

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 14 AUGUST 2024, AT 9.00 AM

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

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Tel: 023 8028 5071

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:

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

Kate Ryan
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
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AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 10 July 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) **South Allenford Farm, North End, Damerham (Application 23/10559) (Pages 5 - 14)**

Conversion of existing barn into holiday accommodation.

RECOMMENDED:

Refuse.

(b) **Land adjacent to 20 Oakley Close, Holbury, Fawley (Application 23/11296) (Pages 15 - 30)**

Erection of 7 bungalows with parking accessed from Ruxley Close.

RECOMMENDED:

Grant subject to conditions.

(c) **Walkford Farm, New Milton, Bransgore (Application 23/11213) (Pages 31 - 46)**

Erection of a solar farm; associated ancillary infrastructure and associated works; Temporary access and construction compound.

RECOMMENDED:

Grants subject to conditions.

(d) **49 Kingsfield, Ringwood (Application 24/10272) (Pages 47 - 54)**

Annexe to rear for ancillary use to the main dwelling.

RECOMMENDED:

Grant subject to conditions.

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

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

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Planning Committee 14 August 2024

Application Number: 23/10559 Full Planning Permission
Site: SOUTH ALLENFORD FARM, NORTH END, DAMERHAM
SP6 3JW
Development: Conversion of existing barn into holiday accommodation
Applicant: Mr Shepherd
Agent: Southern Planning Practice
Target Date: 04/09/2023
Case Officer: James Gilfillan
Officer Recommendation: Refuse
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of the development, including the impact on the character and appearance of the area, including the National Landscape
- 2) Ecology
- 3) Accessibility
- 4) Other matters

2 SITE DESCRIPTION

The site is located in the open countryside between the villages of Damerham and Martin in the Cranborne Chase National Landscape. The application relates to a small agricultural building located to the south west of the farm house its associated buildings.

It is accessed from Martin Drove End road via a gravel track and is surrounded by agricultural fields.

The building subject to the application is a small brick and slate open fronted barn with a concrete floor.

No details have been provided to describe how the building has been used. Its current construction and appearance does not provide any evidence of use.

3 PROPOSED DEVELOPMENT

The scheme proposes conversion of existing barn into holiday accommodation

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
17/11095 Use of barn as wedding venue	19/10/2017	Refused	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 STR4: The settlement hierarchy

Policy STR6: Sustainable economic growth

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

Policy ENV3: Design quality and local distinctiveness

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM13: Tourism and visitor facilities

DM22: Employment development in the countryside

Local Plan Core Strategy 2009

CS19: Tourism

CS21: Rural economy

Supplementary Planning Guidance And Documents

SPD - Mitigation Strategy for European Sites

National Planning Policy Framework

National Planning Policy Guidance

Cranborne Chase Partnership Plan

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Damerham Parish Council

Damerham Parish Council voted all in favour of recommending PAR3, subject to adherence to the ecological report and use of lighting in line with the Dark Skies policy. Approval is recommended for the following reasons:

- Good use of an existing building and the structural report is satisfactory
- Sympathetic design

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest DC

Ecologist: Impacts from recreational activities on New Forest habitats and on water quality in River Avon habitats should be assessed and mitigation secured. Evidence of protected species of bats and owls should be assessed and mitigated to ensure their favourable status is maintained.

Hampshire County Council.

HCC Rights of Way: No objection subject to conditions ensuring the adjacent PROW is kept clear during construction and from any landscape or boundary enclosure to the area around the proposed building.

Others.

Cranborne Chase National Landscapes: Object to the impact of the proposed change of use on the tranquility of the area, a change in character and appearance that would urbanise the rural character and conflict with the purpose of designating the area as a national landscape, this would also include the introduction of lighting at night, detrimental to the dark skies reserve. Also query the ability to service the site with water and electricity.

9 REPRESENTATIONS RECEIVED

None received

10 PLANNING ASSESSMENT

Principle of Development and impact on the character and appearance of the area

The site is outside the built up area as defined by the policies map. Strategic policy STR3, of the Local Plan, seeks to direct development to the identified towns and villages in the district.

The closest village, Damerham, is included in the list of small rural villages included at paragraph iii) of policy STR4 'The Settlement Hierarchy'. Villages that do not have a defined built up area but have a gradual transition from settlement to countryside, they have limited access to facilities and workplaces and are suitable for small scale uses appropriate in a countryside setting and that help to maintain community life including small scale housing development specifically to meet local housing need.

At approximately 2km from the centre of the village the application site is beyond the area of transition, so does not contribute to the visual transition and stands as an individual building, very much surrounded by an open agricultural landscape setting, within the Cranborne Chase National Landscape. .

NPPF directs LPA's to prepare policies and make decisions to support a prosperous rural economy. It states at paragraph 88 (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings

and well-designed new buildings, should be enabled. This scheme proposes to make use of existing buildings on site. However, Damerham has very little by way of services to offer visitors. Whilst residents of the proposed development visiting its pub or those in other nearby villages such as Cranborne or the wider services available in Fordingbridge, may be an economic benefit, such benefit would be very minor due to the scale of the proposal.

At NPPF paragraph 89 *inter alia* it recognises decisions may have to support schemes outside existing settlements, in locations not well served by public transport. STR3 also accepts development will occur and also be acceptable beyond the defined settlements, concluding that development will generally be restricted unless the development is appropriate in a rural setting in accordance with saved policy CS21 of the New Forest Core Strategy 2009, "Rural Economy".

Policy CS21 sets a strategy for the rural economy focusing on employment, supporting existing employment and seeking to benefit existing services and facilities. The proposal would not relate to existing employment opportunities, nor introduce new opportunities for existing residents. However, saved policy CS19 "Tourism", does support provision for tourists in the countryside through the reuse of existing buildings where these would benefit local communities and the local economy. As indicated above, there are few facilities in the locality to benefit from the tourists using the proposed development and any benefits would be very minor due to the small scale of the development.

The aspirations of those saved Core Strategy policies are largely replicated by policies contained with Local Plan part 2, sites and DM policies.

Policy DM13 allows for visitor accommodation where it is being provided through the conversion of existing buildings, that are of an appropriate scale and appearance to its rural setting and structurally sound, so it can be re-occupied without major rebuilding. This is cross referenced to and re-iterated by Policy DM22

The building subject to the application is of sufficient structural integrity to be able to accommodate the proposed use. Whilst new partition walls, an external wall and openings are proposed, they are not fundamental to the continued stability of the structure of the building and are directly related to the enhancement of the quality of the building for the intended use.

Policy DM13 requires development proposing re-use of an existing building to be of an appropriate scale and appearance to its rural setting. Paragraph 182 of the NPPF requires great weight is placed on conserving the landscape and scenic beauty of National Landscapes and a similar expectation is required by Local Plan policy STR2.

Local Plan Core Strategy saved policy CS19 "Tourism" also seeks to support the local tourism industry, by raising the quality of the tourism 'offer', extend the duration of stay in the area and an emphasis on the retention and provision of serviced accommodation. Whilst it does direct new serviced accommodation towards the district's towns and villages, it also accepts the reuse of existing buildings, in the countryside, where these would benefit local communities and support the local economy.

The building is currently a simple single skin brick construction, with timber frame supporting a slate roof. It has one side completely open, with three timber posts supporting the roof. The open side will require enclosure in order to form the habitable accommodation. Doors and windows will be installed in 3 elevations and the new south elevation would be timber clad with vertical windows.

The Council recently received an appeal decision from the Planning Inspectorate, upholding the Council's decision to refuse planning permission at Woodpecker Wood, Court Hill, Damerham, to convert an existing building to form a residential dwelling (NFDC ref:23/10345). This site is also in Cranborne Chase National Landscape. One of the reasons for refusal was the impact of the scheme on the character and appearance of the area, in considering this point the Inspector opined

"The proposed dwelling would convert the existing building, cladding the walls with timber and replacing the roof with natural slate. Unlike the functional, utilitarian appearance of the existing building, the dwelling would have a legibly residential appearance, with domestic style new doors and multiple windows. The provision of parking and turning areas, a garden and the appearance of the dwelling, would all serve to harmfully erode the natural character and appearance of the woodland."

There are such similarities between that appeal scheme and the scheme under consideration here at South Allenford Farm, with respect to consideration of the character and appearance of the area, and the requirement to place great weight on conserving and enhancing the landscape and scenic beauty of National Landscapes, that a similar conclusion could be reached.

The existing building has a functional and utilitarian appearance, the resultant building would have a legibly residential appearance, with domestic style new doors and multiple windows. These changes would extensively alter the rural character and appearance of the building, within its setting and more significantly within the Cranborne Chase National Landscape. It also proposes a degree of domestication to the appearance of the site and setting through the provision of parking and outdoor amenity space that would not sit comfortably in the context and would all serve to harmfully erode the natural character and appearance of the site.

Such changes do not readily respond to local plan policy ENV3, where by development should achieve a high quality design that contributes positively to local distinctiveness, that is sympathetic to its environment and context.

Despite the size of the building it would still give rise to a degree of artificial lighting escaping the building at night time, likely to conflict with the preservation of the area as a dark skies reserve, especially as it would introduce illumination in an area where none is currently present.

In the Woodpecker Wood case referenced, the benefit of providing one additional dwelling was not considered sufficient to outweigh the harm identified. The same conclusion is reached in respect of this case.

Due to the proposed changes to the appearance and setting of the building to facilitate its conversion, it is considered that the proposal would fail to achieve the high quality design and appearance required to preserve the rural setting. This conflicts with policy DM13 and ENV3. Furthermore it would conflict with the desire to protect the tranquility of Cranborne Chase national landscape including from nighttime glare, conflicting with policies CS19 (e), STR2 and the instruction of the NPPF to place great weight on the need to preserve the scenic and landscape quality of a National Landscape.

Ecology

The existing barn is not located in or adjacent to any internationally designated sites of nature conservation interest. There are international and locally designated sites in close proximity to the site, but not so close that the proposal would have any direct

impact. The proposed use would however give rise to impacts on protected habitats in the New Forest National Park from recreational activities. This is covered below in 'Habitat mitigation'.

The application is supported by an ecological appraisal that identifies evidence of protected species of bats and owls within the building.

The building is classed as providing 'high' bat roost potential, the roof and walls provide ample opportunity for bats to access voids for roosting. Such use will require conversion works to be undertaken with supervision, at a suitable time of year and mitigation measures such as installation of bat boxes in the area as a suitable roost alternative would avoid harm.

