

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 13 NOVEMBER 2024, AT 9.00 AM

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

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PUBLIC INFORMATION:

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

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

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PUBLIC PARTICIPATION:

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

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

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 9 October 2024 as a correct record.

2. DECLARATIONS OF INTEREST

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

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

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) SS13 Land off Moortown Lane, Ringwood (Application 21/11723) (Pages 7 - 162)

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

RECOMMENDED:

Delegated Authority be given to the Service Manager (Development Management) to reconsult Natural England prior to the proposed adoption of the shadow HRA and AA, and to **GRANT PERMISSION** subject to the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the matters set out in the report and the imposition of the Conditions, as set out in Appendix 1, and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

(b) Open Space adjacent to Crow Lane, Ringwood (Application 23/10707) (Pages 163 - 194)

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

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion of a planning agreement pursuant to Section 106 of the Town and Country Planning Act to secure the Public Open Space Management and Maintenance framework and the imposition of the conditions set out in the report.

(c) **SS1 Land North of Cooks Lane, Totton SO40 2BQ (Application 22/10219) (Pages 195 - 246)**

Development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space & Alternative Natural Recreational Greenspace and Drainage (Outline Application with details only of Access).

RECOMMENDED:

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

(d) **Land West of Hill Street, Calmore, Netley Marsh (Application 22/10854) (Pages 247 - 294)**

Construction of 60 dwellings; creation of two new accesses from Hill Street, parking, landscaping, open space (including ANRG) and associated works

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to Grant Planning Permission subject to the completion of a planning obligation entered into by way of a Section 106 Agreement to secure the matters set out in the report and conditions, as set out in the November 2023 resolution.

(e) **Land adjacent to 15 Lucerne Road, Milford-on-Sea SO41 0PL (Application 24/10630) (Pages 295 - 304)**

Demolition of existing garage and erect new detached dwelling with associated parking and modified access

RECOMMENDED:

Refuse

(f) **Land adjacent to Aspen Cottage, Hythe Road, Marchwood SO40 4WU (Application 23/10887) (Pages 305 - 320)**

1 no. 3-bed dwelling

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to the completion of a Section

106 Agreement to secure contributions to mitigate the development's recreational and air quality impacts on designated European sites and the imposition of the conditions set out in the report.

(g) **Woodbury, 2 Viney Road, Lymington SO41 8FF (Application 24/10429) (Pages 321 - 334)**

Replacement dwelling with a detached garage; detached outbuilding in the rear garden

RECOMMENDED:

Grant subject to conditions

(h) **Durban House, 3 Ashleigh Close, Hythe, SO45 3QT (Application 24/10557) (Pages 335 - 340)**

Installation of a fence panel above existing wall (Retrospective)

RECOMMENDED:

Refuse

(i) **The Old Farmhouse, Salisbury Road, Burgate, Fordingbridge SP6 1LX (Application 23/11306) (Pages 341 - 356)**

Conversion and extension of outbuilding to two 4-bed dwellings; erection of an L-shaped building comprising one 3-bed dwelling and two 2/3-bed dwellings in place of two modern outbuildings; new access onto Fryern Court Road; associated parking; hard and soft landscaping

RECOMMENDED:

Refuse

(j) **The Old Farmhouse, Salisbury Road, Burgate, Fordingbridge SP6 1LX (Application 24/10054) (Pages 357 - 364)**

Restoration of the listed building including proposed internal wall, conversion and extension of outbuilding to two 4-bed dwellings, demolition of curtilage listed buildings (Application for listed building consent)

RECOMMENDED:

Refuse

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

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

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

Human Rights

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

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, 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
Matthew Hartmann
David Hawkins

Councillors:

Dave Penny
Joe Reilly
Janet Richards
John Sleep
Malcolm Wade
Phil Woods

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Planning Committee 13 November 2024

Application Number:	21/11723 Outline Planning Permission
Site:	SS13 - LAND OFF, MOORTOWN LANE, RINGWOOD (NB: PROPOSED LEGAL AGREEMENT)
Development:	Hybrid planning application comprising a total of 443 dwellings: Outline planning permission (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; Full permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development. This application is subject to an Environmental Assessment and affect Public Rights of Way.
Applicant:	Crest Nicholson South
Agent:	Savills
Target Date:	06/05/2022
Case Officer:	Robert Thain
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	Decision deferred from September Planning Committee

BACKGROUND

This planning application was first considered by the Planning Committee at its meeting on 11th September 2004. The Officer Report for that meeting is attached at [Appendix 1](#). The written update paper is provided at [Appendix 2](#).

INTRODUCTION

At its meeting of 11st September 2024, the Planning Committee resolved to defer this planning application. The printed minutes from that meeting set out that the application was deferred:

“...in order to enable a three way dialogue between the District Council as local planning authority, the applicant and Ringwood Town Council over the proposed housing mix relative to the aspirations of the Neighbourhood Plan. That discussion should explore whether more smaller units could potentially be provided through further amendments to the application”.

Since the Planning Committee on 11th September Officers have facilitated two meetings between the applicant, their agent and representatives of the Ringwood

Town Council. These meetings took place on 24th September and 30th October 2024 respectively.

24th September meeting

At the meeting between Officers, the Applicant (Crest Nicholson) and Ringwood Town Council (RTC) on 24th September the representatives of the Town Council identified that in addition to the matter of the housing mix on the site - the minuted reason for deferral - the Town Council also had concern regarding:

- First Homes;
- Study rooms;
- Three-storey houses;
- The design and sustainability of the homes being proposed; and
- The lack of the access to the north-western corner of the site.

Housing

It was discussed in the meeting that the number of proposed two-bed units would still include a number of first floor rooms labelled as a “study”. RTC had previously expressed concern that these rooms were of a size, and with their location at first floor, that they could actually be used as a bedroom so the claimed two-bedroom homes were in effect three-bedroom units and would not actually qualify as a smaller unit and accord with policy R5 of the Neighbourhood Plan.

Officers and the Applicant referred RTC back to the written update paper to the September Planning Committee meeting. The Nationally Described Space Standards (NDSS) deal with internal spaces within a new dwelling. The study rooms fall short of the minimum standard of living accommodation (both in area and width) to qualify as a single bedroom when measured against the NDSS. It is considered that in the absence of a locally prescribed standard that the NDSS is the best measure to ensure developments have adequate living conditions for future residents. The study rooms fall short of the accommodation space required to be counted as a bedroom and to count it as such would be harmful to the living conditions of future residents.

Three storey homes

Representatives of the Town Council queried the location in Phase 1 of the proposed two 3-storey buildings. It is the Town Council’s view that the site allocation is to be an extension to the southern side of Ringwood and to that end the taller buildings should be further north and adjacent to the existing southern edge of the town as opposed to the centre of phase 1. The applicant agreed to review this position. This is addressed later in the report.

North-western access

RTC continued to express concern at the lack of delivery of the north- western access connecting to Wellworthy Way.

Officers reminded RTC that this particular access within the Local Plan allocation for SS13 is outside of the application site and is not land in the control of the applicant.

The issue of the north-western access is considered later in this report.

Building sustainability:

The Town Council challenged the applicant as to the sustainable credentials of their buildings and sought to push the developer beyond the building regulations and to encourage the delivery of more sustainable homes. The applicant agreed to provide further commentary on this matter. This is addressed later in the report.

Summary

Following the meeting on 24th September the applicant wrote to both the Town Council and the District Council on 7 October 2024 to formally set out the proposed changes to the housing mix (reflective of the meeting) and also to provide the requested clarification on the other points raised by RTC.

The District Council has then undertaken a focused re-consultation with comments sought from the Town Council and NFDC Housing Services on the proposed housing mix amendments.

The applicants subsequently set out a detailed response on these matters in a letter dated 7 October 2024 which has been made publicly available on the NFDC website (Appendix 3). The contents of the 7 October letter are addressed in the Planning Assessment set out later in this report.

30th October meeting:

At the second three-way meeting on 30 October 2024 the representatives of Ringwood Town Council (RTC), the District Council and the Applicant (Crest Nicholson) discussed the following points:

- The access to the north-west through Wellworthy Way
- Pedestrian and cycle connectivity
- First Homes
- Housing mix; and
- Sustainability

North-west access:

NFDC confirmed that there was engagement with Hampshire County Council (HCC) as landowner. It is understood that HCC is progressing a scheme of its own that could stand in isolation to the application. There has been no engagement with the applicant by HCC to progress a comprehensive scheme.

It was accepted that the applicant has no control over the HCC land and the access in the north-west of the allocation cannot be provided by the application. This results in the conflict between the application and the requirements of Local Plan Policy SS13 criterion (iii)(b).

The Town Council Members sought confirmation over an emergency access to the site with only one access. The applicant confirmed that there is an emergency access in the site corner whereby the cycleway could be used if Moortown Lane were blocked to emergency vehicles.

Pedestrian and cycle connectivity:

Those representing the Town Council made the point that the north-west access would help improve the connectivity to Lidl and onwards to the town centre. The Town Council set out the position that the proposal conflicts directly with the requirements of policy R11 of the Neighbourhood Plan with regard to the appropriateness of non-car modes of travel proposed by the application.

The meeting was advised that the application will secure:

- An off-carriageway pedestrian and cycle route from the south-west corner of the site to connect with Christchurch Road
- A contribution is agreed towards delivery of pedestrian and cycle improvements on Christchurch Road which will link north towards the town centre.

There is no HCC Highways objection to the proposal.

First Homes:

The Town Council impressed that Ringwood Neighbourhood Plan Policy R6 is part of the development plan and carries the full weight of a policy. The Town Council requested that the viability of first homes be formally tested.

The applicant advised that the position remains as it was at the September meeting; no first homes are proposed as part of the application.

Housing mix:

On the understanding that the matter of “study rooms” remains a difference between the parties, the Town Council identified concern that the applicants offer is all in phase 2 and if the quantum of smaller homes were accepted as now proposed then there is concern that when the second phase is reached that the offer will be amended or changed.

There was discussion around providing comfort to the Town Council and that the smaller homes could be secured by a planning obligation, whilst acknowledging however it is within the gift of the applicant to seek a variation in the future.

The matter of first floor rooms being counted as a study or bedroom remains a difference between the parties. The Town Council challenged the applicant with regards to one of the 5 bedroom properties on the scheme having a bedroom below the NDSS yet it is still described as a bedroom.

Sustainability:

The Town Council representatives explained that policy R10 of the Neighbourhood Plan required that applicants need to explain why achieving certain sustainable standards are not ‘feasible’. It is the lack of justification from the applicant that concerns the Town Council.

The discussion considered whether there is any merit in drafting a further planning condition to address the matter.

It was agreed that the meeting was unlikely to find any common ground with regard to the ANRG quantum and design plus the urban design critique of the scheme.

TOWN COUNCIL COMMENTS

Ringwood Town Council

A draft representation from Ringwood Town Council was received by NFDC Officers on 29 October 2024 with the caveat that this should not be made public.

Any additional comments made by Ringwood Town Council will be addressed in the NFDC November 2024 Planning Committee Update Sheet.

Councillor Comments:

None received since NFDC Planning Committee on 11 September 2024.

