be constrained by the sewer routes, which pass through the town centre. Works to these sewers would require significant

traffic management. A new strategic sewer network taking foul flows from the new development to the north of Fordingbridge westwards via a series of gravity sewers, pumping stations and rising mains from SS18 through SS17, and then south through SS16. South of SS16 a new pumping station would direct flows to the WWTW. This strategic solution would bypass the existing sewer network in Fordingbridge and therefore avoid the need for extensive sewer upgrade works within the town itself. WW subsequently confirmed that budget is provided for the strategic sewer in the WW AMP7 investment period from 2022/23 to 2025/26.

WW's strategy is based on the installation of two new storage tanks and pump facilities if required to be installed at key locations to manage flows from new development and avoid a negative impact to the existing network from new development. One storage location would be at Whitsbury Road in the vicinity of the Augustus Park and SS17 access and would manage flows from SS18, Augustus Park and the Tinkers Cross site. The second storage location would be at Station Road and would manage flows from sites SS16 and SS17. There would also be an option for the storage at Whitsbury Road to be sized to manage flows from SS17.

Local Plan policy SS17 requires the developers of Strategic Sites to work cooperatively with each other and with Wessex Water to deliver a suitable foul sewer connection to the Fordingbridge treatment works. A memorandum of understanding has now been signed by all the Fordingbridge developers to ensure that the required cooperation is in place.

To support the development of the NFDC Local Plan Review, WW carried out network modelling to test the impact of the proposed development to the north of Fordingbridge and develop a strategic sewer scheme proposal to serve the allocated sites.

The applicant's agent WSP met with WW in March 2017 to discuss the proposals for the Augustus Park development (145 homes) located to the east of Whitsbury Road. As this site would be developed before a strategic sewer could be funded and constructed it was agreed that an interim gravity connection would be made to the existing WW foul sewer in Whitsbury Road. It was also agreed that the new foul sewer through Augustus Park would be designed and constructed to accommodate foul flows from potential future development to the north, now confirmed as SS18. The sewer through Augustus Park therefore forms the first part of the strategic sewer infrastructure.

The applicant's preferred option is that the on-site foul drainage network will drain by gravity to a new holding tank located in the east of the site. And from there to the existing Whitsbury Road foul sewer. The proposed storage is expected to receive flows via an overflow from the foul sewer during times of high flow in the sewer network. It would then discharge flows back to the sewer at a controlled rate.

Wessex Water have now confirmed the original plan for a pumping station is no longer needed with gravity being sufficient. The holding tank will ensure that there is no overloading of the existing Whitsbury Road sewer at times of peak flow. Wessex Water are content with the storage tank details subject to final details being approved.

F) IMPACT ON SETTING OF LISTED BUILDINGS

The only Listed Building (designated heritage asset) that is affected by the proposed development is that relating to the Listed Buildings at Forres Sandle

Manor School which is located to the southwest alongside Marl Lane.

The Historic England List entry describes the building in brief as a m

Section 66(1) of the Listed Buildings and Conservation Areas applies. It requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits which is also referred to in the National Planning Policy Framework (NPPF) 2021.

Paragraph 196 of the NPPF states 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, where appropriate securing its optimum viable use.

The application is accompanied by a detailed Heritage Assessment which identifies that there are several heritage assets in relatively proximity to the application site, whose setting could be affected by the proposed development. Although there are no designated heritage assets recorded on the site, the Heritage Assets that could be affected by the proposed development because of changes to their setting are those based on the Forres Sandle Manor School which is itself incorporates the old Manor House. The open land to the south and east form part of the setting of the former house. This has to an extent been partly impact by new school playing field structures and other buildings. Marl Lane separates the school site from the development site. The building of the railway has also compromised the former setting of these heritage assets.

The Conservation Officer has assessed the development as causing less than substantial harm to the setting of the Listed Buildings at the school. In this regard he considers the development site is too close to Marl Lane and that with some pulling back in this area the setting of the heritage assets could be better protected.

In response Officers can confirm that there is a reasonable gap between the southern edge of the housing development and Marl Lane. The intervisibility between the building zones and the school is limited because of land forms and existing screening. Further tree planting in the bottom SW corner of the site coupled with a low and loose density and arrangement of housing in this SW corner will alleviate to an extent any setting impact. The setting of the heritage assets is however a wider appreciation rather than simply a visual relationship between the development and the heritage asset. Walking on Marl Lane at present provides a rural walk which will change with the new development. That said the new development is set back from the Lane and this must be balanced against the overall public benefits of the development.

Policy balance

Paragraph 199 of the NPPF makes it clear that when considering any harm to a heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 of the NPPF makes it clear that any harm to a heritage asset requires clear and convincing justification, whilst Paragraph 202 of the NPPF advises that in the case

of less than substantial harm, the harm should be weighed against the public benefits of the proposal. No harm is identified and therefore these policies are not engaged

The applicants consider their proposals would deliver significant public benefit comprising: delivering the Local Plan the creation of an exceptional quality of built and natural environment; the creation of a sustainable community that delivers new homes. The applicant's position is noted. Your officers would add to the public benefits in terms of releasing further opportunities for economic benefits during the building period, support for local business, and new recreational opportunities to enjoy the large areas of new POS and ANRG released by the development.

In summary, the impact on heritage assets is very balanced, as there are some benefits and a degree of harm. The balancing exercise, as set out in both local plan policy and the NPPF, together with the statutory test will be applied at the end of the assessment under the Planning Balance and Conclusion section.

G) ENVIRONMENTAL PROTECTION

(i) Contaminated land

The comments of the NFDC EHO confirm there are no overriding issues with regard to contaminated land, subject to standard contaminated land condition being imposed to deal with unexpected contamination should this be encountered on the site.

(ii) Noise, dust, and light pollution

The Council has assessed the impact of the development in regard to noise and dust pollution.