A bat licence would be required to permit the works to proceed whilst avoiding harm to the bats, should the development be approved, it would be on the basis that it is considered to be an appropriate use of the building and in the public interest to permit the proposal. As the only building available there is no satisfactory alternative and based on the mitigation measures identified, the favourable conservation status of the species would be maintained.

A condition could ensure such a licence is received before potentially harmful development occurs.

The survey of the building also identified barn owl pellets in the building, though no evidence of a nest was identified. The ecology report indicates installation of a barn owl box on a nearby tree would be appropriate mitigation

The NFDC ecologist advocates that should planning permission be granted a condition is imposed securing a resurvey of the building for its use by barn owls and appropriate mitigation secured. However the age of the survey is not an impediment to making such a positive decision.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') and Local Plan policy ENV1 an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites. Although the adverse impacts could be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy, no such legal agreement has been completed in this instance. As such, it is not possible, in respect of recreational impacts, to reach a conclusion that adverse effects on European sites would be avoided.

Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') and Local Plan policy ENV1 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.

Highway safety, access and parking

The site is accessed from Martin Drove End by the existing gravel farm track. This track would be able to accommodate the low volume of vehicle movements generated by the development.

Being one bedroom the proposed holiday unit is highly unlikely to attract more than one car when in use. It may still generate additional cleaning and food delivery vehicles, and to empty a septic tank, however the junction with Martin Drove End would be capable of accommodating such a scale of traffic.

Any conflicts between existing farm vehicles would be infrequent and occur off the public highway.

Space is shown on the site plan for a vehicle to be parked away from the farm track and Public Right of Way to avoid conflict with users. The PROW is wide enough that construction vehicles would not block access and the applicant would ensure that construction does not compromise everyday farm operations. Due to the limited extent of construction required it is not considered necessary to impose any controls in respect of the request made by the representation received from Hampshire CC Countryside officers.

Whilst the proposed accommodation may be attractive to visitors choosing to come to the area for recreational walking or cycling, it is too far from any services that most visitors would choose to drive for local services.

Heritage Assets

There are no listed buildings or conservation areas close enough to the site to be constraints or that the proposals would have an impact on their significance.

There is a scheduled ancient monument known as Soldiers Ring, approximately 0.5km away to the North West. A ring ditch, the levelled remains of a bowl barrow has been extensively eroded by ploughing. This is associated with nearby Damerham iron age/roman settlement. Archaeological remains may be present through out the area, however in the absence of alterations to the site that require excavations, the scheme would not have any impact on potential features of archaeological interest that lie below ground.

Residential amenity

Beyond the occupiers of the farm house, there are no residential neighbours within 0.5km of the application site. Whilst holiday makers may be prone to cause greater noise nuisance than standard residential occupiers, the proposals would not have an impact on the amenity of those occupiers due to the separation distance.

Tourist residential accommodation

The application seeks conversion to use as self-contained holiday accommodation. Such a use would fall within use Class C3 of the Use Classes Order 2020, it would be appropriate to ensure the use remains for holiday lets by imposing a condition as an unrestricted residential use would not be appropriate in relation to relevant policy guidance. However, restricting the duration of stays or to a summer 'holiday' season would not be reasonable or appropriate.

Developer Contributions

As part of the development, the following is required to be secured via a Section 106 agreement:

- New Forest recreation mitigation Infrastructure £2620
- New Forest recreation mitigation non-infrastructure £381

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	80		80	80	£80/sqm	£9,378.46 *

Subtotal:	£9,378.46
Relief:	£0.00
Total Payable:	£9,378.46

11 CONCLUSION / PLANNING BALANCE

Making use of existing buildings for more effective or efficient uses is a common thread of the NPPF, for which Development Plan policies present specific opportunities to do so, preservation of the landscape character of sites outside defined settlements is also a significant requirement of both local and national planning policy, against which the proposed development would conflict.

The economic benefits arising from the tourism use would be very minor and would not outweigh the failure to deliver a development that would preserve the character and appearance of the area and the conflict with the development plan as a whole.

12 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed changes to facilitate the proposed tourism use would fail to preserve the utilitarian and rural appearance of the existing building, resulting in a degree of domestication that would not preserve the character and appearance of the site, protect the scenic beauty and tranquillity or dark skies of the National Landscape and result in an isolated unsustainable development, contrary to policies STR2 and ENV3 of the New Forest District Local Plan part 1: Planning Strategy 2020, DM13 of the New Forest District Local Plan part 2: Sites and DM policies 2014 and CS19 of the New Forest Core Strategy 2009 and the NPPF.
2. The recreational impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, the New Forest Ramsar site would not be adequately mitigated and the proposed development would therefore be likely to unacceptably increase recreational pressures on these sensitive European nature conservation sites, contrary to Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy and the Council's Supplementary Planning Document "Mitigation for Recreational Impacts on New Forest European Sites".

Further Information:

James Gilfillan

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

August 2024

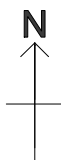
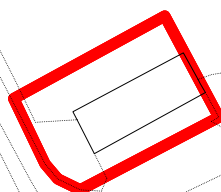
South Allenford Farm
North End
Damerham
23/10559

Scale 1:1000

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

NFDC

NFDC



14

Planning Committee 14 August 2024

Application Number: 23/11296 Full Planning Permission
Site: Land adj to 20 OAKLEY CLOSE, HOLBURY, FAWLEY
SO45 2PJ (SUBJECT TO LEGAL AGREEMENT)
Development: Erection of 7 bungalows with parking accessed from Ruxley
Close
Applicant: Mr Readhead
Agent: ARC Architects Ltd
Target Date: 05/02/2024
Case Officer: Sophie Tagg
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Design, site layout and impact on local character and appearance of area
- 3) Impact on trees
- 4) Impact on Highway safety, including matters relevant to car parking, access and public right of way.
- 5) Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy.
- 6) Impact on ecology
- 7) Habitat Mitigation and Air Quality

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

2 SITE DESCRIPTION

The application site is located within the built-up area in Holbury. It comprises an area of grassland/field associated with No. 20 Oakley Close, a residential dwellinghouse. There is a post and rail fence which segregates the site from the garden area of No.20. The field appears to have been last used as grazing but is currently not being used. On the eastern part of the site which is separated from the field by another post and rail fence, there are 4no. brick and corrugated metal sheet buildings. The site is bound by a combination of established hedging and close-board fencing to the south and north.

There are two access points into the site: one from the garden of No.20 and the other from Ruxley Close via a metal gate.

3 PROPOSED DEVELOPMENT

The planning application proposes to demolish the existing structures on the site and develop the site with seven bungalows. There would be 3no. 3 bedrooms

dwelling and 4 no. 2 bedroom dwellings, which would be of a varied design and appearance, utilising clay effect tiles and a variety of facing materials, including render, timber boarding and brick with upvc windows and doors.

The access into the development is proposed from Ruxley Close. Car parking is proposed for each dwelling.

During the course of the application, Officers have negotiated with the Applicants, and amendments have been received, with an additional consultation being undertaken. The amended plans have reduced the overall number of dwellings from 9 to 7 bungalows. This has resulted in an increase in the level of frontage amenity space and has increased the gaps between the proposed dwellings to provide additional soft landscaping and more space for front garden areas, parking and turning.

4 PLANNING HISTORY

No recent history directly relevant to site

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Policy 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 IMPL1: Developer Contributions

Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022

SPD - Parking Standards

SPD - Planning for Climate Change

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council:

Initial response

We recommend refusal as the parish council considers this to be overdevelopment; it is contrary to planning policy and not in the local plan. We also raise a health and safety concern relating to residents crossing the road to access their garages if this proposal went ahead and note that the report of Hampshire Highways has not been received so full data is not available.

Response to amended plans

We recommend refusal; the parish council considers this to be overdevelopment and agrees with the objection of the ecological consultee. We also raise a health and safety concern relating to existing local residents crossing the road to access their garages if the proposal went ahead and access for emergency vehicles. The new proposal appears to result in a loss of light to a neighbouring property and we query whether the positioning and size of the bin store is suitable for the development with the introduction of wheelie bins. The Parish Council identifies that the application does not acknowledge any of the site characteristics

7 COUNCILLOR COMMENTS

Councillor Armstrong

I have seen the technical drawing from HCC for a refuse truck but it takes no account of residents' vehicles which are currently parked daily (when they are home) along the proposed entrance to the new development and along part of the entrance part of Ruxley Close and have been for many years. A desk exercise seems to have been conducted by HCC with no understanding of current local residents' parking requirements and need. It shows no other vehicles present on this technical drawing.

I have already been told by a resident that the NFDC refuse truck has had to mount a pavement to get to the end. Unsure whether this has been now and again or regular. Would be dependent on time of day. The proposed entrance will mean residents' cars/vehicles can't park there. This will result in cars/works vehicles (the later would restrict larger vehicles going up or down Ruxley Close), parked all along Ruxley Close and even out onto Watton Road when local residents are home. This will not give two-way access. There will be nowhere for visitors for the proposed properties, and if they park where current residents do there will be friction. Any parking restrictions proposed in this area will only exacerbate the problems I have highlighted and will bring about quite a number of very unhappy residents, even more than current ones, to this proposed development/access issues.

The applicant owns a house at one end of the green space, and suitable access would therefore be possible elsewhere than Ruxley Close.

8 CONSULTEE COMMENTS

NFDC Ecologist

An Ecological Assessment Report by ABR Ecology Ltd, dated 1 st April 2024 has now been submitted. I have no objections provided the recommendations in the report are secured, namely those provided in Section 4 and Appendix G of the aforementioned report.

HCC Highways

Additional information has been provided, confirming the geometry of the access and internal road, along with additional tracking. This is acceptable to the Highway Authority. As such, there is no objection to this application.

NFDC Tree Team

No Objection Subject to Condition(s)

NFDC Waste and Recycling

No objection. Plans are acceptable. Suggest that no parking lines are put in turning points.

Health and Safety Executive

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

22 Letters of objection:

- Inappropriate and dangerous access from Ruxley Close - too narrow, congested during the day and night; unsuitable for construction traffic and refuse lorries - more traffic will contribute to the problems and more cars parked will limit view of drivers.
- Watton Road is congested.
- Development is too dense
- Impact upon the protected tree
- Access for residents of Ruxley Close could be restricted. They need daily access to garages.
- Wildlife in the area will be affected
- Privacy impact to residents of Ruxley Close (No.11-18) and 53 and 67 Holbury Drove
- Overbearing roofline which will block light from kitchen and lounge and impact upon aspect, privacy and enjoyment of property (occupier of 67 Holbury Drove)

- Drainage - land liable to flooding - drainage not clear on plans
- Disturbance from noise dust and fumes
- Pathway adjacent to site is poorly maintained

2 Letters of support:

- Much needed development to create retirement bungalows
- Opportunity for Council to create front drives for properties along Ruxley Close to allow parking and EV charging points
- Bungalows in keeping with area

10 PLANNING ASSESSMENT

Principle of Development

The application site lies within Holbury's built-up area, where there is a presumption in favour of new housing. However, the benefits of the proposal in terms of new housing provision must be weighed against the potential harm caused, which is examined in the following sections.