Consultee Comments

NFDC Housing:

As a strategic site allocation within the Local Plan, Land off Moortown Lane, Ringwood (SS13) has been designated to meet the identified need for housing across the district, including affordable housing. A recent review of the Council's current Housing Register identifies a total of 2094 live applicants, equating to 4621 people seeking affordable housing to rent within the district. To provide an indication of the number of applicants seeking affordable accommodation in the Ringwood area, a review of the total applicants who have identified Ringwood as their area of First Choice at application stage, results in a total of 206 live applications. The size of property required, ranges from 1 bed single person accommodation, to larger three and four bedroom housing. It should be noted that once properties become available to let, applicants who have not initially indicated a preference for Ringwood as an area may decide to bid.

In addition to the information on the level of need for affordable rented accommodation the Council's Shared Ownership Interest List provides information on the level of demand for shared ownership in the area. There are currently 789 registrations on the list from those interested in accessing shared ownership within the district.

The affordable housing proposed across phases 1 & 2 of the development, offers 93 new affordable units to rent comprising a mix of sizes and unit types and 40 new shared ownership homes including smaller 2 bedroom and family sized accommodation. This accommodation mix will help meet the range of affordable housing needs identified within the area.

The viability of First Homes is a concern to the Housing Team, these concerns are reflected in the Committee Follow Up Report from Savills, which highlights the impact on the overall viability of a development the inclusion of First Homes can have, and crucially how this leads to a reduction in the total number of affordable housing provided and a loss of affordable housing of other tenures, which as the figures above for rented affordable housing and shared ownership show, would meet an identified need.

In addition, the current model of First Homes, based on a discount of 30% of open market value, up to a maximum of £250,000 can be comparatively more expensive and less accessible than shared ownership. To purchase a First Home, buyers will need to raise a deposit based on a mortgage of 70% of the sale price, whereas to purchase a shared ownership home of equivalent value a purchaser will need to raise a deposit and access a mortgage based on the percentage they can afford e.g. 25% of the value, rather than 70%.

It should also be noted that sale of First Homes is restricted to first time buyers only, where a couple wish to purchase both parties must be first time buyers to qualify. This places notably restrictions on those who can access this housing, including those seeking a home after a relationship breakdown and are unable to purchase on the open market, or those who's circumstances have changed and need a home more suitable for their needs, whether this be for a growing family or disability.

Public Representations:

No additional public representations have been received since NFDC Planning Committee on 11 September 2024.

PLANNING CONSIDERATIONS

The assessment of the application remains as set out in Appendices 1 and 2 to this report.

The following assessment of planning considerations address the further matters raised in the engagement between Ringwood Town Council, the applicant and Officers of the Planning Authority subsequent to the 24 September NFDC Planning Committee.

i. Housing: Housing Mix and First Homes

In response to the reason for deferral from 24 September NFDC Planning Committee the applicant set out in their letter of 7 October 2024 that sensitivity testing had been undertaken regarding the proposed mix and the following proposed changes could be made to the application in order to address the concerns of the Planning Committee:

The applicant can increase the open market 2-bed offering in the overall mix by increasing the total in Phase 2 (Outline) by 19 units and decreasing the equivalent number of open-market three-bed houses.

As such, the overall site housing mix across all tenures would now provide (out of a total of 443 dwellings):

- 40 x 1-bed (9%)
- 181 x 2-bed (41%)
- 126 x 3-bed (28%)
- 96 x 4+bed (22%)

The proposed change in the overall housing mix would equate to small dwellings (one-bed and two-bed units) comprising 49.89%. As such, the proposal falls very short (0.11%) of Ringwood Neighbourhood Plan (RNP) Policy R5 (Smaller Housing)

which seeks a minimum of 50% smaller homes on schemes of five or more dwellings where this can be achieved without detriment to the amenities and the character of the surrounding area and neighbouring properties. This shortfall equates to approximately half a dwelling.

In this instance the NFDC Local Plan sets out:

- Ten strategic objectives (pages 17-19). This includes under the sub-title of '*To provide more homes for local people*' both Strategic Objective 4 (Housing Provision) and Strategic Objective 5 (Housing needs, mix and affordability).

As such, both housing mix and affordability are clearly identified as strategic objectives in line with NPPF paragraph 21 in the NFDC Local Plan.

Additionally:

- Paragraph 1.3 (emphasis added) states that 'this Local Plan 2016-2036 Part One: Planning Strategy sets out strategic policies, including Strategic Site Allocations capable of accommodating 100 or more homes”.

- Policy HOU1 (Housing type, size, tenure and choice) itself states that (emphasis added):

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

- The supporting text to Local Plan Policy HOU2 (Paragraph 6.2) states (emphasis added):

“For policies on householder development and other non-strategic housing policy matters see also the Saved Policies (listed at Appendix A) and the relevant Supplementary Planning Documents and other published guidance”.

Notwithstanding these points however, it is considered appropriate to clarify the HOU policy position relative to the adoption of the Ringwood Neighbourhood Plan. Whilst the specific parts of the Local Plan are set out above it is considered that it remains unclear from the Local Plan that Local Plan Policies HOU1 and HOU2 specifically are strategic policies. NFDC Officers have not been made aware of any document which definitively addresses the point. As such, it is concluded that Local Plan policies HOU1 and HOU2 are not clearly identified as non-strategic policies either.

However, Officers consider that there is a reasonable mix of dwelling sizes and typologies in phase 1 and that there are future opportunities to deliver some market flats and bungalows in Phase 2.

Therefore, notwithstanding whether Local Plan Policies HOU1 and HOU2 are indeed strategic policies or non-strategic policies, taking the proposed change in housing mix into account, the proposal clearly accords with Local Plan Policy HOU1 and has a very slight shortfall against Ringwood Neighbourhood Plan Policy R5. The very slight

shortfall in smaller homes when considered against Ringwood Neighbourhood Plan Policy R5 will be addressed in the Planning Balance.

The applicants have confirmed in their letter of 7 October 2024 that they will not be providing any First Homes in the scheme.

The applicants also confirmed in their letter of 7 October 2024 the following five viability considerations when considering First Homes and set out the following commentary (italics).

- a) *Cashflow Impact*: Traditional forms of affordable housing are pre-sold to a Registered Provider (RP) and the agreed acquisition price is paid over the construction period which reduces the developers finance costs. In contrast, First Homes are sold directly by the Developer after construction, so there is no early income to offset finance costs.
- b) *Marketing Costs*: The developer will need to market the First Homes, along with all its other market units, which will result in additional marketing costs.
- c) *Higher Profit*: It is accepted that the risk profile of selling First Homes is similar to that of private housing, so a higher profit margin is applied than the margin applied to traditional affordable housing.
- d) *Reduced offer from Registered Providers*: Registered Providers use shared ownership to subsidise their offers for rented housing. If the number of shared ownership units is suppressed by First Homes, it is likely that their overall offer would be below the values assumed in the viability assessment.
- e) *Affordability*: In order to achieve affordability similar to shared ownership, the First Homes would need to be sold at a discount of between 30-50% of market value. This would reduce the value of the First Homes with a knock-on impact on viability.

As such, the applicants have set out what in their view are five material considerations which when taken together has informed their decision not to amend the overall proposed Affordable Housing offer to include 25% First Homes.

NFDC Housing has reiterated that there is a substantial need for affordable housing to rent in the District and likewise in the Ringwood area, with a significant number requiring smaller (1-bed or 2-bed) housing. NFDC Housing has also confirmed that there is a significant number of people in the District who have expressed interest in securing Shared Ownership housing.

Clearly, the requirement for 25% First Homes set out in the second sentence of the Ringwood Neighbourhood Plan Policy R6 (First Homes) could likely lead to difficulty in practice with complying with the Affordable Rent and Shared Ownership tenure provision targets set out in Local Plan Policy HOU2. For example, it is likely that at least 25% First Homes, accounting for the feedback set out in the applicant's letter dated 7 October 2024, and national planning guidance, could lead to a significant material reduction in the overall number of both Affordable Rented and Shared Ownership homes delivered.

For reference, a significant reduction in both Affordable Rented and Shared Ownership when 25% First Homes is included in the affordable housing mix is noted and set out in the NFDC First Home Advice Note set out on the NFDC website.

The proposal as it stands could make a significant contribution towards meeting the District's Affordable Housing needs particularly smaller dwellings and units for rent in line with the comments from NFDC Housing.

Clearly, there is some difficulty in practice in complying with both Local Plan Policy HOU2 and Ringwood Neighbourhood Policy R6. The proposal is not compliant with Ringwood Neighbourhood Policy R6 given that no First Homes are proposed.

However, the recommendation remains as that set out in the September 2024 NFDC Planning Committee report that whilst the proposal does not comply with Ringwood Neighbourhood Plan Policy R6, given that no First Homes are to be provided, this is outweighed by the wider social benefit of making a significant contribution towards the Districts affordable housing needs in accordance with the tenure split set out in Local Plan Policy HOU2. The non-compliance with Ringwood Neighbourhood Plan Policy R6 will be addressed in the Planning Balance.

ii. Study Rooms

The applicants set out in their letter dated 7 October 2024 that they will not be amending the study rooms which are provided in some of the two-bedroom dwellings in Phase 2 given that they fall outside the Nationally Described Space Standards (NDSS) (as set out in the Update Sheet supporting the September Planning Committee).

Essentially, Officers consider that in the absence of a locally prescribed standard that the NDSS is a material consideration which can provide a suitable measure to ensure developments have adequate living conditions for future residents.

The national Planning Practice Guidance (PPG) (a website resource) includes a chapter on Housing: Optional Technical Standards. This sets out guidance on how planning authorities can gather evidence to set optional requirements and the nationally described space standard.

The PPG sets out that:

The government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The government set out its policy on the application of these standards in decision-taking and plan-making in a [written ministerial statement](#).

The Written Ministerial Statement (WMS) is linked in the PPG (as of 31 October 2024) and was made on 25 March 2015. The WMS sets out (emphasis added):

This written ministerial statement sets out the government's new national planning policy on the setting of technical standards for new dwellings. This statement should be taken into account in applying the National Planning Policy Framework, and in particular the policies on local standards or requirements at paragraphs 95, 174, and 177, in both plan making and decision-taking.

The PPG also sets out that:

Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the [nationally described space standard](#). The requirements of the space standard are set out in a supporting document – the [nationally described space standard](#).

The applicant has reviewed the proposed Phase 1 five-bedroom houses in plots 13, 31, 33, 49, 50, 132 and 133. One of the smaller bedrooms in these units was also below NDSS standards and as such has forwarded revised floorplans which provide all bedrooms in these plots to NDSS standard. The external dimensions remain unchanged.

However, the other proposed study rooms fall short of the accommodation space required to be counted as a bedroom against these standards and to count it as such could be harmful to the living conditions of future residents, notwithstanding how other sites are marketed and in the absence of a Local Plan policy on the matter.

In summary, the floor area of the proposed study rooms in some Phase 1 houses falls below the standard set out for a single bedroom in the NDSS and as such it is considered appropriate to discount them as bedrooms given the national standards and the need for adequate amenity for future occupiers. As such, the proposal provides a suitable level of ANRG provision subject to conditions and a planning obligation.

iii. Access (Vehicular, Cycle, Pedestrian) and Public Transport

HCC Highways set out the following to Ringwood Town Council in an email dated 21 October 2024::

Regarding access to the site, the Transport Assessment for the development and associated junction modelling was based on a single vehicular access onto Moortown Lane. This was the case from the first submission and throughout the planning process. The site is considered acceptable with this single access onto Moortown Lane.

As set out in the September 2024 NFDC Planning Committee report (Appendix 1) the proposal does not preclude the future delivery of a future vehicular link to Forest Gate Business Park to the north-west as set out in Local Plan Policy SS13 criteria (iii)(b) and supports that future delivery of that objective as far as is reasonably possible through the proposed highway design.