Noise impact has been evaluated from the development in isolation and also the cumulative impact of all committed development in the Fordingbridge area. A number of receptors were used to measure and model potential noise from additional traffic in particular throughout the town. Noise will be created in two ways, first by construction works, and secondly through increased operational noise once occupation has taken place. The EHO is satisfied that construction noise can be mitigated through a construction environmental management plan (CEMP) governing noise limitations. With regard to operational noise there will be traffic noise emanating from the road but other noise impacts will be limited due to the distance of the new dwellings from existing dwellings. Road noise can be mitigated in this case through additional landscaping without the need for any baffling or acoustic fencing alongside the road or the nearby estate boundary. As for the wider impact on noise in the area the EHO considers these increases will be negligible and not significant.

With regard to light pollution this will be thorough additional street lighting to light the new roundabout, bridge and road works and additional lighting on the houses themselves. The latter can be dealt with at reserved matters whilst the impact of road infrastructure lighting can be mitigated by using the latest lighting technology. The impact on dark skies is covered elsewhere in this report as is the impact of lighting on ecological receptors. (iii) Air quality impact

The submitted air quality assessment (ref: A11338/7.0 June 2022) models the potential impact on local air quality from different developmental scenarios from both the SS17 and SS18 proposed developments. The impacts are assessed in terms of the potential impact from vehicle emissions from the operation of the proposed development(s) (nitrogen dioxide and particulate matter) and construction operations (dust / particulate matter) on site and on the local road network. The air

quality assessment considers a number of developmental and phasing scenarios and takes into account the cumulative impact from other proposed development sites in the vicinity of Fordingbridge. All model outputs are predicted for the year 2025 for comparison purposes rather than 2036 once all developments are predicted to be completed because of the likely drop in air pollution through a ban on petrol and diesel vehicles sales after 2030. This leads to a more conservative view (worst case scenario) if 2025 is chosen as a base year.

The Council's EHO has carefully assessed air quality impact arising from additional motor vehicles but considers there to be no reasons not to grant planning permission subject to conditions covering a dust management plan during construction phase (to be included as part of the CEMP referred to above). Changes in development phases will however trigger a re-assessment at reserved matters stage or separately via consideration of the applicant's separate application under Site 18.

H) RESIDENTIAL AMENITY IMPACT

Members will note that a number of objections raise matters of concern regarding a loss of amenity. The Town Council in their comments also refer to a loss of quality of life. The most immediate impact from the new development will be a loss of outlook across an open greenfield site from the adjoining estate which currently forms the built up edge of the town on the south side of Whitsbury Road. That however is not a material planning consideration. The land is clearly allocated for development and consequently the loss of the greenfield site is unavoidable and already agreed in principle. The following matters can however be taken into account.

(i) Road impact – noise and lighting

The new access road will run close to a small number of properties on the eastern boundary of the site. This new road will impact on their loss of outlook, create additional road noise and street lighting. With regard to outlook this is dealt with above. Regarding noise the EHO is satisfied that road noise will not be so great as to warrant acoustic fencing or some other type of noise attenuation. Physical restrictions on the access road are designed to reduce traffic speeds on the main approach road into and out of the site. On lighting the latest amended plans move some of the planned light standards further away. Such lighting is limited and will be up to improved standards to prevent undue light pollution. Other lighting impact will arise from car headlights and again this has been minimised by moving the road away, and allowing space for further screen planting along the boundary. The adjoining residents will however enjoy the fact that the first 500 metres of the access road has no housing alongside it. The rural nature of this part of the site will change to a road corridor rather than a new estate development.

(ii) Loss of outlook

Clearly this will be the main impact on those local residents who border the site and currently enjoy a green field view. Whilst loss of outlook is not a planning matter such loss will be tempered by significant retention of existing tree groups and woodland and a significant number of new trees to be planted. In addition, the impact of the new development has been reduced by moving the first elements of housing further away from those residents.

(iii) Loss of Privacy

There will be no loss of privacy from direct overlooking between new dwellings and existing dwellings. There may be some privacy loss caused by increased pedestrian and cycleway use close to the eastern boundary, but this is not at such a level as to warrant a refusal of permission. The benefits of new access routes for pedestrians, dog walkers and cyclists far outweigh any consequential loss of privacy to a small number of dwellings.

(iv) Impact of foul pumping station

The applicants have now confirmed the pumping station is no longer required. This has removed the objectors concerns.

Overall, therefore the impact on local residential amenities is considered to be proportionate in nature bearing in mind the site has been allocated in an adopted Local Plan and will be developed. Any harmful impact has been considerably lessened given the site layout. The wider public amenity impact has been covered under landscape impact above. The proposal is considered to be in line with policy ENV3 which seeks to safeguard residential amenities.

I) MINERAL SAFEGUARDING

Policies STR1 and STR9 both advocate sustainable development, and the re-use of minerals that might be found on the site will be part of that requirement. The County Council's response confirms it would be uneconomic to excavate all minerals on site prior to development of the housing site but they do suggest a condition requiring a scheme to be drawn up to show how any minerals found can be re-used which could limit the amount of material brought in or removed from the site thereby benefiting construction traffic movement figures.

J) AFFORDABLE HOUSING AND PROPOSED HOUSING MIX/TENURES

The delivery of affordable housing (AH) is key element of the Local Plan and a key corporate priority for the Council, and this is reflected in the Council's Corporate Plan.

Application housing mix and policy background

The policies of the Local Plan seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A table within the Local Plan (Figure 6.1) sets out the need for different house types within the District.

Whilst the application is in outline at present the applicants in their affordable housing viability assessment have provided the following as a likely mix of units. This gives the total number of dwellings as 342.

- 30 x 1 bed flats
- 34 x 2 bed flats
- 76 x 2 bed houses
- 150 x 3 bed houses

- 52 x 4 bed houses

This equates to the following housing mix which looks reasonable when set against Local Plan Policy HOU1 which seeks to provide a greater percentage of smaller to medium size homes.

- 41 % 1-2 bed units
- 44% 3 bed units
- 15% 4 bed units

It is considered important that the mix of development reasonably reflects the identified objectively assessed housing need across the district. Based upon the indicative details provided, the proposal would provide a good number of flats and smaller dwellings which meets the aspirations of the local plan to provide smaller homes but still providing a slightly higher proportion of 3 bed family homes. Overall 85% of the proposed mix is for smaller or family homes with only 15% larger homes.