The site is located within Flood Zone 1 and therefore a Flood Risk Assessment is not required.

The site is also located within the Fawley Major Hazard Consultation zone. The level of proposed development would not give rise to an unacceptable health and safety risk, based on the comments of the Health and Safety Executive.

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.

Policy ENV4 of the Local Plan seeks to ensure that all new development is appropriate and sympathetic to its setting and landscape. Specifically, it needs to be considered whether the design, materials, layout, vehicular access, parking and turning arrangements proposed would preserve or enhance the quality of the area, including making allowance for meaningful landscaping.

In assessing the character of the area, the site is set within a predominantly residential area and is bounded by residential development. The surrounding form of development comprises a row of two-storey terraced dwellings and 2no. associated detached blocks of single-storey garages and parking to the south and detached dwellings to the north. The 7no. dwellings are proposed to be single-storey bungalows, and the main views into the site would be from Ruxley Close, although there is screening in the form of an established hedgerow along the boundary.

The site would be accessed from the end of Ruxley Close. The dwellings would be set within a cul-de-sac style development, with 5 bungalows facing south and two bungalows set at the end of the cul de sac facing east. The bungalows would each have an area of frontage providing green amenity space to allow for landscaping which would soften the overall impact of the built form and the parking to the front of the properties. The existing protected tree in the south-eastern corner would be retained. Visually, the proposed dwellings have been designed in a traditional manner using sympathetic materials, all with individual design features that include the use of a mix of render, timber cladding and brick facing materials and clay effect roof tiles. An element of variety has been added in the design, to avoid repetition.

The total area of the site is 0.3 hectares. The development is considered to be of an appropriate density, calculated as 23.3 dwellings per hectare, reasonably reflecting the character and density of the wider area. It is considered that the scale and appearance of the development, and the layout of the site, would be compatible with the wider context and would not appear out of character with the form of existing development.

It would be appropriate to restrict future alterations to the bungalows to ensure the dwellings remain of an appropriate scale in this location and to ensure there would be no unacceptable impacts on the residential amenity of neighbouring occupiers. Therefore, permitted development rights are proposed to be removed so that the local authority are able to control future alterations to the properties.

Overall, the layout and design is considered to be of a high standard, following the principles set out within Policy ENV3, noting the gaps between the properties and the landscaped front garden areas. The proposed development has been designed so that the dwellings would retain space around the buildings, with opportunities to provide soft landscaping throughout the site. It is considered that the development would make a positive contribution to the character of the area, would be a good use of an underutilised area of land within the built-up area and would be contextually appropriate in this area.

Impact on trees including trees subject to TPO

In accordance with Policy ENV3 of the Local Plan the development should take account of landscape features. Situated on the south-western corner of the site is a mature oak protected by Tree Preservation Order TPO/0015/23/T1 which contributes to the verdant setting of the site.

To support this application an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan have been submitted. The Tree Officer considers that the proposed development will not have any adverse impact on the protected trees subject to conditions. It is also considered reasonable for the local planning authority to control any additional hardstanding and structures within the root protection area of the protected oak tree and this is encompassed within the aforementioned condition removing permitted development rights.

Impact on Highway safety, including matters relevant to car parking, access and public right of way

The application has been assessed against policy CCC2 of the Local Plan, which seeks to ensure that there is sufficient car and cycle parking and the provision of infrastructure to support the use of electric car charging. Additionally, Policy IMPL2 relating to development standards places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, which is now secured through the Building Regulations.

The development seeks to provide a total of 14 car parking spaces on the driveways set within each plot. Based upon the Council's adopted car parking standards, the proposed number of car parking spaces would be slightly below the recommended requirement, whereby for three 3-bedroom dwellings and four 2-bedroom dwellings it is recommended that 15.5 on plot spaces be provided. On balance, it is considered that given the site is located within walking distance of a bus stop and given the data set out within Annex 2 of the SPD identifying that car ownership levels are lower per person in Holbury and Blackfield, the reduced level of car parking is acceptable. Importantly, given the site's particular context, it is not considered that a shortfall of 1.5 car parking spaces below the recommended standard would result in additional parking on the public highway that would be detrimental to highway safety.

Ruxley Close is adopted highway up to the turning head and boundary of the site. The comments from the Local Ward Councillor and local residents have been considered. The plans show that adequate visibility splays are available, and plans have been provided showing sufficient space for manoeuvring to allow larger vehicles to access and egress the site appropriately. The Highway Authority have raised no objection and the Council's Waste Strategy Officer raises no objection in terms of waste collection. A condition is recommended to ensure that before first occupation of any dwelling on the site, provision for car parking and the manoeuvring of vehicles shall have been made within the site in accordance with the approved plans and shall be permanently retained.

Paragraph 115 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. In this case, the Highway Authority were consulted and raised no objection. Given the response of the Highway Authority, Officers are therefore 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.

Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy

Policy ENV3 of the Local Plan requires the impact of development proposals upon the amenity of existing and future occupiers to be taken into consideration, in relation to residential amenity. It therefore needs to be considered whether the

impact of the development would be acceptable in respect of privacy, light and outlook; and also whether the proposed development would provide sufficient private amenity space for occupiers of the proposed dwellings.

With regard to residential amenity, concerning the closest property to the development to the north-west (No. 67 Holbury Drove), the distance between the south-eastern corner of 67 Holbury Drove and north-western corner of Plot 1 is approximately 11 metres. Although the roof form of Plot 1 would be seen from No.67, this relationship is not considered materially harmful due to the scale and orientation of Plot 1 and the degree of separation between the 2 properties, with Plot 1 being set off the shared boundary. As such, it is not considered the proposal would cause an unacceptable loss of light, outlook or level of overlooking of 67 Holbury Drove.

Plot 2 would be 17.5 metres away from No. 18 Ruxley Close, whilst Plots 3 and 4 would be over 23 metres away from No.11-18 Ruxley Close to the south of the site. The properties which back onto the site along Holbury Drove have deep rear gardens and the distance from the rear of the properties to the bungalows are over 30 metres away. The buildings along the southern boundary of 59 Holbury Drove, close to the site boundary, are garden outbuildings. The properties proposed are single-storey, and it is considered that the relationship with the surrounding development is acceptable and would not result in undue overlooking or loss of outlook given separation distances and intervening features such as vegetation and fencing.

Having regard to the concerns of local residents, and in line with Policy ENV3 of the Local Plan and the Air Quality in New Development SPD, it would be appropriate to request that a Construction Environmental Management Plan be submitted to ensure that the works would not have a harmful impact in terms of construction noise, hours of working and dust suppression; and this therefore forms the requirements of a condition.

Impact on Ecology and Biodiversity Net Gain

The comments from local residents have been considered and the Council's Ecologist has been consulted. A Preliminary Ecological Appraisal (PEA) was submitted during the course of the application. The PEA makes recommendations and suggestions for ecological enhancements, and a planning condition has been applied which requires that the Applicant provide the enhancements set out.

In this case, the national mandatory 10% BNG requirement is not applicable. The application is defined as a 'small development' and it was submitted prior to the 2 April 2024 when the national BNG requirement commenced.

The Planning for Climate Change SPD sets out recommended measures to achieve climate adapted development. The proposal will meet several of the requirements set out within the SPD providing a sustainable surface water drainage system, modern insulation to enhance the thermal properties of the dwellings, cycle parking and EV charging points and the properties are located within a sustainable location close to an existing bus route and local centre.

Habitat Mitigation and off-site recreational impact

Habitat Mitigation and Air Quality

a) Recreational Impacts

The site lies in close proximity to the New Forest Special Area of Conservation (SAC), New Forest Special Protection Area (SPA) and New Forest Ramsar site and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance.

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 planning permission would adversely affect the integrity of the New Forest SAC, SPA and Ramsar site, and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC, 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 the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. The Agent has confirmed that the contributions towards the Council's mitigation package will be paid post decision via a S106 Legal Agreement which has been executed.

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 will be paid post decision via a S106 Legal Agreement which has been executed.

c) Nitrate neutrality and impact on Solent SAC and SPAs

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. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. The Council has a policy in its new Local Plan which seeks to safeguard against any adverse impact and to ensure that suitable mitigation is in place to avoid any harmful impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment. As the Competent Authority, the Council considers that there needs to be a mitigation project to provide this development with a nitrate budget. For this reason, a Grampian

Condition will be imposed and a further Appropriate Assessment carried out on discharge of this condition.

Developer Contributions

As part of the development, the following will/has been secured via a Section 106 agreement:

- Air quality monitoring contribution is £763
- The Habitat Mitigation (Access Management and Monitoring) Contribution is £5640
- The Habitat Mitigation (Bird Aware Solent) Contribution is £5309
- The Habitat Mitigation (Infrastructure) Contribution is £37,485 .

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	564.5	165	399.5	399.5	£80/sqm	£46,833.69 *

Subtotal:	£46,833.69
Relief:	£0.00
Total Payable:	£46,833.69

11 CONCLUSION / PLANNING BALANCE

Overall, it is considered that the proposal would deliver a sustainable form of development, with 7 new dwellings proposed within the built up area of Holbury, which would be contextual of the existing form of development and which would make good use of an underutilised area of land. Given the Council's lack of a 5-year housing supply, there would be clear economic, social and environmental benefits in providing much needed additional housing in a sustainable location, reasonably close to local facilities.

The proposal would have an acceptable impact upon the character of the area, trees, ecological interests, neighbouring amenity, and protected habitats, subject to conditions as set out in the report above, in accordance with policies of the development plan. In terms of highway safety, the comments of the local residents have been fully considered. However, there has been no objection raised by the Highway Authority or the Waste and Recycling Officer in relation to the access arrangements proposed from Ruxley Close into the site. From a highway safety perspective, the proposal is therefore considered acceptable.

A S106 Legal Agreement has been executed, securing the necessary habitat mitigation requirements. The application is therefore recommended for approval.