As set out in the September 2024 NFDC Planning Committee report (Appendix 1) an emergency access is proposed at the south-west corner of the site (Plan reference: (ITB12364- GA-025E). HCC Highways has raised no objection to this proposed access.

The latest Strategic Flood Risk Assessment (SFRA) is on the NFDC website and sets out that Officers have worked with neighbouring local authorities through the Partnership for South Hampshire (PfSH), on a joint evidence base to inform development requirements for the sub-region. The PfSH Level 1 SFRA 2024 update

has delivered revised reporting, mapping and guidance notes, which are also available on the NFDC website.

The area on Moortown Lane at the point of the emergency access is identified as being in Flood Zone 2 (medium probability) in the PfSH Level 1 SFRA 2024. The national Planning Practice Guidance confirms that essential infrastructure, which as defined in the NPPF (December 2023) Annex 3 (Flood risk vulnerability classification) includes transport infrastructure (such as roads and access routes), is compatible with Flood Zone 2.

As such, the proposed emergency access in the south-west corner of the application site acceptable with regard to flood risk.

In addition to the commentary set out on the matters of pedestrian and cycle access set out in the September 2024 NFDC Planning Committee report (Appendix 1), HCC Highways also set out the following to Ringwood Town Council in the email dated 21 October 2024:

The pedestrian and cycle connections provide suitable active travel facilities to serve the proposed site and encourage travel by sustainable modes:

- *An off-carriageway pedestrian and cycle route is being provided from the south-west corner of the site to connect with Christchurch Road*
- *A contribution is agreed towards delivery of pedestrian and cycle improvements on Christchurch Road*
- *A Pedestrian and cycle link would be provided to the north of the site connecting into the Castleman Trail via Crow Arch Lane, with onward routes to the town centre.*
- *A Pedestrian link would be provided connecting into the SANG (and onward routes) north of Crow Arch Lane*

HCC Highways consider that the assessment undertaken is robust and does not need revisiting at this stage.

As set out in the September 2024 NFDC Planning Committee report (Appendix 1) the proposal does not preclude the future delivery of a future vehicular link to Forest Gate Business Park to the north-west as set out in Local Plan Policy SS13 criteria (iii)(b) and supports that future delivery of that objective as far as is reasonably possible through the proposed highway design.

The proposal does not preclude the future delivery of SS13 criteria (iii)(b) and supports that future delivery of that objective as far as is reasonably possible through the proposed highway design.

NFDC Officers are currently discussing with HCC Officers on future development options on the residual part of the Local Plan Allocation Site. HCC are keen to deliver some development on the land within their ownership. However, such a proposal is not considered imminent. HCC are keen to ensure that the land in their control is adequately serviced and are keen to ensure that any access position from the application site into the HCC land remains flexible and is not fixed at this stage in order to not prejudice the layout of any HCC proposal. HCC has also indicated that it is possible to deliver a scheme on their land independent of the application site.

Officers have reiterated to HCC the need to facilitate a through vehicular route in line with Local Plan Policy SS13.

As such, in line with the September 2024 NFDC Planning Committee report (Appendix !), the April 2024 consultation response received from HCC Highways and their email to Ringwood Town Council on 21 October 2024, the proposed vehicular, cycling and pedestrian access routes and public transport are acceptable and, as such, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan policies CCC2, IMPL2 and SS13 criteria (iii)(a) and (iv)(c) and Ringwood Neighbourhood Plan policies R1 (A Spatial Plan for Ringwood) and R11 (Encouraging Active and Healthy Travel).

iv. Sustainable Construction

The applicants have confirmed in their letter of 7 October 2024 additional details on building sustainability within Phase 1. This includes:

- Phase 1 of the development will comply with part L 2021 (of the Building Regulations) and it is proposed that the first tranche of dwellings will have heating and water provided through energy efficient gas boilers.
- Plots within Phase 1 which commence after the anticipated changes in Building Regulations in early 2026 will then switch to an alternative energy strategy most likely incorporating air source heat pumps.

The applicant also stated that it cannot yet be specific on how many homes on Phase 1 will incorporate these enhanced future homes standards but suggests that approximately half of the dwellings in Phase 1 (75 units) could reasonably at this time be assumed to fall under the likely new Building Regulations.

The applicants also set out that Phase 1 dwellings will contain a number of energy saving measures which assist in delivering an EPC rating of B and above. This includes:

- Google Nest devices which work to optimise heating when it is needed;
- Photovoltaic panels on each house;
- Lo-Carbon Sentinel dMEV unit which is designed for continuous low-energy ventilation;
- WWHRS waste water systems which capture heat from waste water and use it to pre-heat incoming cold water; and
- Triple glazing on some dwellings.

The applicants also confirmed that a proportion of future phases will be constructed to the Future Homes standards in line with the Building Regulations at that time. Units in Phase 2 of the development are likely to have a predominance of Air Source Heat Pumps, significantly reducing the CO² emissions of the development. In conjunction with the proposed photovoltaic panels this will result in CO² emissions reductions that could result in a significant proportion of the development will be zero carbon ready.

The applicant has also confirmed that each house in Phase 1 will have photovoltaic panels and these will be secured through a suitable condition.

Whilst the proposal does not strictly accord with Ringwood Neighbourhood Plan Policy criterion (A) inasmuch as layout, building orientation and massing have not overtly informed this transition to zero carbon ready, the applicants have set out how they intend to transition to zero carbon ready in part in the later phases of the proposal. Moreover, there is an opportunity for criterion (A) to inform any future Reserved Matters application on the Outline element of the scheme.

Ringwood Neighbourhood Plan Policy criterion (E) requires a Climate Change Statement is to be submitted to demonstrate compliance with that Policy. The statement should demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Criterion (C) sets out the objective that all planning permissions for new (and refurbished) buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted prior to occupation.

The applicants submitted an Energy and Sustainability Statement in December 2021. A suitable condition is recommended that seeks an updated Energy and Sustainability Statement for each subsequent phase of development which takes criteria (C) and (E) into account along with the recently adopted NFDC Climate Change SPD.

In line with the September 2024 Planning Committee report, the proposal does not meet the objectives in Policy R10 criterion B (certification to Passivhaus standard or equivalent) and criterion (D) Whole-Life Cycle Carbon Emission Assessments, and as such this matter will need to be considered in the balancing exercise in the conclusion.

Therefore, the recommendation remains as that set out in the September 2024 NFDC Planning Committee report that the proposal clearly does not accord with Ringwood Neighbourhood Plan Policy R10 but has had adequate regard to the recently adopted NFDC Climate Change SPD. Suitable conditions can secure detailed information on photovoltaic panels and an updated Energy Strategy.

As such, this material consideration will need to be considered in the balancing exercise in the conclusion.

v. Design

The applicants set out in the dated 7 October 2024 that they will not be amending the layout and scale of dwellings in Phase 1.

The Ringwood Design Code sets out with regard to scale, form and massing (page 50) that - *across the town, the majority of the buildings are between two to three storeys, down to single storey for cottages and bungalows* – and as such, the proposed range of storey heights within Phase 1, including the two proposed three-storey houses, is consistent with the range of storey heights across the town when considered as a whole. The predominant storey height within Phase 1 is, as set out in the September 2024 Planning Committee report, two-storey.

Planning Balance and Conclusions

The Council is only able to demonstrate a deliverable housing land supply of some 3.07 years. This is notably lower than the expected rolling five-year supply target set out in national planning guidance. Given this notable shortfall the presumption in

favour of sustainable development, as set out in Paragraph 11(d) of the NPPF, is engaged and as such planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The applicants have set out a revised Housing Mix which includes 19 additional two-bedroom market dwellings in Phase 2 (the Outline application). These will be in lieu of 19 three-bedroom market dwellings. The revised Housing Mix would be very slightly under the 50% requirement for smaller dwellings in Ringwood Neighbourhood Plan Policy R5 but would accord with Local Plan HOU1.

The applicants have set out that they do not intend to revise their affordable housing of 30% with a Local Plan Policy HOU2 compliant tenure split to include at least 25% First Homes dwellings in line with Ringwood Neighbourhood Plan Policy R6 (First Homes). The applicants have summarised five contributing factors in their letter of 7 October 2024 as to why they do not wish to provide First Homes.

NFDC Housing has reiterated that there is a significant need for rented affordable housing (both social rent and affordable rent) in the District and that this need is most acute for smaller homes. NFDC Housing also confirmed that there is also significant interest in the District for Shared Ownership housing. The proposal would therefore make an important contribution to meeting some of this affordable rent (social rented and affordable rented) and shared ownership housing need.

The delivery of at least 25% First Homes could likely lead to a significant reduction in the level of both Shared Ownership and Affordable Rented Housing. Through the need to meet the national planning guidance requirement for new First Homes to be priced at £250,000 or less after the minimum 30% discount has been applied, it is likely that the reduction in Shared Ownership and Affordable Rented Housing would be focused on the proposed smaller units (1 and 2 bed homes).

Clearly, there is some difficulty in practice in complying with both Local Plan Policy HOU2 and Ringwood Neighbourhood Policy R6. Essentially, the proposal is not compliant with Ringwood Neighbourhood Policy R6 given that no First Homes are proposed. However, it is considered that the social benefits to the District of providing the proposed affordable housing offer – which as set out is compliant with the tenure split in Local Plan Policy HOU2 – outweighs the social benefits of providing at least 25% First Homes.

The floor area of the proposed study rooms in some Phase 1 houses falls below the standard set out for a single bedroom in the NDSS and as such it is considered appropriate to discount them as bedrooms given the national standards and the need for adequate amenity for future occupiers.

The applicant has provided amended plan for some larger homes where upon review they determined that some of the smaller bedrooms were in fact below NDSS. The amended plans include bedrooms that are sized in line with the NDSS.

HCC Highways has no objection to the proposal subject to suitable conditions and a planning obligation. As set out, NFDC Officers are discussing development options on the residual portion of the application site with HCC Officers. The importance of addressing Local Plan Policy SS13 criterion (iii) (b) which seeks an access through to Forest Gate Business Park in any future development proposal has been reiterated.

As such, the proposed vehicular, cycling and pedestrian access routes and public transport are acceptable and therefore the proposal accords with Local Plan policies CCC2, IMPL2 and SS13 criteria (iii)(a) and (iv)(c) and Ringwood Neighbourhood Plan Policies R1 and R11.

The applicants have set out that they will not be amending the layout and scale of Phase 1.

The proposal clearly does not comply with Ringwood Neighbourhood Policy R10. However, the applicants have provided a list of the proposed energy saving devices to be adopted in Phase 1 and Phase 2. The applicants have also confirmed that each house in Phase 1 will have a photovoltaic panel. This can be secured through a suitable condition. The applicants have provided an Energy and Sustainability Statement (December 2021). It is recommended that this can be updated in later development phases through a suitable condition to take change of policy and legislative changes in the interregnum. In line with the September 2024 NFDC Planning Committee report, Officers consider that the proposal has had adequate regard to the NFDC Climate Change SPD.

Therefore, in summary, the proposal clearly does not accord with Ringwood Neighbourhood Plan Policies R6 (First Homes) and R10 (Zero Carbon Buildings) and falls very slightly short of according with Ringwood Neighbourhood Plan Policy R5 (Smaller Housing).