With regard to Local Plan Policy HOU2 the policy requirement in this case is for 50% of the units to be affordable, and those units to have a split tenure mix with 70% being affordable homes for rent (with an equal split between social and affordable rent) with the remaining 30% of units to be intermediate/shared equity homes. (Shared ownership falls into this latter category).

The Policy states that the viability of development will be taken into account in applying this policy as set out in Policy IMPL1: Developer Contributions.

The introduction of First Homes postdates the adoption of the Local Plan but they are now officially recognised as an affordable housing product by Government who have recently published new guidance on First Homes. The Council have followed this with their own guidance adopted in June 2022.

(Officer explanatory note - First Homes is a new Government scheme designed to help local first-time buyers and key workers onto the property ladder, by offering homes at a discount of 30% compared to the market price. Whilst the discounts will apply to the homes forever, meaning that generations of new buyers and the local community will continue to benefit every time the property is sold, the price paid after discount currently set at £250k outside London will rise with inflation etc. The Government guidance allows LPAs to develop and adopt their own criterion on such matters as the level of discount, and any local occupancy requirements. An NFDC First Homes Guidance Note has now been published setting out national requirements and local requirements relating to eligibility criterion etc. Government Guidance goes on to state that where First Homes are provided, they should be at a proportion of 25% of the affordable housing offer with the other 75% of affordable units being based on the Local Plan policy requirements of the LPA).

Policy HOU2 therefore requires that the development should provide

- 171 units as affordable with
- 120 dwellings being split equally between social and affordable rent, and
- 51 units provided on a shared equity basis as intermediate.

Policy HOU1 further sets out a suggested mix for affordable rental and shared ownership based on further study carried out as part of the exercise to identify objectively assessed need.

To ensure that affordable homes address the requirements of the Local Plan local connection mechanisms will be sought for all tenures. Legal undertakings will also be required to ensure the homes for affordable rent and social rent, and where appropriate shared ownership is secured in perpetuity, and will be delivered by New Forest District Council (as a Registered Provider of Social Housing), or an approved Registered Provider partner.

Applicant's viability assessment and first offer

Where developers cannot deliver the level of affordable housing set by policy, they need to submit a financial viability assessment (FVA) to demonstrate why they cannot make the development viable if the policy level of affordable housing is delivered.

The applicant's in their submitted viability assessment confirm that the proposed development is not policy compliant principally due to the significant abnormal costs of bringing the site forward e.g., cost of road infrastructure, phosphate mitigation and education and other S106 contributions. These and other costs according to their appraisal account for nearly £31m. Not all these costs were accounted for in the Local Plan viability assessment.

The applicant's viability assessment (see web site dated 30 June 2022) has carried out a series of scenarios based on different levels of affordable homes and tenures. The optimum they say that can be achieved provides for the following mix which includes First Homes

- 17 First Homes x 2 bed
- 14 Affordable Rent x 1 bed
- 23 Affordable Rent x 2 bed
- 16 Shared ownership x 1 bed

Total number of affordable units = 53 + 17 First Homes =70
This is equivalent to 20% with First Homes included.

The proposal fails policy requirements in four ways

- Does not comply with 50% requirement
- Does not comply with housing mix
- Does not comply with housing tenures
- Does not comply with guidance on First Homes

The Council has appointed its own independent viability advisor to consider the detailed appraisal which also analyses construction costs, suggested profit levels, suggested revenues from sales along with other variables. Their initial advice considers that there is room to negotiate on land values, profit levels and the ultimate number of affordable units, and that costs are not yet fixed and agreed.

Second Revised Offer

Following an initial assessment of this original offer the applicants have met with officers and the viability consultant and following negotiation have provided a revised offer set out as follows with three different scenarios with a varying mix.

- 50% affordable (171 units) based on 48 First Homes and 123 Shared ownership
- 30% affordable (103 units) based on 26 First Homes, 24 affordable rent and 53 shared ownership
- 25% affordable (85 units) based on 21 First Homes, 32 affordable rent and 32 shared ownership.

Excluding the 50% offer as it includes no affordable rent and too many First Homes, the other offers also skew the provision to smaller 1 and 2 bed apartments with only 6no. 3 bed family homes.

Third Revised Offer

Following further discussions with your officers and viability consultant the applicants have now provided a new offer which provides the following mix and numbers. They have been asked to look at the Local Plan policy advice and adjust the mix so that there are more 3 bed home included.

30% affordable (103 units) split as follows

First Homes - 26 units all as 2 bed homes

Affordable Rent 16 units

- 7x 1 bed apartments,
- 4 x 2 bed apartments
- 5x 3 bed homes

Shared ownership 61 units

- 23 x 1 bed apartments,
- 18x 2 bed apartments
- 20 x 3 bed homes

The Council's viability consultant has provided further detailed comments in his appraisal of the applicant's position (available to view on web site dated September 2022).

Officer comments

This is a highly complex application which has resulted in a number of potential scenarios being provided setting out affordable housing and what can be achieved taking into account (as is required by Government Policy and Local Policy) the key costs of infrastructure and S106 contributions to bring the development forward, together with land costs, revenues achieved, profit levels, contingency costs etc.

Judging the offers made and looking carefully at tenure split and housing mix it is considered that the applicant has fairly represented the high costs and fairly set out other revenues achieved and profit levels expected particularly taking into account the current high risk associated with doing so exacerbated by current economic circumstances.

Whilst the third offer now put forward does not meet with policy aspirations it does

however represent a fair position and provides for 103 affordable units with a reasonable tenure and size split which recognises local housing need. All affordable dwellings will be subject to restrictions imposed by a Section 106 agreement which provides for long term retention of these units as affordable homes and not just for first occupiers. The latest tenure mix and proportions between 1,2 and 3 bed homes is also considered to be more in line with policy tenure mix proportions i.e. equal split between 1,2 and 3 bed homes.