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 and reports:

9757 / 300 REV C
9757/ 301
9757/ 302 REV A
9757/303
9757/304
9757/305
9757/306
9757/307 Rev A
9757/308 Rev A
9757/309
9757/310
9757/111
6099-001 REV A
099-202 REV A
6099-203 REV B
ITR/6099/THN.1
RNAPC/525/TCP/1
RNAPC/525/TPP/3
Air Quality Statement (December 2023).

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials, along with the details of the windows and doors, including materials and colours 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 buildings in accordance with Policy ENV3 of the Local Plan Part 1.

4. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason. To ensure the works are done in a manner which safeguards the character of the area in accordance with Policy ENV 3 of the Local Plan.

5. Prior to first occupation of any dwelling on the site, provision for car parking and the manoeuvring of vehicles shall have been made within the site in accordance with the approved plans and shall be permanently retained thereafter to serve the development hereby approved.

Reason: In the interests of highway safety in accordance with Policy ENV3 (iv) of the Local Plan Part 1.

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

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

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

Reason: To ensure that the development takes place in an appropriate way and to safeguard trees and natural features which are important to the visual amenities of the area in compliance with Policies ENV3 and ENV4 of the Local Plan Part 1.

7. The hard and soft landscaping scheme as approved under Condition 6 shall be fully implemented prior to first occupation or in accordance with any phasing submitted to and agreed in writing with the Local Planning Authority. Any trees or shrubs which die, become damaged or diseased within 5 years of the full completion of the development, or planting whichever is the later, shall be replaced with the same species in the first available planting season (November to March) unless the Local Planning Authority has agreed in writing to a change of species beforehand.

Reason: To ensure that the development takes place in an appropriate way and to safeguard trees and natural features which are important to the visual amenities of the area in compliance with Policies ENV3 and ENV4 of the Local Plan Part 1.

8. The ecological enhancements identified within the Ecological Assessment Report by ABR Ecology Ltd, dated 1st April 2024, as specifically set out within Section 4 and Appendix G of the aforementioned report, shall be installed prior to first occupation of the dwellings hereby approved and shall thereafter be retained in perpetuity.

Reason: To safeguard protected species and to deliver Biodiversity Net Gain in accordance with Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order), no extension 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, hard surfaces incidental to the enjoyment of a dwellinghouse otherwise approved by Class F 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 without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

10. The development hereby permitted shall not be occupied until:
- a) 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;
 - b) 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.

11. The trees 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 RNapc Arboricultural Impact Assessment ref 525/AIA/1 dated 20th November 2023, Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3 or as may otherwise be agreed in writing with the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

12. Prior to the commencement of development (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority to attend a pre-commencement site meeting to inspect all tree protection measures and confirm that they have been installed as illustrated and specified within the submitted RNapc Arboricultural Impact Assessment ref 525/AIA/1 dated 20 November 2023, Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

13. On completion of the installation of the Cellular Confinement System and before occupation of any dwelling, photographic evidence demonstrating that the works have been completed in accordance with the submitted Richard Nicholson Arboricultural Method Statement: a Construction Specification for trees Ref 525/AMS/1 and Tree Protection plan RNapc/525/TPP/3 shall be submitted to the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

14. Before development commences, details of cycle storage for each dwellinghouse shall be submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to first occupation and shall thereafter be retained and maintained at all times.

Reason: To ensure cycle storage provision is provided in accordance with the Council's adopted standards to ensure the proposals offer appropriate alternatives to the motor car in the interests of sustainable development.

15. Prior to commencement 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
 - Public communication strategy, including a complaints procedure.
 - A 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.
 - Measures to control light spill and glare from any floodlighting and security lighting installed.
 - All works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, which shall be carried out only between 0800 hours and 1800 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.
 - Details of the storage of materials and machinery during construction.

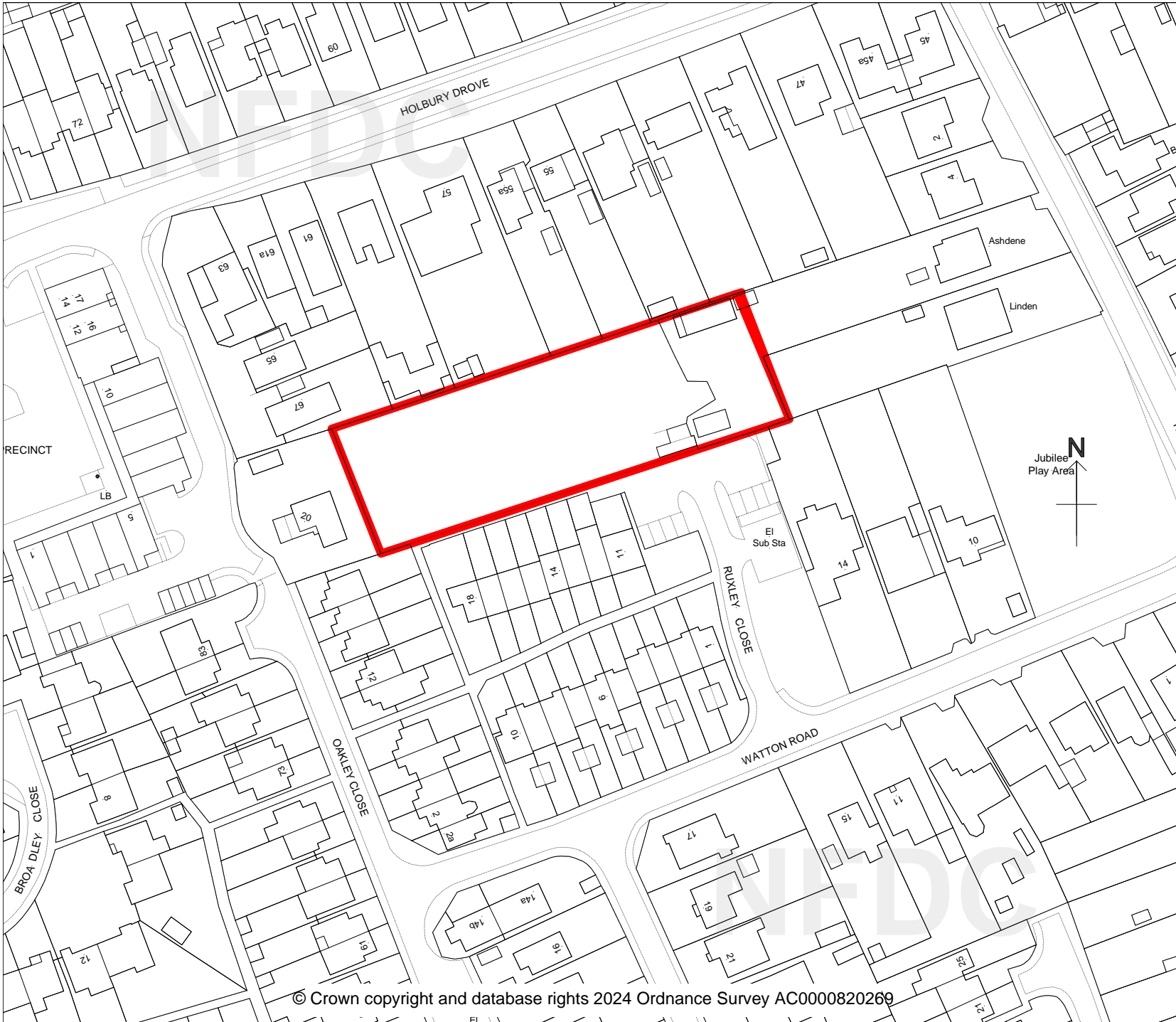
The approved details shall be implemented before the development hereby permitted commences and shall be adhered to throughout the period of construction. The development shall only be carried out in accordance with the CEMP as approved.

Reason: To protect the amenity of residents in accordance with Policy ENV3 of the Local Plan Part 1.

Further Information:

Sophie Tagg

Telephone: 023 8028 5439



29



New Forest

DISTRICT COUNCIL

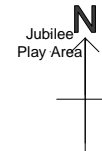
Tel: 023 8028 5000
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Mark Wyatt
 Service Manager
 Development Management
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

August 2024

Land adj 20 Oakley Close
 Holbury
 Fawley
 23/11296



Scale 1:1250

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

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Planning Committee 14 August 2024

Application Number: 23/11213 Full Planning Permission

Site: LAND NEAR WALKFORD FARM, WALKFORD,
NEW MILTON BH25 5NH

Development: Erection of a solar farm; associated ancillary infrastructure and associated works; Temporary access and construction compound.

Applicant: Boulton Brooks (Renewables Walkford Moor) Ltd

Agent: Savills

Target Date: 18/03/2024

Case Officer: Vivienne Baxter

Officer Recommendation: Grant Subject to Conditions

Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of the development
2. Loss of agricultural land
3. Green Belt
4. Highway matters
5. Impact on the character and appearance of the area
6. Trees and landscaping
7. Ecology and biodiversity
8. Impact on the residential amenities of the area
9. Archaeology

2 SITE DESCRIPTION

The site lies within the countryside to the west of New Milton and north of the London-Weymouth railway line. Land to the south of the railway line lies within Dorset where it is classified as built-up. The site, however, lies wholly within the Green Belt. To the west of the site is a public right of way; this is also the vehicular access to the Woodland Burial Ground situated to the north-west of the site. Whilst there is a track which runs east/west through the middle of the site, it is not designated as a public right of way, although it is understood that public access through the site has occurred in the past.

The Walkford Moor Copse and Castlefield Copse SINC's are situated to the eastern boundary of the main bulk of the site. There is an existing track through this land which would form part of the construction access to the site, with a construction compound and temporary access track set to the east of the SINC's and north of the farm buildings associated with Walkford Farm. The existing access track between this point and Stem Lane also forms part of the site, although no works are proposed to this section. Within the SINC is Walkford Brook, which delineates the Parish Boundary between New Milton to the east and Bransgore to the west.

There are few residential properties adjacent to the site. Aside from Walkford Farm are Walkford Farm Cottages adjacent to the access and Oak Cottage, Holly Lane, approximately 16m from the southern site boundary. There is also a small caravan park adjacent to and run by the occupants of Oak Cottage. The site boundary along this southern edge is a post and wire fence with brambles and other vegetation.

The main bulk of the site from Wyndham Road in the west to the SINC's in the east extends for approximately 580m. Whilst the site does not extend as far south as the railway, being a minimum of 35m away, the northern boundary is some 510m from the railway line and in line with the entrance to the woodland Burial Ground. The overall application site area is 29.32 hectares.