However, taking all the above into account Officers conclude that the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole. As such the proposed development benefits from the Framework's presumption in favour of sustainable development and this weighs heavily in favour of the proposal.

The scheme would not comply with the Development Plan (which now includes the Ringwood Neighbourhood Plan) when considered as a whole. However, material considerations, including that the scheme would constitute sustainable development within the meaning of the Framework, indicate that a decision should be made other than in accordance with the development plan. In these circumstances the scheme is acceptable and planning permission should be granted.

RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to reconsult Natural England prior to the proposed adoption of the shadow HRA and AA, and to GRANT PERMISSION subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Affordable housing provision (133 units);
 - Air quality monitoring contribution;
 - Alternative Natural Recreational Greenspace (ANRG), Public Open Space (POS) and play spaces including management and maintenance framework (including provision for the scenario whereby management is not undertaken properly or the management company ceases to operate)
 - ANRG Phase 1 Phasing Plan;

- Biodiversity Net Gain management and monitoring;
- Community Facility contribution in lieu of community focal point ;
- District Council Monitoring charges (recreational habitat mitigation commencement and on-site monitoring and/or inspections, affordable housing monitoring, biodiversity net gain monitoring, public open space);
- Formal public open space (football pitch) contribution;
- Habitat Mitigation;
- Linden Ring 3 footpath improvement contribution;
- Hampshire County Council:-
 - Primary Education in Ringwood contribution;
 - Countryside Services (Public Rights of Way) contribution;
 - Local Highway Authority contribution.

ii. The imposition of the Conditions, as set out in Appendix 1, and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Planning Committee 11 September 2024

Application Number:	21/11723 Outline Planning Permission
Site:	SS13 - LAND OFF, MOORTOWN LANE, RINGWOOD (PROPOSED LEGAL AGREEMENT)
Development:	Hybrid planning application comprising a total of 443 dwellings: Outline planning permission (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; Full permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development. This application is subject to an Environmental Assessment and affect Public Rights of Way.
Applicant:	Crest Nicholson South
Agent:	Savills
Target Date:	06/05/2022
Case Officer:	Robert Thain
Officer Recommendation:	Service Manager - Grant
Reason for Referral to Committee:	Application relates to one of the Council's Strategic Sites

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

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

4. Heritage Assets.
5. Infrastructure and Developer Contributions - s106 Heads of Terms, Community Infrastructure Levy and Impact on local infrastructure.
6. Other Matters - Impact on Residential Amenity, Environmental Health, Sustainable Construction and Design, Mineral Safeguarding and Community Engagement.
7. Response to Ringwood Town Council and Local Objections.
8. Planning Balance and Conclusions.

2 SITE DESCRIPTION

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

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

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

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

3 PROPOSED DEVELOPMENT

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

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

i. Parameter Plans

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

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

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

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

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

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

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

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

ii. Phase 1: Detailed Design

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

a. Housing Mix

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

Table 1: Phase 1 Housing Mix

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

b. Access and Movement

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

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

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

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

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

The proposed pedestrian and cycle accesses include:

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

c. Street Hierarchy

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

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

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

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

d. Parking and Cycle Storage

The DAS sets out that the Phase 1 vehicular parking is proposed to be designed in line with the current guidance contained within Manual for Streets and the NFDC

Parking Standards SPD (April 2022). Allocated parking will predominantly be provided on plot, within the curtilage, either to the front or side of dwellings, with individual bays and/or garages set back from the building line, to allow ease of access to dwellings. Garages are provided at a minimum size of 3m x 6m for a single garage and 6m x 6m for a twin garage, to allow sufficient space to accommodate a car.

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

e. Design

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

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

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

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

f. Public Open Space

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

- An informal green edge to the north of Moortown Lane;
- A more formal pocket park, public open space and smaller informal spaces in the housing area;

- 4.37 ha of Alternative Natural Recreational Greenspace (ANRG) sited on a north-south axis in the centre of the application site.
- Two large play areas immediately to the east of the Phase 1 housing comprising a Neighbourhood Equipped Area for Play (NEAP) – a play space for older children – and a Local Equipment Area for Play (LEAP) – a play space for younger children.
- A set of large infiltration swales to accommodate surface water drainage.

iii. Supporting Information

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

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

4 PLANNING HISTORY

Application Ref: 06/88357

Granted Subject to Conditions (13/11/2006)

Application Ref: 21/10339

EIA Screening Opinion:

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

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

Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

Listed Buildings and Conservation Areas Act 1990

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

Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

Relevant Government advice

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

Planning Practice Guidance (PPG)

National Design Guide (2021)

Manual for Streets (2007)

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

Core Strategy 2009 (Saved Policy)

CS7: Open Spaces, Sport and Recreation

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

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM5: Contaminated land

Local Plan Review 2016-2036 Part One: Planning Strategy

Strategic Site SS13 Land at Moortown Lane, Ringwood

STR1: Achieving Sustainable Development

STR5: Meeting our housing needs

STR8: Community services, infrastructure, and facilities

STR9: Development within a mineral safeguard area

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

ENV2: The South West Hampshire Green Belt

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

HOU1: Housing type, size, and choice

HOU2: Affordable Housing

CCC1: Safe and Healthy Communities

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

IMPL2: Development standards

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites (2021)
- SPD Housing design, density and character (2006)
- Developer contributions towards air quality
- Ecology and Biodiversity Net Gain Interim Advice Note

- SPD Air quality in New Development (2022)
- Ringwood Town Access Plan (March 2011)
- Ringwood Local Distinctiveness (July 2013)

Neighbourhood Plan

The Ringwood Neighbourhood Development Plan (RNP) was adopted by NFDC on 8 July 2024. A report was taken to NFDC Cabinet on 1 May 2024 which sought approval for the modifications recommended by the Examiner of the Ringwood Neighbourhood Development Plan and agreement that the Neighbourhood Development Plan can proceed to a local referendum. The referendum was held on 4 July 2024. The local Ringwood community was asked whether they supported the Neighbourhood Plan, in a referendum on 4 July 2024. A majority (83.2%) of those voting in the referendum voted in favour of the Plan (on a turnout of 58.9%).

In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the Ringwood Neighbourhood Plan was 'made' (adopted) by New Forest District Council on 8 July 2024. Now made, the Neighbourhood Plan forms part of the statutory development plan for Ringwood parish within New Forest District Council area.

There are eleven policies within the adopted Ringwood Neighbourhood Development Plan (listed below):

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

Adopted Ringwood Neighbourhood Development Plan policies R1, R5, R6, R7, R8, R9, R10, and R11 are considered relevant to this proposal and as such are addressed under each relevant sub-section of the Planning Assessment in the Committee Report.

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

Hampshire Minerals and Waste Plan (October 2013)

Other relevant documents

NFDC Corporate Plan 2024 to 2028.

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

Comments were received from Ringwood Town Council (RTC) in April 2022, February 2024, May 2024, June 2024 and July 2024. The comments are reproduced in full for Members of the Committee in the report. For reference, the July 2024 comments from Ringwood Town Council were received after the agenda was published for July 2024 NFDC Planning Committee but before the item was withdrawn from consideration at July 2024 NFDC Planning Committee.

July 2024

Three minutes is hardly sufficient to respond to even the simplest application that the Town Council objects to let alone one such as this involving over 400 potential dwellings. Life is not made easier by having only a week's notice of the Officer's report which raises new issues not anticipated nor addressed in previous submissions. Hence this written response but please note that the "three minutes" does not include time taken to answer questions from members which we invite so that we can clarify matters of concern. Nothing herein is intended to detract in any way from previous observations but rather, to address matters raised by the Officer.

NFDC (in common with the vast majority of planning authorities) is under pressure to approve planning applications for new housing and is rightly concerned about the risk of being challenged on an appeal against refusal and the potential costs of both defending the appeal and the risk of having to pay costs should an appeal succeed. However, that is not a good enough reason to simply approve applications that are not "policy compliant". It is the Town Council's submission that the Officer's reports do not have proper regard to policies now in place (in particular the now adopted Ringwood Neighbourhood Plan) and that to grant permission on the basis recommended would itself expose the Council to the risk of a successful challenge at Judicial review with all that would entail in terms of costs, this on the basis that the incorrect test is being applied with regard to the Neighbourhood Plan and the application of the policies therein.

We therefore invite the Planning Committee to either refuse the application (on the basis that it is not compliant with current policies) or to defer consideration of the application pending an updated/revised report from Officers which properly takes into account the Neighbourhood Plan and amends its recommendations accordingly.

The status of Ringwood's Neighbourhood Plan ("the NP") The Officer's report is both "out of date", factually and legally incorrect, not least because the officer seems to be referring to an earlier version of the plan which had 12 policies, rather than the 11 that were eventually included. References in the report to the NP policies R9 – R12 are therefore incorrect. The NP did not simply pass the Inspector's examination but was approved at referendum (with over 83% voting in favour) and is scheduled to be adopted by NFDC on 8th June 2024 – this is a mere formality and the NP is now a relevant policy. Nothing in it is contrary to NFDC's own policies – had that been the case, it would not have passed examination, let alone been approved by NFDC.

Policy issues regarding the NP

The application is non-compliant in a number of significant respects, including the following:

NP Policy R6 – First Homes. The application does not include any "First Homes". Had it done so, our view is that any viability assessment (see further below) would

have demonstrated that the inclusion of “First Homes” would have made the proposed development more (rather than less) viable. This is important to Ringwood given the number of young local residents who are being “priced out of the market”.

The Officer has seemingly chosen to give greater weight to the NFDC First Homes Advice Note than to the NP policy. This with respect, is wrong.

RNP Policy R8 – “Building for a Healthy Life Assessment” The report wrongly asserts that “there is no requirement on the part of an applicant to undertake a “Building for a Healthy Life Assessment”. It correctly asserts that “it is not on the list of required documents on the NFDC validation checklist”. The adoption of the NP makes it a policy requirement within the NP plan area to produce such an assessment.

That said, the applicant has purported to undertake such an assessment and that has all areas marked in green. The officer has noted that several of the amber assessments in the RTC analysis of the assessment (sections 5, 6 and 7 on pages 81 and 82) are “valid design comments” but does not then question (on page 85) the applicant’s assessment – this is somewhat inconsistent.

NP Policy R10 (wrongly referred to in the Officer’s Report as R11). The Officer (on page 95) states that it appears to go beyond the recently adopted Climate Change SPD adopted by NFDC.

With respect, that is entirely the point of a Neighbourhood Plan – it provides additional policies applicable to the plan area. It is suggested that implementation may affect viability but there is no evidence to back that up and indeed the applicant’s own Annual Integrated Report 2021 states that its new house types “give a higher energy efficiency at a 9% lower build cost yet the proposal is that the houses will be built only to current Building Regulation requirements.

Policy issues regarding the Local Plan

Site access when the Local Plan was subjected to a Public Enquiry, the then proponents of the scheme to develop “Site 13” (i.e. the present application site) argued strongly that the access route to the north-west of the site (into the “Wellworthy site” should not be included as it was a “ransom strip” that might curtail future development. The Inspector(s) disagreed.

This site will simply not work without the additional vehicular access point in the North and to the East (or North-East) and the policy aim of creating a route from the A31 through site 12, along the Ring 3 Development (Beaumont Park), through this site (13) and to the Christchurch Road (thereby avoiding the already congested Town centre) is defeated.