K) TOWN COUNCIL OBJECTIONS AND REBUTTAL

Whilst the views of the Town Council are noted and respected the comments below should be taken into consideration for each of their numbered points and weighed against the objections set out. Officer's comments in italics below each sub heading.

1 Link Road first before any development of Site 17

The technical evidence submitted by the applicants and assessed by the Highway Authority do not support this view, and they have not required such a condition to be imposed. Construction traffic can be managed in terms of timings and routes through the town by condition. The Link Road will be constructed as part of Site 18 applications and that proposal will be considered separately by Committee and options for conditions and timings of the Link Road can be considered then. It is not a reasonable condition to impose on Site 17 that no works take place until a Link Road that is the subject of a separate application is completed.

2 Traffic impact disagreement with Highway Authority

Up to date modelling has now taken place which has been accepted by the Highway Authority. Modelling of traffic is complex with a number of alternative access roads available for traffic so not all traffic will travel through the Town Centre. The extent of any delays is also important and must be borne in mind. The time of delays at key junctions is relatively small when compared with much busier centres. There is no alternative expert evidence submitted by the Town Council to set aside the views of the Highway Authority. The reference to Site 16 is now outdated by updated traffic flow evidence.

The site is well located within walking distance of both schools and with improvements to key routes pedestrian and cycling links to school there is no evidence to support this view. A condition will be imposed to restrict construction traffic during peak times.

3 Traffic impact and lack of sustainable transport measures

The report above and the S106 requirements set out below a range of sustainable transport measures. The site is well located in relation to schools and is within walking distance of a range of facilities. The site is already allocated, and this allocation took into account the position of the site and its relationship to the town.

4 Construction traffic impact

A construction traffic management plan can be conditioned – this can include preventing construction traffic accessing the site around peak school drop off and pick up times. It is not agreed by the Highway Authority that no routes through the town are suitable for construction traffic. A routing plan will form part of the above condition. It is not possible to manage and control traffic post development other than through physical interventions which the Highway Authority do not consider to be needed.

5 Quantum of POS and ANRG is insufficient

The proposal is compliant with Local Plan policy and policy governing ANRG. The quality of such areas is also in line with Local Plan and SPD advice. The site provides sufficient ANRG for its own development as well as space to compensate fully for the lost SANG land relating to the Augustus Park Ford 1 development. SANG replacement will be a first phase and open before any road works start and ANRG will also be prioritised to occur prior to first occupation as per phasing of the residential element that may be approved. Formal open space was never intended to be provided on this site but on site 16 and 18 instead. Other alternatives to that are now being considered to realise such new facilities as soon as possible.

6 Health and education infrastructure

Healthcare facilities are not within the purview of the District Council LPA but are matters for central government funding. The full education contribution required by the Local Education Authority would be included. It is a matter for the LEA to bring forward proposals and use the money contributed by this site and other strategic sites.

7 Ecological damage to this important greenspace

The proposal can fulfil BNG requirements and all the important elements of SINC and woodland areas are being protected and not developed. The principle of development here is long established by the Local Plan allocation. Conditions will ensure protected species and trees to be retained are not harmed. The Council's ecologist is satisfied the proposals are acceptable. Anecdotal comments are insufficient to set this aside.

8 Impact on quality of life for local residents

Whilst there will be short term disruption during construction the quality of life argument needs to be balanced against the availability of larger areas of POS and ANRG for all to enjoy, and new much needed housing some of which is affordable fulfilling government and local plan policy. The development will also support short term employment opportunities and longer term sustainability of town centre businesses, as well as new formal recreational facilities for the town.

9 Number and enforcement of conditions

It is not unusual for a large number of planning conditions on a complex scheme of this size. Monitoring is now more robust on those conditions with staff resources now available to do so. The combination of planning conditions and S106 obligations are an effective means of control. Best practice allows for whatever conditions and S106 obligations are necessary to make the development acceptable. All conditions meet the tests of being necessary, relevant to planning, relevant to the development, enforceable,

precise and reasonable in all other respects. The S106 adds further strength to those conditions with a Court injunction against any breach available to remedy such a breach if required in the public interest.

10 Phosphate mitigation needs further explanation

The specific Project has enabled the Council to now grant planning permission with Grampian style conditions. Natural England have agreed the phosphate mitigation scheme and the detailed S106 agreement already in place covers a wide range of management issues covering the site. The specific phosphate project is not part of this application and therefore any views about the project is not material to the consideration of this application.

11 Sewerage infrastructure inadequate and pumping station concerns

The applicants have set out their strategy document (Foul Drainage Statement dated 14/01/2021 on the web site), based on the updated strategy of Wessex Water. There is an agreed timetable for Wessex Water to provide an upgrade of the Fordingbridge Sewage works. Recent Government statements also underline that they will legally require future sewage works improvement. There is no evidence that the current proposals which are supported by Wessex Water will not be able to deal with foul outflows. The on site storage tank will be sized to regulate peak flows. The pumping station has now been deleted from the scheme.

L) SECTION 106 REQUIREMENTS

Following assessment of this application and taking into consideration the requirements as set out in the Local Plan and Infrastructure Development Plan the following are the proposed Heads of Terms for a Section 106 Agreement. The Agreement will need to be completed prior to the issue of any planning permission and would seek to deliver the following benefits:

- **Affordable Housing** – provision of affordable housing including future monitoring costs
- **Education** - financial contribution of £1,471,592 towards expansion of Fordingbridge Junior and Infants School payable to Hampshire CC.
- **Biodiversity net gain (BNG)** long term management/maintenance plan setting up of management company and provisions to safeguard against failure and setting up monitoring arrangements. Monitoring charges. 30-year minimum time span for BNG on site. BNG to cover whole of development site and other areas within the application site currently designated as SINC
- **ANRG provision and maintenance** and long-term management/maintenance plan, monitoring costs and requirement – potentially privately managed. Structure of management company. Failure safeguards. If managed by Council, then maintenance contributions TBC.
- **SINC enhancement and maintenance scheme** – as per the ANRG clauses above with contribution level TBC
- **POS provision and maintenance including play spaces** – triggers for

implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas. If to be adopted by the Council, future maintenance financial contributions TBC, and monitoring costs