3 PROPOSED DEVELOPMENT

The proposal entails the provision of a solar farm with capacity to power approximately 5,000 homes per year (15MW). This includes arrays of photovoltaic panels mounted on posts, power/sub-stations (housed in steel shipping containers), inverters, transformers, a storage container and associated communication, monitoring and security equipment (fencing, CCTV cameras and a satellite dish).

It is anticipated that construction would take around 6 months to complete, during which time a compound would be provided to the north of Walkford Farm, accessed from Stem Lane. This compound would be removed following the completion of the development. And the limited traffic generated, once operational, would access the site from Wyndham Lane, a residential road within the adjoining authority area and the access to the Woodland Burial Ground/public right of way.

4 PLANNING HISTORY

23/10588 - Proposed solar farm with associated works, equipment and infrastructure - Request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environment Impact Assessment) (EIA) Regulations 2017 (the EIA Regulations). (Screening Opinion) - EIA required 09/06/2023 - the SoS subsequently concluded that the proposal was NOT an 'EIA development

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV2: The South West Hampshire Green Belt
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy STR1: Achieving Sustainable Development
Policy STR3: The strategy for locating new development
Policy STR8: Community services, Infrastructure and facilities

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM4: Renewable and low carbon energy generation

Core Strategy

CS21: Rural economy

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness

Neighbourhood Plan

Policy NM1 - A Spatial Plan for New Milton
Policy NM4 - Design Quality

National Planning Policy Framework

NPPF Ch.11 - Making effective use of land
NPPF Ch.13 - Protecting Green Belt land
NPPF Ch.15 - Conserving and enhancing the natural environment
NPPF Ch.16 - Conserving and enhancing the historic environment

National Planning Policy Guidance

National Policy Statement EN-3

Solar and protecting our Food Security and Best and Most Versatile (BMV) Land -
Written Ministerial Statement May 15th 2024

Plan Policy Designations

Green Belt
Countryside

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council:
Acceptable (delegated)

Bransgore Parish Council:

Initial response

Recommend Refusal.
The committee felt that the loss of agricultural land outweighed the benefit of the solar farm, which would itself bring no actual benefit to the local area. Further concerns were raised over the proximity of the farm to SSSI landscape and the potential harm to wildlife.

Following re-consultation

Recommend Refusal.
The committee felt that not enough had been done to mitigate effects on the landscape and were concerned that the development, although temporary, would have negative long-term impacts on the landscape character and its ability to be returned to useable agricultural land in the future. In addition, the committee still objected to the loss of agricultural land.

7 COUNCILLOR COMMENTS

No comments received

8 **CONSULTEE COMMENTS**

Ecologist

Does not have significant concerns from an ecological perspective

Environmental Health (Pollution)

Recommend conditions

Conservation Officer

The nearby built heritage assets will not be affected by the development

NFDC Landscape Team

Generally, this solar farm proposal will undoubtedly be harmful to landscape character and create a visual intrusion for some, and therefore there is a policy objection, as it fails to meet policy ENV3.

If, in the planning balance, the landscape impacts are acceptable, an objection remains to the proposed ancillary infrastructure, where shipping containers are not appropriate to site in this landscape for 40 years as proposed, it therefore fails policy ENV3.

Should the application succeed please apply standard landscape conditions.

NFDC Tree Team

No objection subject to condition

NFPA Archaeologist

Requests conditions, including a 10m buffer zone around the Ring Ditch feature

HCC Highways

No objection subject to conditions

HCC Rights of Way

No objection

HCC Minerals and Waste Planning

No objection

Natural England

No objection subject to condition

Scottish and Southern Electric

Advise of presence of extra high voltage lines which traverse the site

Naturespace

Agree with submitted ecology report

Environment Agency

No objection

9 **REPRESENTATIONS RECEIVED**

14 letters of objection received from local residents:

- it would be a mistake to lose agricultural land/food supply
- would put off holiday makers at caravan site
- solar panels would be better on top of commercial buildings

- noise disturbance from inverters
- potential health risk (cancer, stress, anxiety, electromagnetic hypersensitivity)
- there are enough solar panels in the New Forest, including close to this site
- negative impact on Green Belt land and semi-rural status of the area
- negative impact on public rights of way; footpath recently blocked off
- impact on the movement of wildlife/harm to ecosystem
- house prices would be affected (1.5% reduction in value)
- implementation would blight the area with industrial debris
- wrong to have a solar farm next to a burial ground
- too large - should be moved back from boundaries and screening provided
- should not act as a precedent
- construction and maintenance traffic will impact on neighbours and roads
- loss of countryside (Green Belt) view
- farmland should produce food
- unsightly signage and fencing
- disruption for anyone visiting the cemetery or industrial estate
- solar farms are inefficient

1 neutral letter received:

- fencing to the south side of the inverters would be helpful

10 PLANNING ASSESSMENT

Principle of Development

In October 2021, the Council declared a Climate and Nature Emergency and a Planning for Climate Change SPD was adopted in April 2024. The document states that nationally, the Climate Change Act 2008 (as amended 2019) legally commits the UK government to achieving net zero carbon emissions by 2050. Net zero carbon in operation can only be achieved by meeting the energy needs using renewable electricity generation.

Local Plan Part 1 policy STR8 advises that support will be given to proposals for utilities such as electricity supply, where they are designed to minimise and adequately mitigate against any adverse environmental, health, safety and landscape impacts. Policy STR1 requires development to be future proofed for climate change.

Having regard to these matters, it should be noted that following the Council's determination that an Environmental Impact Assessment would be required, the applicants appealed against this decision (application 23/10588). The Secretary of State concluded that the development would not have significant effects on the environment and confirmed that the development was not an 'EIA development'.

Agricultural Land

In May this year, a Ministerial Statement was published noting the importance of food security for our national security, as well as the importance of solar power for energy security, net zero and clean growth. It advises that the highest quality agricultural land is the least appropriate for solar development. Agricultural land is classified into Grades 1-5 with Grades 1-3a being the best and most versatile (BMV).

The site is currently in agricultural use. The applicants have produced an agricultural report detailing the agricultural classification of the site, during the production of which it was noted that the northern part of the site was fallow, with turnip stubble noted to the south. The agricultural report states that 28.9ha of land within the site were surveyed, with the breakdown of land by classification being as follows: Grade 1 - 1.3 Ha, Grade 2 - 5.8 Ha, Grade 3a - 7.9 Ha and Grade 3b - 13.9 Ha.

An Alternative Assessment Report produced to support the application identifies the study area for the proposed development as being within 2km of the 33kV power line crossing this part of the district east/west. Within this search area are many constraints including urban land, the National Park, Nationally and Locally designated environmental sites, Heritage Assets and Ancient Woodland. This study resulted in 10 alternative sites being considered, which were all assessed having regard to factors such as proximity to the National Park, distance to an appropriate connection point to minimise energy loss, impact from trees and shading and distance from heritage assets. The site subject of this application was the highest performing site given these considerations and as 75% of the land within the site is classified as Grade 3a and 3b land, the alternative sites only included land with a lower agricultural classification (Grade 3a-5).

The report goes on to state that 48% of the land is not classed as BMV, with the highest grade land being located to the north / north-west of the site, where care has been taken to avoid solar arrays. Although this means that part of the proposed solar farm would be on land which is classed as BMV, the Ministerial Statement does not specifically preclude such land from solar farm development; nor does such development preclude more intensive agricultural use at some point in the future.

The Ministerial Statement also refers to the cumulative impact of solar farms, and it is noted that there are two, smaller solar farms nearby. One is to the north, approximately 165m away to the other side of the extant permission for the extension to the Woodland Burial Ground, and the other borders the A35 to the west. Both are separated by woodland and in the case of the one to the west, further agricultural land. It is not considered that the cumulative impact of solar farms in this location would be excessive or of concern that the separate solar farms would merge with each other.

Ultimately, it is recognised that there is a balance to be struck between protecting BMV agricultural land and green energy objectives. However, given the desire to support proposals for electricity supply in policy STR8, coupled with the acknowledged climate emergency, and measures taken to minimise use of the BMV land within the site area, the proposal is considered acceptable in principle, subject to the considerations referred to below.

South West Hampshire Green Belt

The NPPF (para. 156) makes specific reference to renewable energy projects within the Green Belt, stating that elements of such projects will comprise inappropriate development and very special circumstances will be required. There is no further definition of what those elements would be. On this basis, it is considered that the development as a whole should be considered inappropriate development.

This being the case, the applicant has put forward considerations for very special circumstances. These include continued low intensity agricultural use of the site, a significant increase in biodiversity, the creation of temporary construction jobs, contributing towards net zero through saving over 3,000 tonnes of CO2 annually, the potential to power up to 5,000 homes annually and helping to mitigate against the Council's Climate Emergency.

Having regard to the purposes of including land within the Green Belt, this site forms roughly half of a wider parcel of land (extending to the west) which is considered to have relatively strong boundary features, including the railway line to the south and SINC to the east of the application site. The parcel as a whole makes a strong contribution towards restricting the sprawl of large built-up areas and assisting the

countryside from encroachment. It offers a weak contribution to preventing neighbouring towns merging given the gap between Christchurch and Ringwood, particularly as intervening villages also have large gaps between them. Whilst the proposed construction access would be through New Milton, there are other Green Belt parcels between the main bulk of the site and the industrial/residential areas of western New Milton. The Green Belt land parcel does not form part of the setting of any historic town.

In view of the relatively well screened nature of the site through the presence of woodland and a railway cutting to the east and south, the impact of the development on the openness of this part of the Green Belt would be contained in that the site is well screened from the east and only visible from public vantage points to the south and west along the public right of way. Whilst there would also be views from further north of the site, public access to this parcel of land is not publicly accessible. However, it is acknowledged that there would be some impact on openness in view of the overall height of the panels (between 0.8m and 2.9m high), although below these dimensions the site would be largely open aside from the mounting structures. The proposal includes 4no. power stations with a maximum height of 3.5m, a substation (housed in a metal container and not exceeding 3.95m high) and a storage container 3m in height. The power stations would be grouped in two pairs, central to each of the north and south areas either side of the track running east/west through the site. Overall, it is considered that the proposal would represent some harm to the openness of the Green Belt.

It is considered that whilst the proposal would clearly have some impact on the visual amenities of the area, this impact would not be a forever change, albeit that it would be for a lengthy temporary period (40 years) and would be fully reversible.