Vehicular access to schools from the site and indeed to even the nearest supermarket is substantially longer (contrary to policies aimed at Climate Change and others) and there is no guarantee whatsoever that these additional access points will ever be delivered in future. The applicant has not disclosed any detail as to any negotiations that may have taken place with Hampshire County Council nor other relevant landowners that demonstrates that the provision of these additional access points is undeliverable.

The proposal that development should be permitted before any improvement works are undertaken to Moortown Lane and its junction with Christchurch Road is frankly and simply unacceptable – it is not sufficient that “the site access and Crow Arch

Lane pedestrian/cycle access to the north will be delivered prior to first occupation in Phase1” (my emphasis).

We have not been provided with any detailed costings for these works; we are not satisfied that the proposed works are even achievable and it is in our view quite wrong that such matters have not been resolved in conjunction with the detailed consent sought in respect of Phase 1 of the development. (Please also see further below under “financial contributions”).

Further and in terms of Pedestrian and Cycle links, the assertion (on page 58/59 of the (note: the withdrawn July 2024 Planning Committee) Officer’s report that “the proposed cycle and walking links mean that the proposal broadly accords with the post-examination RNP (now the ADOPTED NP) is factually incorrect – the proposals breach the NP Policy R1 criterion D.

Please also have regard to the detailed (and negative comments) under the section “South-West Hampshire Green Belt” e.g. (in the context of Moortown Lane) “Overall, a very high magnitude of change is expected as a result of Phase 1 and the wider site, resulting in a major/moderate adverse level of effect”, with reference to Year 1 “this change will be stark and with mitigation planting not matured the change is anticipated to remain very high” and even at Year 15 “in this context the change anticipated is marginally reduced by year 15 to high, but still considered to be at a major/moderate (and significant) level of effect”.

ANRG

The proposal is only compliant with policy if the land north of Crow Lane is included as ANRG. This is both artificial and inappropriate, not least given its remoteness from the proposed housing. Although the access link from the “main site” has been altered to form part of the Castleman Way, this does not resolve the issues.

Affordable Housing

As admitted by the applicant, the overall proposal is contrary to the policy that 50% of the proposed dwellings should be affordable but it is asserted that this is acceptable on the basis of viability.

We note that the viability assessment does not take into account any “First Homes”, contrary to the now adopted Policy R6 of the NP. The Town Council has provided evidence that the inclusion of First Homes in fact makes a development proposal more viable than exclusion of the same.

That said, we (RTC) lack the technical knowledge and resource to challenge the viability assessments but one thing is crystal clear – as time passes, circumstances change. Building costs may go up as well as down and more to the point, the selling prices of housing may also change dramatically – if prices rise, the developer’s profits will increase.

Particularly with regard to the outline application for Phase 2 of the proposal, if NFDC were to agree at this stage that 30% affordable was acceptable, there would only be one direction in which that could go, namely down. If, on the other hand, NFDC were to maintain its policy line of 50% affordable (and to require that a proportion of those be First Homes), there would be nothing to prevent the developer from undertaking a further viability assessment when a detailed application is submitted and the position could then be re-appraised in the light of circumstances as they then are.

We therefore strongly urge the Committee not to accede to the recommendation that 30% affordable housing is acceptable at this stage.

NFDC Environmental Design

This is probably the strongest single objection from NFDC officers and, if anything, goes further than RTC's observations. It is clear that on design grounds, the proposals are "contrary to Local Plan Policies ENV3 and STR1 (ii) This is a clear ground for refusal and the applicant has made little or no effort to address these very valid objections.

Financial contributions

We note the proposed contribution of £1,040,588 towards "walking and cycling improvements on Christchurch Road...." etc but there seems to be no costing with regard to the widening of Moortown Lane – simply that "monitoring of Moortown Lane through the first phase of development to determine whether widening is necessary" – RTC's view (give our local knowledge) is that such widening is absolutely essential. It appears that HCC agrees –note that under 10.3 – Highways, Access and Parking at (i. Site Vehicular Access) it is asserted that "HCC consider that the widening of Moortown lane is necessary....." and that "the applicant has agreed to implement these improvements to Moortown Lane and will be secured through a s106 obligation" but no costing has been provided other than a "contribution of £69,000 for surfacing improvements to be undertaken on the length of Ringwood Bridleway 509 between Crowe Hill and Barrack Lane (to the south-east of the application site) which is part of the wider Castleman Trail." We similarly note a total contribution of £2,465,274 to the Local Education Authority but only in relation to primary age children and with no information as to how and where that money might be spent. We also note £48,287 in respect of Air Quality Monitoring Contribution and £383,150 for habitat mitigation, the £110,000 "off-site contribution" for formal public open space (playing pitches and infrastructure) and £192,700 for "community facility contribution".

Conclusion

This is all about "tilted balance". Whilst it is acknowledged that NFDC is falling short in terms of housing allocation, the lack of "First Homes" and the failure to achieve 30% affordable housing is a real issue. The proposal fails to meet key policies in the now adopted Ringwood Neighbourhood Plan and also falls short of compliance with the Local Plan, not least through access to Christchurch Road. To quote "the proposed development is not outstanding or innovative in line with NPPF paragraph 139 criterion (b). The proposed financial contributions are not sufficient to mitigate the harm that will be caused (not least the absence of costings or contributions to improve Moortown Lane). It is not good enough to say "the proposal is considered to be generally in line with local and national policy and guidance" – it needs to be compliant and this proposal is not. Further, compliance with policy requirements regarding ANRG is dependent on the grant of application 23/10707. Both applications should therefore be refused or, at the very least deferred until the issues herein are resolved to the satisfaction of members and not left to Officers to determine under delegated powers.

June 2024

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

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

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

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

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

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

May 2024

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

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

Given the vast number of documents relating to this application, we have endeavoured to address only our principal concerns and not matters of detail. We will be represented at the NFDC Planning Committee when the application is

considered and invite members to ask questions to clarify any matter not specifically addressed.

Vehicular Site Access

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

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

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

The proposed “improvements” to the junction with Christchurch Road and elsewhere could only be “secured” by a financial contribution under a S106 agreement but that does by no means guarantee they will be delivered. For example, when consent was granted for the Lidl store on Forest Gate Business Park, this included a s.106 agreement for a contribution towards a pedestrian crossing. It transpired that the contribution was woefully inadequate and no controlled crossing was ever built (let alone a “Toucan crossing” as is now proposed). There are similar examples relating to the Beaumont Park estate, with two key footpaths as yet undelivered. Further, previous applications have demonstrated that “improvements” to other junctions are not practically feasible. Having reviewed the latest comments from HCC Highways and the Schedule of Highway Works, we note with considerable dismay and concern that it is now proposed there be no requirement to complete any of the highway improvements before the first occupation of dwellings in Phase 2. If consent is granted, we would request a condition that all proposed highway improvements be implemented before occupation of any proposed dwelling.

Pedestrian and cycle access

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

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

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

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

Housing

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

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

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

Design Issues

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

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

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

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

The applicant has not submitted a Building for a Healthy Life assessment, as required by Policy R8 of the Ringwood Neighbourhood Plan. In the absence of this, the Town Council and members of the RNP team have undertaken a BfHL assessment, which forms part of the Town Council’s response –

this is the same as that submitted in February as there has been little change in the design), which indicates the development is not well designed. On that basis, the application should be refused.

Density

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

“Open Spaces – ANRG etc.”

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

Drainage

The applicant appears not to have considered properly how water currently drains from the site nor the effect of its proposals on adjoining properties. Much further investigation needs to be undertaken in this regard. Hampshire County Council, as the Lead Local Flood Authority, requested specific information in their original response dated 28/01/2022. They responded further on 20/06/2023 stating that information on infiltration testing and groundwater monitoring to support the drainage strategy had still not been provided. The most recent response dated 05/02/2024 states that this information remains outstanding. Given the increased level of flooding in the area, it is of great concern that the applicant has failed to provide the required information and to demonstrate an adequate drainage strategy for the site. There is an opportunity to bring back into use the currently redundant Moortown Lane Flood Relief Drain if this development proceeds. We would welcome a conversation with HCC as the Local Lead Flood Authority and the applicant as to how this might be achieved.

Conclusion

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

February 2024

Summary

This is Ringwood Town Council’s further response to planning application 21/11723, agreed by Full Council on 28 February 2024. It follows the Council’s original response from April 2022, a copy of which is attached for ease of reference. We have considered the amended plans and further documents, note the amendments and that the Examiner’s final report on the Ringwood Neighborhood Plan has now been received and it should accordingly be given weight. We remain of the strong

view that the application should be refused (R4). We have not had sight of the Officer's report and note that some requested documentation and responses from several statutory consultees are outstanding. We therefore reserve the right to make further comments in respect of any additional information received relating to this application. Given the vast number of documents relating to this application, we have endeavoured to address only our principal concerns and not matters of detail. We will be represented at the NFDC Planning Committee when the application is considered and invite members to ask questions to clarify any matter not specifically addressed.

Vehicular Site Access

The issue of site access is not a reserved matter. The proposal is contrary to the policy set out for SS13 in the Local Plan, specifically because the only access will be from Moortown Lane – as the name suggests, a lane along which two Heavy Goods Vehicles cannot pass. At the Public Inquiry into the current Local Plan, the Inspector was specifically invited to exclude an access into this site from the north-west corner but declined to do so. The land in question is under the control of HCC and designated as an employment site, although no application has been forthcoming. It appears that the applicant has failed to reach any agreement with HCC that would allow construction of this access, let alone any access onto Crow Lane. The argument will no doubt be that the application should not be refused “simply because” the applicant has failed to secure these agreements but the outcome will be that all vehicular traffic will need to access and egress the site via Moortown Lane.

This is a fundamental issue. It is unrealistic to suppose that all residents living on this site will walk or cycle to take their children to school or to do their shopping. The proposed “improvements” to the junction with Christchurch Road and elsewhere could only be “secured” by a financial contribution under a s.106 agreement but that does by no means guarantee they will be delivered. For example, when consent was granted for the Lidl store on Forest Gate Business Park, this included a s.106 agreement for a contribution towards a pedestrian crossing. It transpired that the contribution was woefully inadequate and no controlled crossing was ever built (let alone a “Toucan crossing” as is now proposed). There are similar examples relating to the Beaumont Park estate, with two key footpaths as yet undelivered. Further, previous applications have demonstrated that “improvements” to other junctions are not practically feasible. If consent is granted, we would request a condition that ALL proposed highway improvements be implemented before occupation of ANY proposed dwelling.

Pedestrian and cycle access Again, the applicant has failed to secure the necessary consents to ensure compliance with policy requirements to (for example) provide reasonably accessible links to local schools (Poulner Infant and Junior Schools in particular) but also to local shops – e.g. Lidl on Forest Gate Business Park. (Note – there was an indication in one of the applicant's transport documents that the Poulner schools were no longer to be treated as catchment for this site, but that information could not be verified.) The proposals for the junction with and then crossings across Christchurch Road are simply not practical nor achievable. Other pedestrian routes from the north and east of the site are not properly defined. Policy R1 (Clause D) of the emerging Ringwood Neighbourhood Plan states: “The harmful effects of traffic congestion, especially traffic with an origin and destination outside the town centre, will be tackled through the promotion of other means of moving about the town including the delivery of effective walking and cycling measures to better connect the new communities at Moortown Lane and Hightown Road.” There is no clear means by which this policy will be met; there is no connection from the north of the site to Wellworthy Way and the proposed connection to Christchurch

Road to the South of the site does not appear to be suitable for walking or cycling and requires crossing the increasingly busy Christchurch Road.