- **Monitoring charges** – as set out in the April 2022 Cabinet paper relating to affordable housing , BNG, POS, and ANRG
- **Formal open space (playing pitches and infrastructure)** contribution towards off-site formal open space and new playing facilities for the town to be confirmed. £1000 per dwelling = £342k.
- **Internal roads not to be adopted** – management company arrangement etc potentially a County Council bond.
- **Provision of on-site drainage** – management company to look after on-site drainage including SuDS basins and any underground equipment within POS areas if not publicly adopted.
- **Air quality assessment** monitoring contribution of £91 per dwelling = £31,122 in line with Local Plan policy.
- **Sustainable travel improvements** including new bus stop(s) on Whitsbury Road, provision of hourly bus service and re-routing of bus service to Whitsbury Road through link road if available at point of commencement for Site 17
- **Highway works** for new junction, roundabout and bridge works and associated highway works– under S278 Highways Act agreement
- **Puddleslosh Lane improvements** – localised improvements to the surface of Puddleslosh Lane along its length to remove pot holes in particular. Costed scheme to be drawn up and secured through S106 agreement with works to be carried out by Hampshire County Council Highways or Countryside team with funding met by applicant
- **Provision of a full Residential Travel Plan** with bond, monitoring fees and approval fees so as to encourage more sustainable forms of transport other than the private motor car.

11 CONCLUSION AND PLANNING BALANCE

The development proposal before Members has come forward as a result of the adopted Local Plan allocation. The proposal has garnered a significant number of local objections as well as an objection from Fordingbridge Town Council.

However, many of those objections cover matters of principle which the allocation of the site in the Local Plan makes non material. Other objections submitted are not supported by the technical advice of consultees such as the Highway Authority, Environment Agency, Water Authority and Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The loss of the attractive greenfield site will undoubtedly change and have an impact on local character, but this must be balanced against allocation of the site and the aspirations to deliver new housing including an element of affordable housing.

The tilted balance as set out in the NPPF does apply in this case as the Council cannot demonstrate a 5 year supply of housing land. The tilted balance sets out a

presumption in favour of sustainable development and that greater weight should be afforded to the delivery of new housing unless other harmful impacts outweigh that presumption. In this case Officers consider the balance is in favour of permission.

The development will have an impact on the setting of a designated heritage asset, but this must be set against the considerable public benefits both in economic and social terms.

The ecological impact of the development including that relating to habitat mitigation and protected species has been carefully considered by officers and statutory consultees. The impact on ecological matters of importance is assessed that subject to conditions the development will not result in harm to protected species or areas. The proposal indeed brings forward opportunities for greater protection and further public appreciation of fauna and flora within the site. The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional phosphorous entering the River Avon will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm.

The development has evolved since its submission and whilst the earlier scheme for 403 dwellings was not considered to be acceptable for a number of reasons the reduced scheme of 342 supported by a good quality Design and Access Statement and the other submitted plans showing a quality greenspace environment which retains all landscape features of importance weighs considerably in favour of a permission. There is considered to be no overriding wider landscape impact and harm arising from the development on the protected areas of the New Forest National Park and the Cranborne Chase AONB.

The Council has had careful regard to the submitted Environmental Impact Assessment. Plans and reports with their conclusions have been amended following discussions with officers and these amendments have been the subject of a further round of consultations and consideration of any comments made by statutory and other consultees and interested 3rd parties. The Council considers that the environmental impact of the development proposed has been properly framed and that officers judgment on the impacts is that the development is acceptable subject to conditions and a S106 Agreement.

The Council has had regard to the quantum of affordable housing now secured as part of this development. The number of units or mix/tenure does not comply with Local Plan policy aspirations but given the significant infrastructure and other costs which are borne by the scheme a reduction in the amount of affordable housing is warranted. The proposal does deliver a reasonable amount of affordable housing however against a background of a pressing need and very difficult economic circumstances.

Overall given there are no technical objections to the proposal coupled with the benefits including those centred on sustainable development as set out in this report the proposal is considered to be generally in line with local and national policy and guidance and recommended for approval subject to conditions and the applicant first entering into a Section 106 agreement to deliver the benefits as set out above.

12 OTHER CONSIDERATIONS

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. 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 as well as the wider public interest. In this case it is considered that the protection of the rights and freedoms of the applicant and the wider public interest outweigh any possible interference that may result to any third party.

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.

13 RECOMMENDATION

Delegated Authority be given to the Development Management - Service Manager to **GRANT PERMISSION** subject to:

- (i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure those matters set out in Section (L) of this report; such agreement to be completed by end of April 2023.
- (ii) the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Development Management - Service Manager, having regard to the continuing Section 106 discussions.

Proposed Conditions:

1. Time Limit for Approval of Reserved Matters

The first application for the approval of Reserved Matters shall be made within a period of three years from the date of this permission. All subsequent Reserved Matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning

Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Time Limit for Commencement of Development

The development shall be begun no later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Development phasing plan

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan, the number of reserved matters phases and including all on and offsite works, including all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage and highway works, shall be submitted to and agreed in writing with the LPA.

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted or to be permitted as part of future phases.

4. Reserved Matters Details

In respect of each phase of development, no development shall commence until the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the reserved matters, as well as any outstanding conditions set out below), insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5. Approved plans

The Reserved Matters shall fully accord with the following plans comprising:

- Site Location Plan PP005 rev B
- TOR-PP001 SS17 rev G – Land use and landscape
- TOR-PP002 SS17 rev E – Building heights
- TOR-PP004 SS17 rev E – Access and movement

The Reserved Matters and means of access details shall be in accordance with the following plans subject to final approval of the details shown therein

- TOR SK030 masterplan
- TOR-PP003 SS17 rev J – Density
- CSA/3560/108 rev E – ANRG Strategy Plan
- CSA/3560/107 rev C – ANRG Biodiversity Net Gain
- TOR SK104 Ford 1 replacement SANG plan
- TOR-LA/PL/002 rev M – SS17 Roundabout access Landscape Plan
- ITB12264-GA-305 rev X - Site access road alignment
- ITB12264-GA-341 rev C - Long section
- 70061334-WSP-17-DR-C-501 P06 –Flood Compensation
- 70061334-WSP-17-DR-C-502 P07 – Indicative FW Storage Layout
- 70061334-WSP-17-DR-C-506 P05 –Development Access Levels
- 70061334-WSP-17-DR-C-611 - P08 – Southern Access & Wetland Area Layout
- DR WS 0001 rev P06 Surface water drainage strategy

Reason: To ensure the development is carried out in accordance with the approved plans and in line with other plans submitted which are subject to final approval in consultation with statutory consultees, and to ensure that the approved plans are based on high standards of urban design to ensure that there is a coordinated and harmonious integration of land uses, built-form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context in accordance with Local Plan Policy ENV3.