Overall, given the Climate Emergency referred to above and the significant increase in biodiversity on site, the proposal to provide electricity through a renewable resource is considered to weigh significantly in favour of the proposal. In addition to this, whilst the use of roof tops within a more urban setting might assist in the provision of renewable energy, the amount of energy this would generate is limited, whilst many other countryside locations in the area fall within the New Forest National Park where such infrastructure proposals would not be considered acceptable. Therefore cumulatively, it is considered that the considerable benefits of the proposal, particularly in terms of reducing CO2 emissions, constitute very special circumstances to justify a development that is inappropriate development in the Green Belt.

Highway safety, access and parking

The proposed construction access would be from Stem Lane where there is an existing gated access point which subsequently leads to Walkford Lane. At this point, the access would be routed into the field to the east of Walkford Farm, opposite Walkford Farm Cottages and would temporarily lead to a construction compound to the north of the farm complex. From here, the temporary access track would continue west through the SINC where it would join the existing track running east/west through the site. Whilst this track is not a public right of way, it is understood that until recently, it has been available for the public to use, linking through to the public right of way along Wyndham Road. This latter part of the track includes adequate width to allow two low loaders to pass at a variety of points along the route.

Following the completion of the development, maintenance access would be via Wyndham Road which, whilst a public right of way, is already utilised by the Woodland Burial Ground and for agricultural purposes. Maintenance requirements

for solar farms are very low frequency and, as such, the impact on traffic generation post development would be negligible.

The Highway Authority requested some additional details to clarify the use of the access track from Stem Lane through the SINC and on receipt of this information, which includes details relating to the operation of the access point and number of trips generated by the construction process, has raised no objection to the proposal subject to the imposition of a condition requiring a construction method statement.

Trees and landscaping

Walkford Moor Copse to the north-east of the site is designated as ancient woodland. The proposal is more than the required 15m buffer zone from this designation. South of this designation is a broad-leaved woodland through which the construction traffic would run. In view of use being made of the existing track through this area and adequate ground clearance from overhanging branches, there are no tree issues with regard to this area of woodland.

The Arboricultural Impact Assessment provided with the application indicates that 26 self seeded oak trees and a group of hawthorn, oak and elder within the field would be lost as part of the development. These trees are not protected and of such small stature, they do not make a significant contribution to the amenity of the area. A linear group of Monterey Cypress trees close to the proposed temporary access to the east of the site would be impacted by these works, although in view of their overall poor form, they are not considered a constraint to development.

A Landscape and Visual Impact Assessment has been provided for the proposed development which details how it is considered the proposal would impact on the landscape character of the area. Within this document, it is stated that the proposal has evolved, in part through consideration of the landscape assessment. It is noted that the site is not designated for its landscape value and the proposal is not considered to have significant visual impact such as to warrant an EIA. Further to the initial concerns raised by the Council's Landscape team, the applicant has provided further supporting information which is considered below.

With regard to the quality of the proposed substation and metal storage containers, the proposals are very typical of other similar solar farm projects, both locally and nationally. Whilst they would be taller than the adjoining solar arrays, in view of the existing and proposed boundary treatment and distance from public vantage points, it is not considered that they would be significantly harmful given the proposed dark finish in relation to the wooded backdrop seen from various points along the public right of way. The applicant has considered the possibility of cladding the structures or the provision of 'small barn-like structures' but concluded that the potential increase in height of an alternative structure would be more harmful in this location, and there would be further Green Belt/inappropriate development considerations for a more permanent building. The substation and storage container would be located where there is presently a silo, which, whilst of an agricultural context, is much taller than the structures proposed.

The additional supporting information provides photographs of the site from various vantage points along the public right of way during the winter months, supplementing those in the original submission during the summer months. The effects of the proposed development are considered at year 1 and year 15, taking into account the proposed mitigation. Much of the applicant's conclusion is that the largely dense existing perimeter vegetation would limit the long term impact of the proposal on the landscape of the area. The proposed mitigation plan is considered robust subject to existing and new hedgerows being properly managed so as not to grow into small

trees in order to maintain landscape character. There would be new hedgerows to the south and north/north-west.

Overall, the existing field patterns would be retained and use made of existing infrastructure such as the access tracks and concrete hardstanding. Although the proposal represents a long term temporary change to the use and character of the agricultural land, it would enable continued, less intensive agricultural use and would be fully reversible. Whilst, the concerns of the Council's landscape team are noted, it is considered the scheme's benefits in terms of sustainability and climate change objectives outweigh the landscape harm arising from the development, subject to suitable landscaping measures being implemented, which can reasonably be secured as a condition of any planning permission.

Impact on the character and appearance the area

As stated above, although temporary, the proposal is for a 40 year solar farm, and it would have an impact on the character and appearance of the area. Having regard to policy ENV3, it is considered that the proposal is functional and makes good use of the site. In terms of its relationship with landscape features, the development would be sited within the existing field pattern, negating the need to remove significant lengths of hedgerows or trees of high amenity value. The site would also include landscaped open spaces in order to increase biodiversity and provide ecological mitigation.

Although the site is relatively enclosed, the applicants have given consideration to views into the site in order to minimise visual intrusion, particularly to the west where land is most open for those passing by. This has resulted in existing hedgerows being supplemented and additional planting to provide new hedgerows. Whilst the combination of increased hedgerow height and views of the arrays and security fencing above these could have an adverse impact on the appearance of the area, through a sense of enclosure when using the public right of way, it is considered that the proposal offers significant benefits which overrides the concerns for this impact.

Ecology and biodiversity

The application is supported with an Ecological Appraisal which has been supplemented with skylark mitigation details. The report recommends a Biodiversity Management and Enhancement Plan which would provide precautionary measures to deal with reptiles, bats, badgers and dormice, none of which would be adversely affected by the proposal, largely in view of their habitat (trees/hedgerows) not being substantially affected and having a buffer zone to ensure the vegetation and its root zones are not impacted by the works.

The site has been identified as breeding territory for skylarks, with up to three breeding pairs possible (based on the land being sown with barley at the time of the survey, understood to result in higher breeding densities than other cereal crops). Although the proposal would result in the site not being available for breeding, a mitigation area adjacent to the site is proposed which would accommodate 6 skylark plots and enable the site to continue to be used for foraging purposes. Securing this mitigation should enable the population of skylarks to be maintained.

The application is supported with a biodiversity metric indicating that the biodiversity uplift would be well in excess of 10% (231%). This would be achieved through the creation of over 1km of native hedgerows with trees and around 26ha of grassland of moderate to good quality. The proposal would also maintain existing field margins, hedgerows and non-cereal crop areas, which would result in an overall increase in biodiversity on site.

The proposal does not include lighting following construction, other than that necessary to enable access to the associated equipment enclosures, use of which would be very occasional. As such, there would be no adverse impact on foraging bats due to increased lighting, as a dark corridor would be maintained. Perimeter fencing is proposed to include access for small mammals through gaps underneath fence panels or the provision of mammal gates at intervals around the site.

Subject to the imposition of conditions requiring compliance with the submitted skylark mitigation plan and a Biodiversity Management and Enhancement Plan, the proposal is considered to comply with policy DM2 of the Local Plan Part 2. The increase in biodiversity is considered to be a significant benefit of the proposal and adds to the very special circumstances that justify such development in the Green Belt.

Residential amenity

There are few residential properties which adjoin the site, although those at the northern end of Holly Lane are closest. Properties in Wyndham Road and Broadlands Close (within the adjoining authority area) are approximately 80m from the proposed arrays (and across a railway line), whilst the residential curtilage to Oak Cottage is situated 37m from the nearest array of panels, with the power station/inverter structures 120m away from this property.

The proposal is not considered to be harmful in terms of overshadowing or resulting in a loss of light to neighbouring properties in view of the distances between the arrays and residential properties. Whilst some nearby residents will have views of the solar array, the proposal would not be overbearing.

Concerns have been expressed locally with regard to the potential noise and disturbance caused by the inverters/power station. The application has been supported with a Noise Assessment which Environmental Health consider to have been written using an appropriate methodology in accordance with relevant guidance. During operation, there is the potential for a 'hum' to emanate from the transformer. It is not considered that this would give rise to unacceptable impacts to amenity. In determining the appeal relating to the EIA, the SoS advised in September 2023 that there are no likely significant impacts affecting human health due to established industry standard Health and Safety measures. It is further understood that the World Health Organisation advises that current evidence does not confirm the existence of any health consequences from exposure to low level electromagnetic fields such as those generated by solar farms. This low level is comparable to those emitted by household appliances.

Whilst it is noted that the application offers a change to the view for some local residents, it is not considered that there would be significant harm to the residential amenities currently enjoyed by local residents, and the proposal accordingly complies with policy ENV3 of the Local Plan Part 1.

Archaeology

The site lies within an area of moderate archaeological interest. Further to the initial pre-application submission, investigative works have been undertaken to determine the extent of any archaeological remains. This involved the excavation of 158 evaluation trenches, resulting in the discovery of Early and Late Iron Age pottery and, notably, a ring ditch enclosing cremation burials, likely to be of the Early Bronze Age. Whilst this monument is not scheduled, the Archaeologist considers that it should be of equal significance to Scheduled Monuments given the potential for encountering human remains.

This discovery has resulted in a break in the layout of arrays in the south-eastern part of the site in order to ensure a buffer zone around this important archaeological feature. The Archaeologist has advised that the indicated 15m buffer zone would give the most protection to the monument and negates the need for further archaeological investigation. Conditions are recommended in order to secure appropriate protection to this buffer zone and ensure compliance with paragraph 206 of the NPPF.

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

It is acknowledged that the solar farm covers a large area which would have implications for visual amenity over the course of the temporary 40 year period. However, the application includes mitigation relating to both landscape and ecological issues, which combine to offer a reduced impact in landscape terms and a significant increase in biodiversity. In this respect the proposal is considered to comply with policies DM2 and ENV3.

It is also recognised that the proposal constitutes inappropriate development in the Green Belt and would result in the long-term temporary loss of some good quality agricultural land. However, these factors must be weighed up against the need to reduce carbon emissions in line with the Council's stance on the ongoing Climate Emergency. The scheme will deliver significant benefits in that it would provide renewable energy for a significant number of properties within the local area, thereby helping to reduce CO2 emissions and contributing positively to meeting climate change targets. Having regard to site-specific circumstances and wider constraints, it is considered these benefits constitute very special circumstances to justify what is inappropriate development in the Green Belt, and to also justify development on some agricultural land that is classified as being of the best and most versatile quality. In applying this balance, it is noted that the proposal would not preclude the return to high intensity farming following the decommissioning of the solar farm.