Housing

We echo (without repeating) the observations of officers that whilst the commitment to 50% affordable housing is welcomed, the proposed mix of housing, both affordable and otherwise, is not policy compliant. The proportion of 1 and 2 bedroom dwellings for the first phase is 40% (60 of the 150 dwellings). This is not in accordance with Policy R5 of the emerging Ringwood Neighbourhood Plan (RNP), which states that the figure is greater than 50% of schemes of five or more dwellings.

There are no First Homes proposed in Phase 1, contrary to Policy R6 of the emerging RNP, which requires that a minimum of 25% of new affordable homes shall be provided as First Homes. Policy R11 of the emerging RNP requires that “wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m² /year. Whilst we are encouraged by the potential for inclusion of PV panels we note there is no definite commitment at this stage to comply with this requirement.

Design Issues

The Town Council’s view is that the proposed development (particularly regarding the detailed application) is unacceptable. We refer here to the observations of the Urban Design Officer regarding numerous aspects not least “street scenes”, the density of the proposals which are far too high for an “urban edge development” which has hitherto been Green Belt land. There is a great deal wrong with the proposals but to cite but one example, please consider the western edge of the proposed development. The existing dwellings (which are quite substantial properties that, thanks to the topography sit considerably lower than the ground level of the development site). They would not only be overlooked by the proposed housing but the proposed style of houses along this edge would be entirely out of keeping with the immediate locality. There appears to have been no consideration of how existing power cables will be accessed nor the effect on drainage. We have little doubt that if the application here was to build a single dwelling (let alone a dozen or so) backing on to the existing properties, considerable concerns would have been raised about “overlooking/loss of privacy” and “loss of amenity”. There should in our view be a clear “gap” and “green space” between the existing dwellings and any proposed new housing. Paragraph 139 of the NPPF states that “development that is not well designed should be refused”. The applicant has not submitted a Building for a Healthy Life assessment, as required by Policy R8 of the emerging Ringwood Neighbourhood Plan. The Town Council and members of the RNP team have undertaken a BfHL assessment (see attached, which forms part of the Town Council’s response), which indicates the development is not well designed. On that basis, the application should be refused.

“Open Spaces – ANRG etc.”

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

Landscaping

Policy R10 of the emerging Ringwood Neighborhood Plan states that “all proposals should protect and maintain trees and hedgerows; provide for the planting of new trees for flood management and carbon sequestration purposes; and include hedgerows and bulb and wildflower planting where it is compatible with the street scene.”

We note the intention is to maintain most of the hedgerows and to plant new trees, however we would ask for more details of bulb and wildflower planting in the area.

Drainage etc.

The applicant appears not to have considered properly how water currently drains from the site nor the effect of its proposals on adjoining properties. Much further investigation needs to be undertaken in this regard. Hampshire County Council, as the Lead Local Flood Authority, requested specific information in their original response dated 28/01/2022. They responded further on 20/06/2023 stating that information on infiltration testing and groundwater monitoring to support the drainage strategy had still not been provided. The most recent response dated 05/02/2024 states that this information remains outstanding. Given the increased level of flooding in the area, it is of great concern that the applicant has failed to provide the required information and to demonstrate an adequate drainage strategy for the site. There is an opportunity to bring back into use the currently redundant Moortown Lane Flood Relief Drain if this development proceeds. We would welcome a conversation with HCC as the Local Lead Flood Authority and the applicant as to how this might be achieved.

Archaeology

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

Conclusion

The Town Council recognises that, both nationally and locally, there is a housing shortage, particularly for younger people who find it difficult to the point of impossibility to step on to the “housing ladder”. However, there are yet again so many issues with the present application, both outline and detailed, that we urge that the application be refused and the applicant be in effect invited to go back to the drawing board.

April 2022

Summary

This is Ringwood Town Council’s response to planning application 21/11723, which was agreed by Full Council on 27th April 2022. The Council reserves the right to submit further comments after this date in respect of any further information received relating to the application. The Town Council recommends that the application is refused (R4). The application for outline planning consent concerns part only of Strategic Site 13 as identified in New Forest District Council’s Adopted Local Plan Part 1 and the detailed planning consent concerns part only of the site included within the area encompassed by the outline application. In this response, RTC address a number of matters of “detail” but that we have chosen to do so should not detract from its fundamental objection to the current proposals.

Introduction

During the process of adoption of the Local Plan Part 1, RTC made both written and oral representations to the Public Inquiry with regard to what was originally known as “Site P” but is now referred to as “Strategic Site 13”. In very brief summary, RTC was opposed to the removal of Site 13 from the Green Belt and concerned as to the extent of the proposed development and matters relating to infrastructure. Nevertheless, the site was included within the housing allocation on the basis it could provide at least 480 dwellings, employment land of about 2 hectares, the provision of land for a minimum of 15 full size allotment plots and (south of Moortown Lane in the Green Belt) the provision of natural recreational greenspace and public open space (including outdoor sports facilities) and 2 hectares of land to be reserved for a primary school. It should be noted that the current applicant neither owns nor has any control over parts of “Site 13” and this is highly relevant in that it means that the applicant is simply not in a position to deliver a number of strategic/policy objectives of the Local Plan insofar as it relates to this site. Further detail as to the relevant issues are dealt with below.

The mere fact that the land the subject of the applications is included as a strategic site within the adopted Local Plan does not mean that any planning consent should be automatically granted (even in outline) – the applicant needs to demonstrate that its proposals include appropriate infrastructure and in the view of RTC, the current application manifestly fails in that regard.

Further, the proposals either entirely or inadequately fail to address a series of other matters of concerns which are outlined below.

Caveats

At the time of preparing this response, formal responses from a number of consultees were awaited, including in particular from (but not limited) to the Highway and Education authorities. RTC must reserve its right to comment further in the light of further responses from other statutory consultees (see also further below).

Issues

In this section, RTC simply sets out the matters of concern – more detailed comments follow in the sections below and the appendices. Principle of Development Housing Mix and Type Design Considerations – Site layout Transport (including walking and cycling strategies) – please note that this issue is fundamental. Nature Conservation and Ecology Public Open Spaces Flooding, Drainage, Water Supply and Foul Water Residential Amenity Sustainability Gravel extraction.

Principle of Development

Whilst the Local Plan identified the land included within the application as appropriate for housing (and employment) development, this was on the basis that appropriate infrastructure be included in any proposal. The application fails to comply with this policy requirement on a number of matters: No community facility is proposed within the site and no proposal has been made regarding any “off-site” provision. RTC is not in a position to suggest any “off-site” provision and looks to the applicant to make appropriate proposals. The proposal does not include any provision for a primary school (see further below regarding transport in particular). RTC does not consider it appropriate that any land currently used for formal recreational activity should be re-designated as a school. If (and the Education Authority’s response is awaited) it is necessary or appropriate to designate land for

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

Housing Mix and Types

It is noted that the outline scheme provides 50% affordable housing but the detailed planning application does not. This is not acceptable. Furthermore, the mix of housing and types proposed is contrary to NFDC policy; Housing Mix – Application Planning Statement section 6.75 correctly reproduces the NFDC Local Plan (2020) Policy HOU1 for the required mix of housing sizes, for each of the sectors “Affordable Housing to Rent”, “Affordable Housing to buy” and “Market Housing”. However, the presentation made does not achieve these proportions. Para 6.75 lists overall proportions but without reference to different housing sectors, and moreover, are listed as “indicative” - hardly a commitment!

Moreover, the open market housing mix only proposes 20% of 1-2 bedroom sizes, compared with Policy HOU1 which requires 30-40%. This failure to match the requirement would mean that, of the 168 dwellings proposed in phase 1, there would be a shortage of some 25 dwellings likely to be more affordable to people - particularly those with Ringwood connections - to start a home. There is very little in this application that benefits the well documented housing needs of our local community, and the diminution in this developers plans for fewer smaller, less expensive housing is unacceptable.

2. Housing Types. Although the proportion of subsidised Affordable Housing in the proposal of 47% is nearer the Policy requirement of 50%, the recently commissioned Ringwood Housing Needs Assessment (attached) suggests the split of types should be 50% Affordable to Rent/50% Affordable to Buy, rather than Policy guidance of 70%/30%. This Needs Assessment summarises the position as follows:-

“Accordingly, within the Affordable Housing that comes forward in future we have recommended a split of 50% routes to home ownership and 50% Affordable Housing for rent. Within the 50% affordable ownership, there could also be a split of 25% First Homes, 20% Shared Ownership and 5% Rent to Buy. Importantly, this split within the affordable home ownership is compliant within current government guidelines, such as First Homes and Rent to Buy. This recommendation should be interpreted flexibly as there is an argument for a higher weighting on affordable rented products due to uncertainty about future rates of turnover, the need to meet a share of the District's needs, and the fact that much affordable home ownership is only affordable to above average earners in Ringwood.” We recommend this proposed 50/50 mix of Affordable tenures as being more suitable for the subsidised housing sector on this SS13 site. Regard should also be had to the work undertaken by RTC's Neighbourhood Planning Teams regarding housing need in Ringwood (Appendix A).

In summary, the application is unacceptable because it does not:

Provide sufficient open market housing for one and two bedroom apartments and flats (Indeed, there appear to be no proposals for such housing within the detailed

application);

Provide for larger affordable housing such as 4 bedroom houses;

RTC would in any event ask for a s.106 Agreement to ensure that all manner of affordable housing is provided before open market housing is offered for sale/occupied.

Design Considerations

Site layout RTC have significant reservations about the design (particularly in relation to the detailed application). The detailed application seems to us to be very inward looking and quite inappropriate for a development on the fringes of the Town, bordering as it does to Green Belt land and in very close proximity to the National Park – there would be no (or very limited) views from within the development to the open areas. The density of proposed housing in the detailed application (40 per hectare) is significantly greater than what has been approved (and now built) at Beaumont Park (Linden Homes at 32-33) and the proposed development at the “Taylor Wimpey” site (also referred to as “Hightown”, “Nouale Lane” and strategic site 14) at 35 per hectare. Further, the detailed application provides little (if any) opportunity for soft landscaping and one is left with the impression that the “side streets” will probably be obstructed by parked cars (see also further below under “sustainability”).

There is at present a large tree and copse in the middle of the site which is a nesting site for a pair of breeding buzzards. It is understood that this tree would be felled which would be regrettable to say the least – we suggest that a TPO be made to prevent this. In the view of RTC, the proposals do not adequately provide for preservation of existing hedgerows nor the provision of additional tree and other planting. The “green spaces” are remote from the proposed housing and few if any are incorporated within the detailed application and there is what might be described as a “hard edge” around the housing site with no “soft transition” to the open areas. This is particularly the case along the western boundary – see further below regarding the water main and overhead electric power lines. Further, the proposals do not take into account the impact of the proposed development on the National Park, particularly but not limited to light pollution. Under the NNPF, a proposal that is not well designed should be refused consent. An appropriate tool should be used to assess how good the design is. In this context, RTC make reference to a “Building for a Healthy Life” (“BfHL”) assessment undertaken by one of the teams involved in drafting a Neighbourhood Plan for Ringwood which indicated the proposed development is not well designed. A copy of the assessment is at Appendix B. Noting that use of appropriate tools like BfHL is required by the NNPF [133], we would be interested to know which ones are being used by NFDC to assess Ringwood’s allocated sites.