6. Dwelling Numbers & Development Mix

The development hereby permitted shall not exceed 342 dwellings.

The detailed designs for the approved development shall accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

- 30 x 1 bed flats
- 34 x 2 bed flats
- 76 x 2 bed houses
- 150 x 3 bed houses
- 52 x 4 bed houses

Reason: This reflects the application submission and the basis for affordable housing, and is the basis on which the required level of mitigation has been assessed. The Local Planning Authority would wish to properly consider any mix that does not reflect this submitted mix to ensure that housing needs are adequately met, and noting that a material change to the residential mix will affect the level of mitigation that would be necessary to offset the development's impacts, and this may not necessarily be achievable.

7. Site Levels

Prior to the commencement of development in any phase of development, details of levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG), and the existing and proposed site contours for that phase, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

8. Connectivity To The Wider Strategic Site

No development shall take place until a plan and details showing the locations where pedestrian connections will be made/secured to the immediately adjacent land to the north (Tinkers Cross and Ford 1 SANG) that is allocated for development or completed through Policy Strategic Site 17 of the Local Plan 2016-2036 Part One: Planning Strategy and saved Local Plan Part 2 2014. The approved connection / pedestrian access points including any necessary bridges across the river, shall thereafter be provided to link with the connections referred to above and made available before first occupation.

Reason: The application site forms one part of a Strategic Site allocation, and in the interests of securing accessible and joined-up green infrastructure it is essential that there is appropriate connectivity between the different parts of the Strategic Site.

9. Contaminated land

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the [Local] Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

10. **Construction Environmental Management Plan**

Prior to the commencement of development within each phase of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and in accordance with policy ENV3 of the Local Plan

11. **Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless in the case of any emergency works that may be required urgently.

Reason: To safeguard residential amenities.

12. **Noise levels post occupation**

Prior to the commencement of each phase of the residential development, a full stage 2 Acoustic Design Statement (ADS) incorporating the four key elements of good acoustic design in accordance with *PPG: Planning and*

Noise 2017 'Professional Practice Guidance on Planning and Noise for new residential development' shall be submitted to ensure that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority and the approved scheme shall be implemented, maintained and retained.

Reason: To safeguard the amenities of future occupiers in accordance with LP Policy ENV3

13. **Flood Risk**

The development permitted shall be carried out in accordance with the submitted documents and the following mitigation measures detailed within:

12. 420m³ of compensatory flood plain storage is provided as set out in Technical Note 1334-WSP-17-TN-DI-00001 Rev P03 and drawing Ref. 70061334-WSP-17-DR-C-501 Rev.P06 by WSP dated June 2022 and reference tables therein.
- 2 Ground level raising and proposed bund for the wetland creation is located outside of the floodplain. There shall be no raising of existing ground levels in the floodplain.
- 3 There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.
- 4 The new bridge soffit level is 32.00 mAOD which is more than 600mm above the post-development flood level 100yr 40%cc of 30.80 mAOD.

The mitigation measures shall be fully implemented in accordance with the phasing arrangements embodied within the scheme. Excavation of the compensation area must be complete before development/infilling commences to ensure that floodplain capacity is maintained during construction of the development.

Prior to commencement of the first dwelling on the site the details and mechanism for future maintenance of all flood compensation and flood storage areas shall be submitted to and agreed in writing with the LPA, in consultation with the Environment Agency. Future maintenance shall be implemented as per the details of the scheme so agreed and maintained as such thereafter.

Reason: In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. To also reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that the flow of flood water is not impeded, and the proposed development does not cause a loss of flood plain storage.

14. **Foul storage tank details**

Prior to the commencement of any part of the works to install the sewage storage tank and any associated infrastructure, full details of the final design

for the foul sewage storage tank and associated infrastructure shall be submitted to and agreed in writing with the Local Planning Authority in consultation with Wessex Water Authority. The development shall only be carried out in accordance with the approved details and agreed phasing plan and maintained as such thereafter.

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: in the interests of the provision of acceptable foul storage and pumping station details

15. **Surface water drainage**

No development shall begin on a phase until a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Surface Water Drainage Strategy ref: 70061334-WSP-17-DOC-FRA-0001, has been submitted and approved in writing by the Local Planning Authority.

The submitted details should include:

- (a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- (b) Infiltration test results undertaken in accordance with BRE365 (2016 methodology) and a groundwater assessment between autumn and spring, providing a representative assessment of those locations where infiltration features are proposed.
- (c) Drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- (d) Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.
- (e) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- (f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- (g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

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 any of the dwellings. The submitted details shall include;

- (a). Maintenance schedules for each drainage feature type and ownership.
- (b). Details of protection measures.

Reason: To ensure the development site is served by an adequate surface water drainage arrangement and that such details as may be approved are fully implemented and maintained to comply with Local Plan policy ENV 3 and CCC1

16. Construction Traffic Management Plan

No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access including times of deliveries to avoid peak school pick up and drop off, the turning of delivery vehicles within the confines of the site, lorry routeing and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction

Reason: In the interests of highway safety.

17. Final details of road infrastructure

Prior to the commencement of each phase of the development, including any elements of site clearance, the final details of the design for all new road infrastructure works and access roads (including foot & cycle paths, pedestrian cycle crossing points) as set out in principle on drawing ITB12264-GA-305 rev X for the main access, to be submitted for approval by the local planning authority in consultation with the local highway authority. No dwellings shall be occupied until the approved details have been fully implemented in accordance with the agreed phasing plan.