As such, in conclusion, it is considered that the benefits of providing renewable energy outweigh other considerations, and the proposal is considered to be justified in this location and in accordance with policies STR1 and STR8 of the Local Plan. Permission is therefore recommended subject to conditions.

13 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

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

PLS-1356 - Topographical survey

PL.001a rev.R7- SITE DESIGN PLAN

PL.001 rev.R1 - TECHNICAL DETAILS - MOUNTING STRUCTURE

PL.005 rev.R1 - TECHNICAL DETAILS - MV POWER STATION

PL.006 rev.R1 - TECHNICAL DETAILS - CUSTOMER SUBSTATION

PL.007 - TECHNICAL DETAILS 1 _ Gate-Fence-Construction Road, Camera, Satellite Dish

PL.010 rev.R1 - TECHNICAL DETAILS - STORAGE CONTAINER

31059/WALKFORD SITE PLAN 2 - existing site plan

31059/ACCESS AND CONSTRUCTION 1 - proposed site plan temporary access track & construction compound

31059/WALKFORD MOOR SOLAR 7 - location plan

P20-0562__17_G - landscape mitigation plan

Arboricultural Impact Assessment July 2023

Arboricultural Survey Report April 2023

Noise Impact Assessment rev.02 9.8.23

Revised Skylark Mitigation Strategy V3 13.5.24

Reason: To ensure satisfactory provision of the development.

3. Using the Landscape Mitigation Plan P20-0562__17_G as a base, before development commences, a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

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

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

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

4. Due to the presence of significant archaeological and human remains, prior to the commencement of development, a Monument Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall include, but is not limited to, the following details:

- how an area (Exclusion Zone) around the Monument will be established and implemented,
- how the Exclusion Zone will be maintained, and
- the activities which can and cannot take place within the Exclusion Zone.

Development shall only be carried out in accordance with the MMP.

Reason: In the interests of protecting items of archaeological interest and in accordance with policy DM1 of the Local Plan Part 2.

5. No development shall take place until details of a secure temporary construction barrier have been submitted to and approved in writing by the Local Planning Authority. The barrier shall encompass the total area of the archaeological 'exclusion zone' as shown on drawing PA.001a to the south-east of the sub-station/storage compound to prevent vehicle access and use of the area. The barrier shall be installed throughout the duration of the construction of the development (unless otherwise agreed in writing with the Local Planning Authority) and shall be removed following completion of the development.

Reason: In the interest of protecting items of archaeological interest and in accordance with policy DM1 of the Local Plan Part 1.

6. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:
 - a) A programme of and phasing of demolition (if any) and construction work;
 - b) The provision of long term facilities for contractor parking;
 - c) The arrangements for deliveries associated with all construction works, including high level details regarding the use of a banksman;
 - 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; and
 - h) Wheel washing facilities/mud prevention methods.

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

7. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall identify the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats and should address the following impacts:

- Storage of construction materials/chemicals and equipment;
- Dust suppression;
- Chemical and/or fuel run-off from construction into nearby watercourse(s);
- Waste disposal;
- Noise/visual/vibrational impacts;
- Measures to ensure no materials, machinery, vehicles or works will encroach on the designated site;
- Timings of works to avoid nesting/breeding seasons;
- Mammal ramps for open excavations;
- Lighting measures to ensure boundary habitats are not illuminated;
- Any necessary measures to protect nearby ancient woodland;
- No working after dusk in order not to illuminate areas of ancient woodland.

The development shall be implemented in full accordance with the approved CEMP.

Reason: In the interests of nature conservation and biodiversity.

8. The development shall be implemented in accordance with the Savills Noise Impact Assessment, dated 9th August 2023, such that the sound power level of the inverters does not exceed 76 dbA L_w between 2200 and 0700 hours and does not exceed 91dBA L_w between 0700 and 1900 hours.

Reason: In the interests of the residential amenities of the area and in accordance with policy ENV3 of the Local Plan Part 1.

9. 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 1800 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.

Reason: In the interests of the residential amenities of the area and in accordance with policy ENV3 of the local Plan Part 1.

10. The woodland and trees 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 Barton Hyett Associates Arboricultural Consultants Arboricultural Impact Assessment ref: 5411, dated 8th August 2023.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

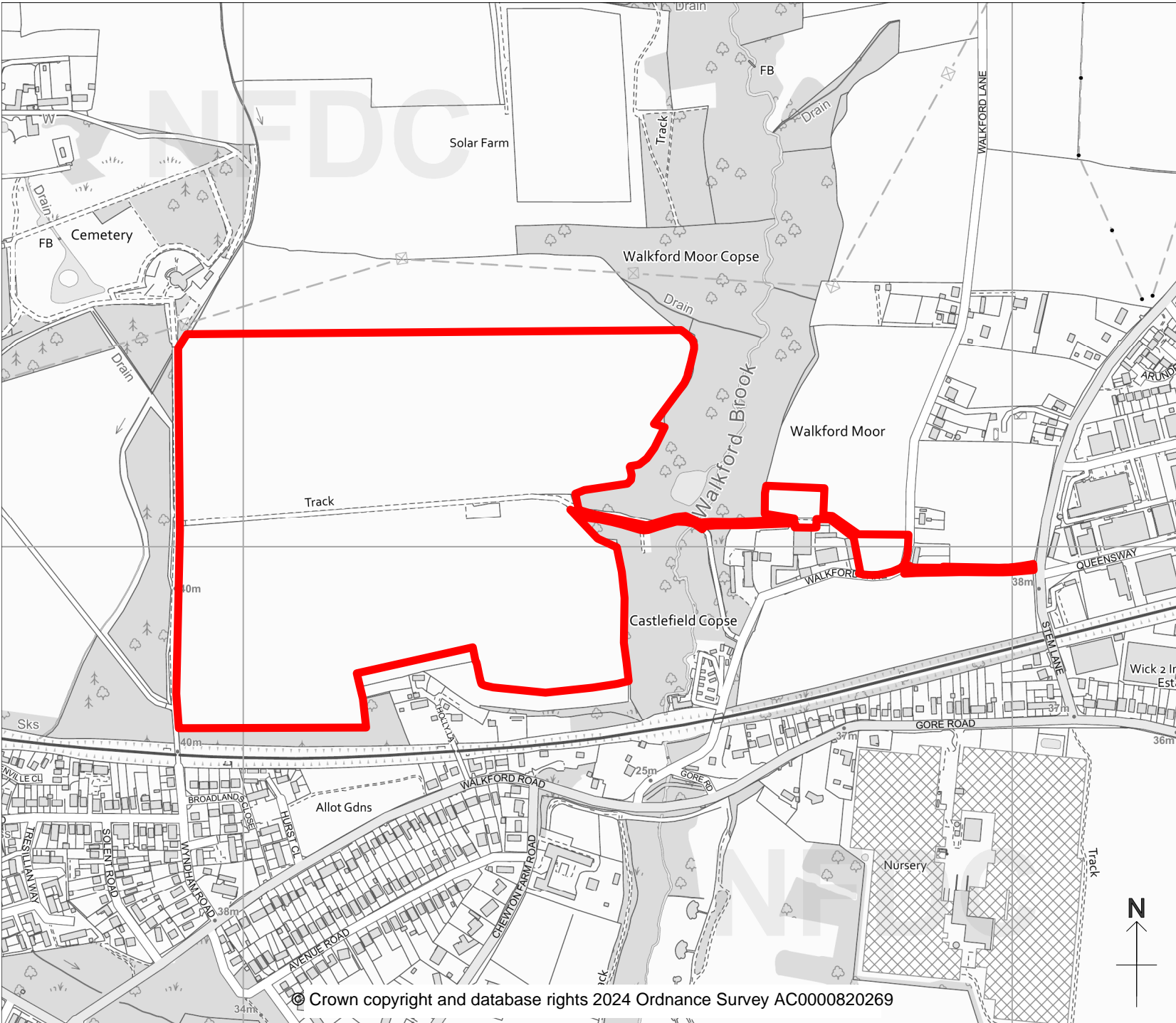
11. The development shall be undertaken in accordance with the methodology, mitigation and enhancement measures set out in the Revised Skylark Mitigation Strategy and in Appendix 4: Biodiversity Management and Enhancement Plan of the Ecological Assessment Report V3. These mitigation and enhancement measures shall be provided in full before the development is fully operational or within such other timescale as is otherwise first approved in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with policy DM2 of the Local Plan Part 2.

Further Information:

Vivienne Baxter

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46



New Forest

DISTRICT COUNCIL

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 SO43 7PA

PLANNING COMMITTEE

August 2024

Land Near Walkford Farm
 Walkford
 New Milton
 23/11213

Scale 1:7000

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

Planning Committee 14 August 2024

Application Number: 24/10272 Full Planning Permission
Site: 49 KINGSFIELD, RINGWOOD, BH24 1PJ
Development: Annexe to rear for ancillary use to the main dwelling
Applicant: Mr Briscombe
Agent: LRArchitecture LTD
Target Date: 23/05/2024
Case Officer: Jacky Dawe
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Ringwood Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact of the character and appearance of the area
- 2) Impact on the amenities of neighbouring properties

2 SITE DESCRIPTION

The application property is located within the Ringwood defined Built-up Area and is also within an area that is covered by the Ringwood Local Distinctiveness Supplementary Planning Document. Situated at the end of a narrow entrance drive which serves a group of four bungalows only (2 semi-detached pairs), the property is situated at the far end of the group. The modest rear gardens of these dwellings back onto the grounds of the cemetery, and there is a raised level in front of the rear boundary. To the front is a detached garage, and a close-boarded fence runs from the bungalow across the front lawn towards the garage.

3 PROPOSED DEVELOPMENT

Permission is sought for a detached outbuilding for ancillary accommodation.

The original plans detailed a pitched roof element which was 3.5m in height at its highest point. Amended plans have been submitted during the course of the application, which have amended the roof design and reduced its height in order to reduce the visual impact upon neighbouring properties.

The amended outbuilding would now be 2.9m in height, with the roof lanterns an additional 200mm high.

The outbuilding would be situated along the rear boundary of the plot. Its internal floorspace would be 26.55m², with the proposed accommodation comprising a kitchen/seating area, shower room and bedroom.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
78/NFDC/11972 34 dwellings and 35 garages.	08/03/1979	Granted Subject to Conditions	Decided
77/NFDC/07486 35 dwellings and garages with access, roads and drainage.	17/06/1977	Granted Subject to Conditions	Decided
76/NFDC/04739 35 houses in terraced blocks and garages with roads and drainage.	14/06/1976	Granted Subject to Conditions	Decided
74/NFDC/01403 35 houses and garages and 36 parking spaces.	23/10/1975	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

Neighbourhood Plan

Ringwood Neighbourhood Plan

Policy R7: The Ringwood Design Code

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council:

Initial response

Recommend refusal. The Committee considered this application is for a completely separate dwelling, inappropriate infill and overdevelopment of the site.