Transport

The Local Plan (and earlier incarnations) envisaged a route from the A31 (west bound), through what is now the “Taylor Wimpey/Nouale Lane” site, then onto Crow Lane and then through this site to Christchurch Road, either via Moortown Lane or, more importantly through the Forest Park (or as we know it the “Wellworthy site”). The applicants are simply not in a position to deliver the policy objectives because no application has come forward from Hampshire County Council regarding the plot of land in the North West corner of site 13 and the access onto Crow Lane depends on the ownership of land that is also outside the applicant’s control (and would most probably require the demolition of one or more of the properties along Crow Lane itself). It follows that the applications must be considered on basis that the sole access into and from the site will be from Moortown Lane. This alone does not

achieve the policy objectives of the Local Plan. Whilst this response has been prepared without sight of a response from HCC Highways, RTC comment as follows:

The proposal does not meet the policy objective of a link from the A31 to Christchurch Road nor does it achieve a sustainable cycling and walking strategy.

The traffic assessment is based on surveys that are out of date, having been conducted either during lockdowns or at times when significant numbers were working from home.

The proposals for the junction between Moortown Lane and Christchurch Road and along the western end of Moortown Lane are unsatisfactory. There is simply not enough room to allow for a footpath and 2/3 lanes of traffic without encroaching onto privately owned land. Further, the houses on either side of Moortown Lane at this point (particularly that on the northern side) occupy elevated positions and it would be necessary to provide some form of retaining wall that would dominate the street scene in what is at present an entry point into the countryside. Such a construction would be incongruous and unsightly.

The applicant has acknowledged that the development will have consequential effects on the route into Ringwood Town centre and to the A31 and suggests that three of the four roundabouts could be improved to ease traffic flow and congestion. However, no details have been provided and the Town Council is aware that previous investigations by the Highway authority have demonstrated that there is no practical scope to improve the three roundabouts at the junction with Castleman Way, at the War Memorial and the main town roundabout junction with Southampton Road.

The applicants also propose a pedestrian crossing point at the Moortown junction, across Christchurch Road. It is ludicrous to think that pedestrians will cross the road at that point simply to avoid walking across the forecourt of the Texaco filling station; further, the footpaths along Christchurch Road are not continuous and the one footpath that passes opposite the brewery site is very narrow with no scope to be widened.

The transport assessment also assumes that the majority of school children living in the development would walk or cycle to school. Unless the applicants can deliver a walking/cycling route across Crow Arch Lane and into and across the Beaumont Park estate (Linden Homes) (over and onto land that is not within their ownership), the only access will be via Moortown Lane. Elsewhere, it is proposed that primary and junior school children would be educated at Poulner schools (notwithstanding that this site currently falls outside the catchment area!) – a distance of over 2 miles away, on the other side of the A31. It is frankly ludicrous to suggest that parents will do anything other than drive their children to school (there are no buses). Not only will that significantly increase traffic movements at dropping off and picking up times but it will also exacerbate an already serious issue of parking around the Poulner Schools.

Nature Conservation and Ecology

The proposed ANRG does not meet minimum policy requirements and does not accord with the relevant SPD in terms of functionality as there is a road crossing through the middle of it.

Whilst it is conceded that the scheme proposes a net gain in bio diversity (largely because the land is currently high quality arable land), it is of concern that the

mature trees in the middle of the site is to be felled and that elements of hedgerow will be lost. Further, deer are regularly seen to be grazing on the land and will be displaced.

The site is just over 100m from the Avon Valley SSSI and there is extensive evidence that the gardens of the houses in-between are permeable to wildlife. The site layout would close this corridor and be against consultee advice from Wessex Water (due to water pipes) and the presence of overhead electricity cables, both of which require access for maintenance. More information on this and concerns about the BNG and phosphate calculations used by the applicant is contained in Appendix C.

The site layout with its streets effectively lined with housing provides little or no opportunity for landscaping and planting within the built area. If each property has a soak-away in its rear garden as proposed, this too would limit the opportunities that future residents might have for tree planting on their properties.

There is also serious concern regarding a lack of any detailed phosphate mitigation – NFDC does not have its own scheme and the applicants have provided no detail of what mitigation they might be able to achieve (nor where).

Public Open Spaces

RTC questions whether the scheme provides sufficient informal space but is also extremely concerned that the scheme relies on utilisation of existing formal recreational space. By national standards, Ringwood is already deficient in terms of formal recreational space and that will remain the case even after the proposed redevelopment of the Football club. Far from providing additional formal space, the scheme envisages the loss of two existing playing pitches. It is submitted that the applicant should provide both additional formal and informal recreation space within the land it owns/controls north of Moortown Lane and does not rely on any of the land to the south of the lane.

Flooding, Drainage, Water Supply and Foul Water

The scheme is deficient in that it suggests that each property should have its own soak away in rear gardens – this would severely limit the opportunity to plant trees in rear gardens. No swells or SUDS are proposed and surface water from the roads is to be held in crates. This proposal is a lost opportunity to increase bio-diversity by the creation of ponds or small lakes. The applicant also appears to be unaware that existing field drains flow through the listed building known as Moortown House – the existing flow has historically caused flooding in the formal garden of that property and surface water from roads finding its way into that drain for example is likely to be contaminated with oil, diesel and petrol. Local residents have also raised concerns about water pressure in the existing mains serving other properties in the locality. No information has been provided regarding the provision of water supplies to the proposed development nor has any account apparently been taken of the effect that may have on existing properties, including those within Beaumont Park and along Crow Lane in particular. No detail has been provided as to how the foul sewers from the site would connect to the existing foul sewer in Christchurch Road and RTC question whether that sewer has the capacity to cope with the additional demand this development would cause. RTC also understands that the sewerage treatment plant in Hampshire Hatches is already at capacity (such that from time to time, untreated waste is discharged into the river Avon) and questions whether it is physically possible to increase capacity. Another matter of concern is that some years ago, a flood relief drain was constructed in an attempt to alleviate the flooding that regularly occurs along Crow Lane. Whilst this drain has not yet been

commissioned (recent investigations have been undertaken with a view to bringing it into operation), RTC question how it might be impacted by the proposed development.

Residential Amenity

RTC's principal concern here is the impact on existing residents along the western boundary of the site. Many of those properties lie significantly below the ground level of the site and as the proposal stands, would be substantially overlooked by new houses. The scheme envisages that the rear gardens of properties along the western boundaries would abut onto the existing boundaries of the existing properties. However, it is understood that there is a water main running along the western boundary along with electricity cables, vehicular access to which would be required at all times. Further, it is understood that the water utility company would require a "corridor" that is at least 10 metres wide along the route of the water main – the scheme does not provide for these requirements. It is also noted that there appears to be no assessment of odour or noise. The detailed layout also leads RTC to suppose that there will be substantial on-street (or worse, on pavement) parking once the houses are occupied.

It is acknowledged that it is a matter for the applicant to determine when to bring forward application but RTC is surprised that the current proposal is to develop that part of the site closest to Moortown Lane first. If that were to happen, it would mean that new residents on the estate would find that construction traffic for the remaining part would have no option but to go through the middle of the new housing with all the noise and associated nuisance that would bring.

Sustainability

It is noted that the proposal is simply to construct properties to existing Building Regulation standard, even though Crest Nicholson confirmed to RTC that they intended to build to a higher standard and indeed, have done so elsewhere. This scheme can hardly be described as innovative in that (for example) it does not provide for solar panels (and the orientation of many of the proposed houses would be sub-optimal in that regard); heating will be gas powered with no provision for heat pumps; no attempt is made to provide for grey water recycling and the build methods are traditional and carbon intensive. More information on this is provided in Appendix D. The lack of SUDS is also regrettable in terms of sustainability.

Gravel extraction

At the Public Inquiry into the Local Plan, it was asserted by those seeking to bring forward this site that gravel/mineral extraction would need to take place before the site was developed. Whilst RTC would not encourage such extraction on this site, not least because of the disruptive effect on local residents (noise and dust etc) it would be appreciated if further information could be provided.

Conclusion

The Town Council recognises that both nationally and locally, there is a housing shortage, particularly for younger people who find it difficult to the point of impossibility to step on to the "housing ladder". However, there are so many issues with the present applications, both outline and detailed that we urge that the application be refused and the applicant be in effect invited to go back to the drawing board.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

The following comments in summary have been received. Comments listed below have been reviewed and updated following the most recent amended plans submitted in 2024. All comments are available to view on the NFDC website.

HCC Highways – no objection subject to obligations and conditions

Revised development and on-site highway matters

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

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

Moortown Lane/ Christchurch Road Improvement

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

Pedestrian/ cycle routes through the site

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

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

to the football club and Long Lane, also provides a connection from the site to likely future Local Walking and Cycling Improvement Plan route via Long Lane.

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

Moortown Lane Site Access and PROW access

A plan (ITB12364-070A) has been provided which shows the widening of Moortown Lane between the junction with Christchurch Road and the proposed site access, which is acceptable to the HA. The HA acknowledge that the requirement for a bus to pass along Moortown Lane is no longer part of the public transport strategy for the site; however, the HA consider with the information available that the widening should still be implemented. Overrunning of the existing verge is visible and the additional development traffic would exacerbate this. Furthermore, the tracking provided is tight. Given the level of development proposed, vehicles will need to pass often, including regular instances of two delivery vans (or other large vehicles) passing and the HA feel this should be comfortably accommodated without damage to the verge or carriageway edge. The applicant has agreed to implement these improvements to Moortown Lane, which should be secured through S106 Agreement obligation. However, the HA may be willing to explore monitoring of this section of Moortown Lane through the first phase of the development to confirm the requirement for widening; this can be discussed as part of S106 negotiations should the site come forward.

Christchurch Road/ Moortown Lane pedestrian and cycle scheme

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

Crow Arch Lane pedestrian and cycle access

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

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

Traffic Impact

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

Routes to Schools

The improvements on the routes to Ringwood Schools (ITB12364-GA-049) and the McColls/ Morrisons Daily store are acceptable to the HA. Due to the catchment school potentially changing in future, the HA have agreed to take a contribution towards walking and cycling improvements on the routes between the site and catchment schools and school travel planning measures. This is considered adequate mitigation.

Crow Lane Crossing (Castleman Trail)

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

Bus Service

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

Schedule of S278 highway works

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

Schedule of S106 highway contributions

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

Recommendation

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

S106 Obligations

- A contribution of £1,040,588 to be secured by S106 Agreement towards walking and cycling improvements on Christchurch Road, multi-modal transport improvements to reduce vehicular traffic using the B3347/ The Furlong junction, walking and cycling improvements on the routes between the site and catchment schools, school travel planning measures and passenger transport services benefiting the site.
- Submit and implement a Full Travel Plan, payment of the Travel Plan approval (£1,500) and monitoring fees (£15,000) and provision of a £75,550 bond/ surety to ensure implementation of the Full Travel Plan.

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

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

Conditions

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

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

A Construction Traffic Management Plan shall be submitted to and approved by the Planning Authority in writing before development commences. This should include

construction traffic routes, parking and turning provision to be made on site, measures to prevent mud from being deposited on the highway and a programme for construction. The agreed details shall be fully implemented before the development is commenced.