Reason: In the interest of highway safety and to meet the access needs of the development

18. Car & Cycle Parking

Details of the car and cycle parking that is to be provided in association with each residential phase of development shall be provided with the submission of Reserved Matters to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for each plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

19. **Travel Plan**

Prior to the construction above damp proof course level of each phase of the development, a Full Travel Plan based on the principles set out in the Framework Travel Plan (Ref: i-Transport Residential Travel Plan: SJ/BB/SG/ITB11397-008A) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that sustainable modes of travel are duly promoted.

20. **Sustainable transport links**

Prior to the commencement of any part of the development full details of all pedestrian and vehicular transport links including all footways, cycleways, paths, boardwalks and river crossing points shall be submitted to and agreed in writing with the Local Planning Authority and implemented in accordance with the details of the phasing plan that may be agreed.

Reason: To ensure a satisfactory form of development is carried out compliant with Local Plan Policy ENV3

21. **Vehicle cleaning**

Full details of the vehicle cleaning measures proposed to prevent mud and spoil from vehicles leaving the site shall be submitted in writing to the Local Planning Authority for written approval prior to the commencement of the development. The approved measures shall be implemented before the development commences. Once the development has been commenced, these measures shall be used by all vehicles leaving the site and maintained in good working order for the duration of the development. No vehicle shall leave the site unless its wheels have been cleaned sufficiently to prevent mud and spoil being carried on to the public highway.

Reason: In the interests of highway safety.

22. **Waste Collection Strategy**

All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3

23. **Incidental mineral extraction**

Prior to commencement of any part of the development hereby approved the following details shall be submitted to and agreed in writing with the LPA,

which may be included within a construction management plan or similar.

- a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- a method to record the quantity of recovered mineral (re-use on site or off site) and to report this data to the MPA.

The development shall be carried out in accordance with the details so agreed.

Reason: In the interests of utilising any mineral deposits which could be used on the site as part of the construction works and in accordance with Local Plan Policies STR1 and STR9

24. **Electric Vehicle Charging Points**

For each reserved matters application where buildings or car parking spaces are proposed, 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.

25. **High Speed Fibre Broadband**

Prior to the occupation of each dwelling in the development hereby approved, the necessary infrastructure required to enable high speed fibre broadband connections shall be provided within the site up to property thresholds, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with local and national planning policy.

26. **Framework for lifespan of ecological reports:**

Where the approved development is to proceed in a series of phases in excess of 2 years from the date of this permission, further supplementary ecological surveys updates shall be undertaken and submitted to the LPA to inform the preparation and implementation of corresponding phases of ecological mitigation measures. This should have regard to CIEEM's April 2019 Advice Note on the lifespan of ecological reports. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guideline. The development shall not be carried out other than in compliance with any survey findings and mitigation measures required.

Reason: To ensure the development is in accordance with advice and

other legislation governing protected species and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

27. Great Crested Newt Licence and Mitigation:

Vegetation clearance, earthworks or activity likely to cause harm to great crested newt within 250m of Pond 6 shall not in any circumstances commence until the LPA has been provided with a Great Crested Newt Mitigation Strategy and one of either:

- a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To ensure the development is in accordance with advice and other legislation governing protected species and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

28. Bats & Lighting:

No development shall take place until a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and
- show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed including on or within the curtilage of any dwelling without prior consent from the local planning authority, the details of which shall be submitted as part of any reserved matters application(s).

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

29. **Badger pre-construction survey:**

Prior to the commencement of any construction work on site, including any site clearance, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

30. **Reptiles – Addressing information gap:**

Prior to the commencement of any construction work on site including any site clearance, an updated reptile survey shall be undertaken by a suitably qualified and experienced ecologist including those areas which were inaccessible previously. The results of this and any updated mitigation measures required shall be submitted to the Local Planning Authority for written approval. The development shall not be carried out other than in strict accordance with the mitigation measures so approved, unless otherwise agreed in writing with the LPA beforehand.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1

31. **BNG net gain- securing 10% uplift**

The first residential unit of the development hereby approved shall not be occupied until details of a package of on-site supplemented if necessary off-site of Biodiversity Net Gain (BNG) has been submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified 10% BNG arising from the development and include:

- i. a calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric 3.0 Calculation July 2021 (or a metric based on the latest guidance);
- ii. details of the BNG project including its location;
- iii. a timetable for the provision of the BNG project;
- iv. details of the management of the BNG project
- v. details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.

Reason: To ensure Biodiversity Net Gain is secured as part of the development 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), NFDC interim Biodiversity Guidance and the Environment Act 2021.

32. Biodiversity Net Gain: Additional Statement

For each Reserved Matters application, an additional Biodiversity Net Gain Statement shall be submitted to the Local Planning Authority for its written approval. The additional Statement shall include a recalculation of the biodiversity impact of the proposed development, having regard to any changes in the habitats type or condition of the habitats present, and any changes resulting from the detailed layout of the development and the level / nature of the on-site mitigation measures.

Reason: Due to the outline nature of the application and the illustrative nature of much of the supporting information, it is considered necessary to ensure the detailed designs will deliver a minimum 10% uplift (together if necessary, with any off-site provision) in the site's biodiversity value in accordance with the policies of the New Forest District Local Plan Review 2016-2036.

33. BNG Monitoring and Management Plan

Prior to the occupation of the first dwelling a Biodiversity Net Gain (BNG) Monitoring and Management Plan shall be submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years from commencement). The Plan shall incorporate the requirements set out in the informative note at the end of this permission. The Plan shall require the submission of a BNG monitoring report produced by a suitably qualified ecologist and shall be submitted to the LPA as a minimum in years 2, 5, 10, 20 and 30 following first commencement. The development shall be completed in accordance with the BNG Monitoring and Management Plan prior to the occupation of the last dwelling on the site.