Additional response to re consultation

The observation remains Recommend refusal. The amended plans do not change the observations made previously. The application is for a completely separate dwelling, inappropriate infill and overdevelopment of the site.

7 COUNCILLOR COMMENTS

No comments received

8 **CONSULTEE COMMENTS**

No comments received

9 **REPRESENTATIONS RECEIVED**

2 letters of objection from neighbouring properties to original plans:

- height and size of building is excessive
- permanent occupancy would not be compatible and would look down into house
- intrusive and out of character
- limited access along narrow footpath adjacent to No 55, fear of noise, disruption and damage
- concerns with possible renting out

2 letters of objection from neighbouring properties to amended plans

- fence now 6' high which blocks out the light
- concerned with regards to method of soil removal and storage of skips
- path subsidence beyond rear boundary
- still do not want a permanent dwelling
- amended plans address concerns of visual impact, but still object for other reasons stated
- covenants have been disregarded

10 **PLANNING ASSESSMENT**

Principle of Development

The following documents and policies are particularly relevant to this application:

Ringwood Neighbourhood Plan

Policy R7 appropriate design – 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 within the Ringwood Design Code Appendix B, and also include amenity space of sufficient size, shape and access to sunlight for the provision of recreational benefits to the occupants.

Appendix B – Ringwood Design Code

Local character is defined here, but very little of the design code refers specifically to outbuildings. Parking and plot coverage are the main issues raised.

DC.02.2 parking - should be on site and combined with landscaping to minimise the impact, and should be porous if possible to minimise surface water run off.

DC.05.3 plot coverage - plot area ratios can inform appropriate development massing and typically less than 50%

Appendix C – Ringwood Local Distinctiveness Document – Character Area 7 Gardens - are suburban in character with rural reminders; the retention of gardens is important.

Site coverage - varied, loss of greenery would deplete the character.

Impact on the character and appearance of the area

The existing property is a modest 2-bedroom bungalow. The proposed outbuilding, which is intended to accommodate a family member, would have a single-bedroom and a small area of living accommodation.

The plot is modest in size, the rear boundary is angled and there is an existing conservatory which covers part of the rear elevation. The rear garden is approximately 14.5m in length. However, the proposed outbuilding is also modest in size and scale and would cover less than 50% of the garden area, leaving an acceptable sized amenity space for the existing property.

The proposal outbuilding would be single-storey and has been designed to appear proportionate and subordinate to the existing dwelling. It would not be prominent within the street scene or result in a harmful loss of greenspace. Therefore, it is not considered the proposed building would detract from the character and appearance of the area. Nor is it considered the proposed building would be of a size that would amount to overdevelopment of the plot.

Concerns have been expressed that the building would be occupied as a separate dwelling. However, that is not what is proposed. The application is for an annexe that would be ancillary to the main dwelling. The outbuilding has a limited floorspace and could only be accessed through the host dwelling and its rear garden, which would naturally create a dependence on the main dwelling and should preclude its occupation as an independent self-contained dwelling. To provide certainty on this point, a condition has been added to ensure its use remains directly related to the occupation of the main dwelling and their occupants.

The proposal would not result in any loss of car parking. The proposal would result in an additional bedroom. It is not considered that this would result in parking pressures that would be harmful to highway safety.

The outbuilding in the rear garden ensures a level of dependence to the host dwelling and the level of parking is retained.

Residential amenity

The proposed building would be relatively low-scale, with windows facing the host dwelling. Because of its single-storey scale, the proposed building would not result in overlooking that would harm the privacy of neighbouring properties. Furthermore, given its modest height and scale and its distance from adjacent properties, the outbuilding would also have an acceptable impact on the light, outlook and general amenities of neighbouring dwellings.

It is not considered that a small 1-bedroom annexe such as this would result in unacceptable levels of noise.

Whilst some degree of noise and general disruption is inevitable when construction works take place, these are of temporary nature and therefore cannot justify planning refusal. However, if these noises and disruptions to traffic/pedestrians amounted to a statutory nuisance, then this would be dealt with under legislation relevant to antisocial behaviour by the Council's Environmental Health Officers.

Other concerns raised

Concerns have been raised that the boundary fence would be increased in height. This application was amended during the course of the application to show a higher

fence (with trellis), but the application has since been amended again, so that the boundary fences would remain as existing.

Covenants are a civil matter and not covered by planning.

Any damage to footpaths or property not in the ownership of the applicant would also be a civil matter.

Developer Contributions

As part of the development, subject to any relief being granted the following amount of 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	26.1		26.1	26.1	£80/sqm	£3,059.72 *

Subtotal:	£3,059.72
Relief:	£0.00
Total Payable:	£3,059.72

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice and the views of interested 3rd parties. The proposal is considered to be an appropriate ancillary outbuilding / annexe. It would have an acceptable impact on the character and appearance of the area and would not adversely affect the amenities of neighbouring dwellings or highway safety. As such, the recommendation is to grant planning permission.

13 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

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

Amended plans received 6th June & 2nd August 2024

- P001 = BLOCK PLAN (received 6th June 2024)
- P002 = SITE LOCATION PLAN (received 6th June 2024)
- P003 = EXISTING SITE PLAN AND 3D VIEW (received 6th June 2024)
- P004 = PROPOSED SITE PLAN AND 3D VIEW (received 2nd August 2024)
- P005 = EXISTING ELEVATIONS, FLOOR PLANS AND 3D VIEW (received 6th June 2024)
- P006 = PROPOSED ELEVATIONS, FLOOR PLANS AND 3D VIEW (received 2nd August 2024)
- P007 = PROPOSED ROOF PLAN (received 2nd August 2024)
- P008 = PROPOSED SIDE ELEVATIONS INCLUDING FENCE (received 2nd August 2024)
- P009 = PROPOSED SECTION (received 2nd August 2024)

Reason: To ensure satisfactory provision of the development.

3. The building hereby approved shall only be used for purposes ancillary to the residential occupation of 49 Kingsfield, and at no time shall the building be used as commercial overnight holiday accommodation, a short term residential let or other self-contained residential accommodation.

Reason: In the interests of certainty regarding the intended uses, to safeguard the amenities of the area and neighbouring properties, and to protect New Forest and Solent habitats and in accordance with ENV1 & ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

Further Information:

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New Forest

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PLANNING COMMITTEE

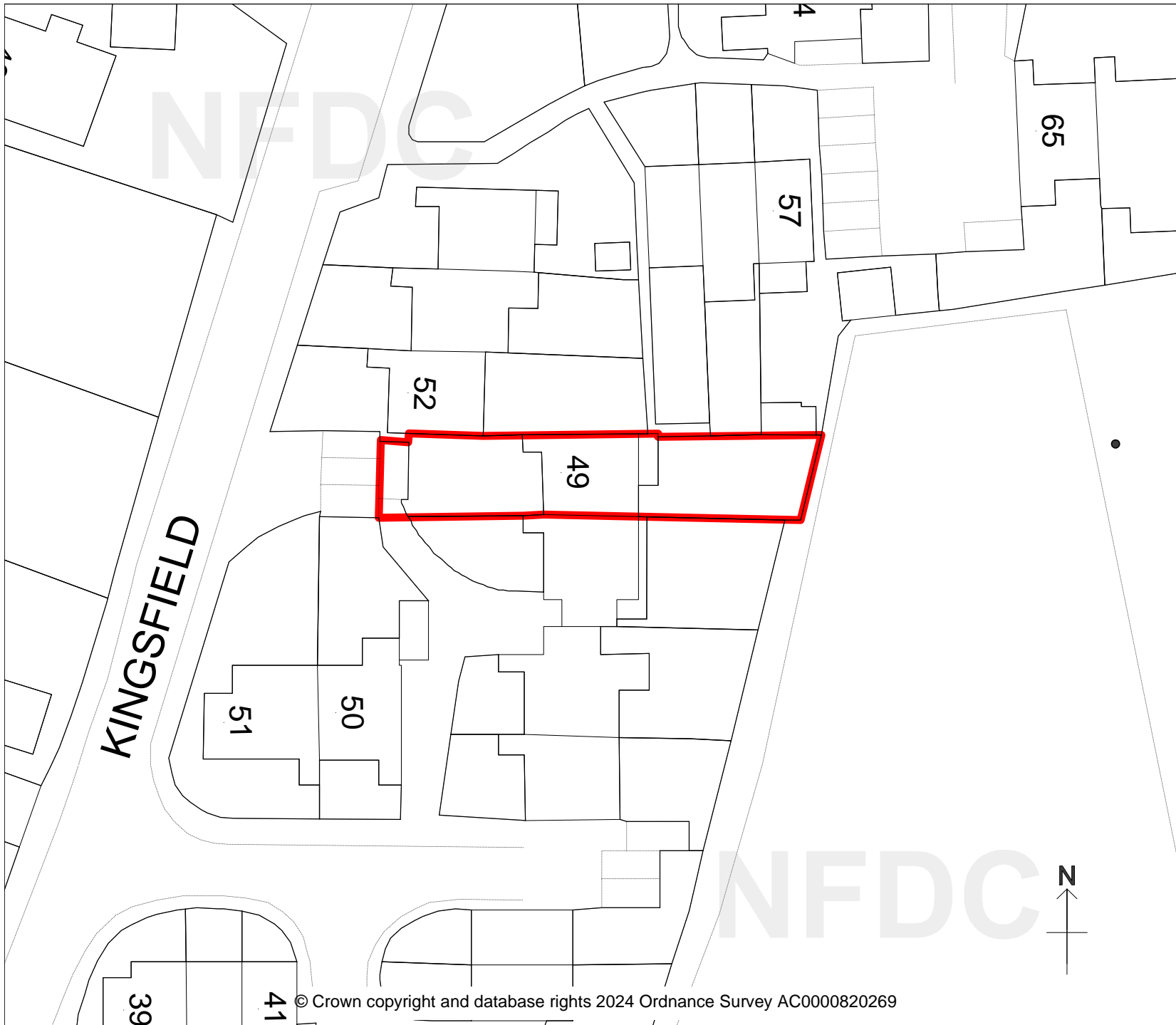
August 2024

49 Kingsfield
Ringwood

24/10272

Scale 1:500

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



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