Reason: In the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2

34. Ecological Measures (Opportunities for Birds / Bats / Invertebrates)

All dwellings / development plots hereby approved shall incorporate a mixture of bird nesting box (including nesting opportunities for swifts and house sparrows), bat box or bat roosting provision, and enhancements for invertebrates such as bee bricks, the precise details of which shall be submitted with each Reserved Matters application where new buildings are proposed. The submitted details shall comprise a mix of these measures and shall be provided in accordance with the approved details before the house / plot where the measures are to be incorporated is first occupied.

As a minimum 75% of all dwellings (257) shall include a bird box, and 25% (86) of all dwellings shall include a bat box, with all dwellings provided with bee bricks. In addition, unless otherwise agreed in writing with the LPA, nest boxes for dipper species and grey wagtail shall be incorporated in the new road river bridge.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1.

35. Landscape & Ecological Enhancement, Mitigation and Management Plan

Prior to the commencement of development within each phase of development, a detailed Landscape and Ecological Enhancement, Mitigation and Management Plan for that phase shall be submitted to and agreed in writing by the local planning authority. The Plan for that phase shall be broadly in accordance with the outline ecological mitigation and enhancement measures detailed within the Ecological Impact Assessment and outline Biodiversity Mitigation and Enhancement Plan or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority. The Plan shall include (but not be limited to):

- details of all habitat and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
- plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
- plans and details of all habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and maintenance);
- a programme of ongoing ecological monitoring and management.

The development shall be implemented and thereafter maintained and managed in accordance with the approved details.

Reason: To ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits in accordance with Local Plan Part Two policy DM2 and Local Plan policy STR1.

36. Protection of Trees: Adherence to Approved Arboricultural Statement

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Tree Protection Plan reference HDA 969.1/03b and Tree Survey Report and Arboricultural Impact Assessment dated March 2022 - Ref: 969.1, or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Local Plan policies ENV3 and STR1

37. Protection of Trees: Submission of additional details

No development, demolition or site clearance shall take place until the following information has been submitted and agreed to in writing with the Local Planning Authority:

1. The arrangements to be taken for the protection of trees and hedges on the site as identified for protection in the approved plans.
2. A method statement and engineering drawings for the installation for sewers, drains, roads, paths within the root protection areas of trees identified for protection within the approved plans.

Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

38. Notice to tree officer

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

39. Final landscape details for each phase

Prior to the commencement of any part of the development (including any site clearance or demolition works), a detailed landscape masterplan and all final landscape details (planting and hard landscape), for each phase of development including the first phase of road and drainage infrastructure works shall be submitted to and agreed in writing with the LPA. This shall follow an approved landscape framework to be agreed.

This scheme shall include:

- (a) the details of 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) details of all tree pits and root barrier protection systems
- (f) all drainage runs, pipeways, culverts and other underground services in proximity to tree planting
- (g) a method and programme for its implementation and the means

to provide for its future maintenance.

- (h) A landscape masterplan which shall include a detailed phasing plan for all landscape works.

Reason: In the interests of the appearance and character of the development and area and to comply with New Forest Local Plan policy ENV3

40. **Maintenance of landscaping**

The hard and soft landscaping details as agreed shall be fully implemented and maintained in accordance with the agreed framework, masterplan, details, management and maintenance plans and any agreed phasing of those works. Planting works, if delayed, should be completed in the first available planting season (October-March). If any planted areas fail or trees and shrubs die or become damaged or diseased within 5 years of planting, they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season.

Following such an initial establishment period, all planting, shall then be maintained in accordance with the long-term landscape and maintenance provisions approved as part of this permission, including any relevant clauses set out in the accompanying Section 106 Agreement attached to this permission.

Reason: In the interests of the appearance and character of the development and area and to comply with New Forest Local Plan policy ENV3

41. **Lighting Cranborne Chase AONB And Dark Skies**

Prior to the installation of any street or highway lighting or lighting to be placed on any dwellings on the site full details (including the design of lanterns and lighting standards and the lux levels of lighting) shall be submitted to and agreed in writing with the LPA in consultation where necessary with the Highway Authority. No other street lighting or on building lighting shall be erected including any security lighting without the further written approval of the LPA.

Any lighting installed shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises in accordance with Environmental Zone E2: 5 lux pre-curfew (07:00-23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs) in accordance with Guidance Notes for the Reduction of Obtrusive Light (GN01:2020) by the Institute of Lighting Professionals (ILP).

Reason: To promote an acceptable and light sensitive means of site and street lighting in the interests of good design, residential amenity, wildlife protection, and so as to promote dark skies

42. Street furniture, play equipment, information boards

For each phase of the Reserved Matters applications a detailed specification of all new play equipment and street furniture to be provided within each phase including any facilities such as benches, bins, interpretation boards in connection with ANRG, SINC or POS areas, together with a specification for illustration and interpretation boards relating to the ecological value of the SINC and adjoining Sweatfords Water area shall be submitted to and agreed in writing with the LPA. There shall be a minimum of two ANRG boards and two boards in relation to the SINC in positions to be agreed with the LPA.

The details and facilities as may be agreed shall be provided and made available for use prior to the first dwelling being occupied or in line with a phasing plan of provision to be agreed as part of this condition. All play equipment and street furniture, and other facilities in connection with the use of the ANRG and SINC shall be kept available for the public use in perpetuity and maintained in accordance with any provisions set out in other conditions or as part of any Section 106 Agreement accompanying the application.

Reason: In the interests of the proper provision, design and retention of play facilities and other public and ecological interest areas to serve the development in accordance with saved Core Strategy policy CS7 and Local Plan Policies ENV 3 and ENV13

43. Permitted Development Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that order, no access, vehicular or pedestrian, other than that shown on the approved plan shall be formed to the site from either Puddleslosh Lane or Marl Lane. In the event that the main site access is closed and strictly only for any emergency access that may be required the details of this and its securing and closure during non-emergency periods shall be submitted to and agreed in writing with the LPA as part of the Reserved Matters conditions listed above.

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.

44. Water Efficiency and phosphate mitigation

The development hereby approved shall not be occupied unless

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 proposal for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:

Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development.;

Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

Further Information:

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