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

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

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

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

Local Education Authority - no objection subject to obligation

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

HCC Public Health - comments

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

HCC Minerals and Waste – no objection subject to condition

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

Natural England – comments

European designated sites - Habitats Regulations Assessment

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

Deterioration of the water environment River Avon Catchment - Phosphate Budget

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

New Forest Recreational Impacts

Recent analysis shows that new residential development within a 13.8 km buffer zone of the New Forest designated sites is likely to have a significant effect on the sites via recreational impacts (including disturbance, trampling, eutrophication amongst others), alone and/or in combination with other plans or projects. Larger developments (e.g. EIA development) beyond this zone but within 15 km may also contribute to recreational impacts on the designated sites. This application is situated within 13.8 km zone and will result in an increase in residential accommodation. Natural England is aware that your authority has an adopted a strategy to mitigate against adverse effects from recreational disturbance on European sites. Providing that the applicant complies with your adopted strategy, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European sites and has no objection to this aspect of the application.

Alternative Natural Recreational Greenspace

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

Phasing of ANRG

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

Future Management of ANRG

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

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

Some of the above impacts may also affect the New Forest SSSIs. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act

1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice.

ANRG and Biodiversity Net Gain Guidance

ANRG can be included in developers' BNG calculations up to a maximum value of no net loss, as calculated by the biodiversity metric. This means that 10% of a developer's BNG units must come from other, additional activities. Additional habitat creations or enhancements within a ANRG, which go over and above the site's existing requirements to function as a ANRG in perpetuity, could contribute to a developer's BNG beyond no net loss. Any proposed habitat enhancements or creations within a ANRG must not undermine the ANRG original design principles and purpose, such as deflecting people and pets from visiting a the New Forests designates sites. Consideration should also be given to other ecosystems services provided by the ANRG. Careful design and an appropriate management plan will make sure BNG does not compete with these.

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

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

Sustainable Drainage System (SuDs)

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

Biodiversity Enhancements

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

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

Opportunities for enhancement might include:

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

Protected Species

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

Sensitive Lighting Strategy

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

Environment Agency – no objection subject to conditions

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

Historic England – no objection

Sport England – no objection

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

Active Travel England – comments

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

NFDC Ecologist – no objection subject to condition

Lifespan of Ecological Reports

The ecological survey information has been gathered between 2019 and 2021 with an update walkover survey being undertaken in October 2023. The data is on the cusp of acceptability. However, NFDC Ecology are broadly happy that the ecological baseline is adequately captured to make an informed planning decision with respect to ecology and do not feel undertaking additional surveys at this stage would be proportionate given the amount of work done to date. The proposed development is phased. The ECIA states that “All necessary surveys are considered to be sufficiently up-to-date at the time of submission to determine the application. However, where relevant and depending on development timescales and phasing, certain detailed species surveys may require updating prior to commencement of the relevant phase of development.” Given the time elapsed since the surveys were undertaken, NFDC Ecology would suggest that proportionate update/verification surveys would likely be required to inform future phases of development as suggested in the ECIA. Suggested condition set out.

Phosphates

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

Habitats

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

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

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images.

Protected Species

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

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

Birds

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

Bats

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

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

Badgers

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

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

NFDC Housing Initiatives Manager – comments

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

NFDC Trees - No objections on tree grounds subject to conditions

NFDC Play Officer - comments

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

NFDC Landscape – comments

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

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

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

NFDC Environmental Design - objection

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

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

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

- There is a simple clarity to the street alignments with sweet curves which are refreshingly uncontrived, setting a basic concept that could have driven a real strength in the 'sense of place' here.
- The same clarity of design underlies the primary footpath network and the form of public space.
- Placemaking areas as depicted on the masterplan are too weak.

- Streets are harsh, car dominated and despite some recent amendments which improve the scheme, often still contain hard standing in overly large expanses. There is not enough opportunity for personalisation, greenery and tree planting offered on many of the streets and there are functional issues of people needing to manoeuvre, which are likely to lead to considerable on-street parking, resulting in pressure to obscure pavements or remove what little front gardens may be proposed.
- Garden groups are often too confined to allow taller shrub and/or tree cover to either create a foil between backs or punctuate the skylines to reduce the impact of layering – the impression of more and more built forms seen behind, between and over with no respite.
- Neither densities nor building heights for the parameter plans are justified through the DAS and are demonstrably inappropriate in places within the phase 1 masterplan.
- The density plan does not make clear what is meant by the three categories, whereas the illustrative material and phase 1 masterplan show a persistent failure to provide appropriate intensity of development patterns.
- The western edge is not sufficiently sympathetic to existing residential patterns.

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

Alternative Natural Recreational Greenspace (ANRG) and Green Infrastructure

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

Connections

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

Density

The proposal seeks to deliver 443 of the expected minimum 480 houses. However, with the remainder of the site unaccounted for as yet. If developed out at these densities there could be approximately a further 110 dwellings delivered on the

remainder of the site (a 73 dwelling increase). In addition, the land-take in this layout suggests less land being taken up, in order to relieve the need to include large areas of the allocation site south of Moortown Lane. The result is a very much greater intensity of development than was considered in the design exercises undertaken at allocation stage. Design exercises that did take local context fully into consideration thus leading to the local plan's envisaged minimum dwelling numbers.

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

Scale

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

Detailed Design Comments

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

Street Hierarchy

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

Boundary Treatments

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

Storage

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

Tree Planting

None of the streets are what one could consider tree lined in accordance with the NPPF aspiration. There is little room for tree planting either in rear garden groups or within courtyards behind some of the more intensely developed areas. Even where front gardens are intended to be a little deeper, there is still very little room for tree planting within the development envelope. There is a series of small green lung type spaces proposed within the development envelope which could help but it is not clear from the detailed area that they will be designed out with the appropriate quality. One such area contained by the houses numbers 82,83, 100 and 111-115 and 141 is not strong enough. These spaces appear as leftover ground rather than as valuable public greens, one of which has inexplicably been chosen as the location for an electricity substation which appears at random alignment to the streetscape - leftover space simply stuffed with planting to keep people out rather than to enhance.

Character areas

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

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

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

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

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

Architecture

The use of traditional detailing can be successful if drawn from local characteristics

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

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

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

The distribution of chimneys appears to be somewhat random.

NFDC Conservation – no objection subject to conditions

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

NFDC Environmental Health – no objection subject to conditions

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

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

NFDC Waste – no objection

Wessex Water – no objection

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

Responses from the following consultees are available to read in full on the NFDC website. The following is a summary of the key issues raised.

Hampshire Constabulary Designing Out Crime Officer – comments (February 2022)

General comment received on design and the prevention of crime and disorder. Comments received, including two suggested conditions, include:

- Summary of design advice in the NPPF and PPG

- The need for dwellings to sit within private or semi-private spaces.
- The need for secure rear garden access (with key operated locks on some dwellings)
- The need for planting not to obscure surveillance in public open space
- The need for a suitable lighting condition

Morebus – Support (June 2022)

Morebus support the proposed development subject to:

- Developer funding to enable connectivity by Morebus route 38 or similar enabling more frequent connections to, through and outwith the development to Ringwood, St Leonards and Verwood with any consent outlining a phased improvement of bus services funded by the development;
- Any enhancement to bus services should be clearly set out by the LPA and included in the Section 106 agreement as part of any outline or full planning consent but also for short-term enhancements which should be met through the full planning consent – concurrently phased.
- Bus accessed carriageway widths within the development a minimum of 6.5 metres.

Hampshire and IOW Fire and Rescue Service - comments

General comment received on fire and rescue service, built environment, building regulations and legislation.

9 REPRESENTATIONS RECEIVED

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

Principle of Development

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

Housing

- There are old people in Ringwood and there are no bungalows which is needed in the town.
- Any future housing should be solely for young people in the Ringwood area to rent at reasonable prices.

- The housing mix appears weighted towards larger houses when everything in the local plan seems to point toward smaller, 1 and 2 bed homes therefore the plan does not meet the requirements set out in the local plan.
- People with families have no affordable housing available in Ringwood.
- We need to see housing put in place for under 50s
- 2.5 storey houses along the Western boundary

Infrastructure

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

Highways and Access

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

Ecology

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

Flooding and Drainage

- Potential additional flood risk.
- Flooding is causing erosion.

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

Open Spaces

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

Design

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

Amenity and other matters

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

10 PLANNING ASSESSMENT

10.1 Principle of Development

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

Local Plan Policy STR3 (The Strategy for locating new development) sets out that the strategy is to locate and direct new development to accessible locations that help to sustain the vitality and viability of the towns and villages of the Plan Area as the focal points of commercial activity and community life, and as safe, attractive and accessible locations to use and visit.

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

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

Strategic Site 13: Land at Moortown Lane, Ringwood

- i. Land to the north of Moortown Lane, Ringwood, as shown on the Policies Map is allocated for residential-led development and will comprise the following:
 - At least 480 new homes and public open space dependent on the form, size and mix of housing provided.
 - Retention of about two hectares of allocated employment land adjoining Crow Arch Lane Industrial Estate in the north-west corner of the site.
 - Provision of land for a minimum of 15 full size allotment plots within the site in order to provide for local needs arising from the development and in the wider community.
- ii. Land in the Green Belt to the south of Moortown Lane, Ringwood as shown on the Policies Map is allocated for the following supporting uses to enable allocated land north of Moortown Lane to deliver the minimum number of homes required:
 - The provision of natural recreational greenspace and public open space (including outdoor sports facilities).
 - Two hectares of land to be reserved for a primary school.
- iii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated southern extension of Ringwood by:
 - a. Providing natural greenspace corridors that connect the new residential areas to the town and to the countryside, linking the greenspace provision to the north of Crow Arch Lane with the recreational greenspace and playing fields area south of Moortown Lane.
 - b. Providing a hierarchy of connected streets that enable the through-movement of local traffic between the B3347 Christchurch Road and Crow Lane, including a vehicular connection through Forest Gate Business Park to link through to the town centre area, and a new north-eastern access point from Crow Lane towards the A31.
 - c. Providing a community focal point in a prominent location including ground floor premises suitable for community use.
 - d. Integrating sustainable drainage features to manage water course and surface water flood risks in the eastern part of the site.
 - e. Enhancing the character of Moortown Lane with public open space provision and planting so that Moortown Lane is a strongly defined new Green Belt and settlement edge.
- iv. Site-specific considerations to be addressed include:
 - a. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b.

- b. Provision of a new connection to the Ringwood Sewage Treatment works with sufficient capacity to serve this site and to also serve and provide a point of connection for Strategic Site 14: Land to the north of Hightown Road.
- c. Assess the need for enhancements to the Moortown Lane junctions with the B3347 Christchurch Road and with Crow Lane, and where necessary, to other parts of the local highways, pedestrian and cycle network.

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

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

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

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

Environmental Impact Assessment (EIA) Development

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

However, the Council considered that the SS13 site(s) will result in a significant intensification of the land (both individually and cumulatively) and that when taken into account with other approved / proposed developments within the local area (notably Local Plan Allocation Site SS14 North of Hightown Road and Local Plan Allocation Site SS15 proposed development at Snails Lane, there is the potential that the proposed developments will cumulatively result in significant effects on the environment (both positive and negative). Potential effects on landscape and urbanisation, traffic and transport, ecology and noise and air were highlighted in the Opinion. On this basis, NFDC concluded that the proposed development comprises Environmental Impact Assessment (EIA) development and hence should be supported by an Environmental Statement (ES).

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

development is therefore considered to be in conformity with the submitted Environmental Statement. NFDC Officers did not raise any objection to the conclusions of the EIA Statement of Conformity.

Therefore, the conclusion of the April 2021 EIA screening opinion remains valid, and the application therefore continues to be deemed to be EIA development and hence NFDC must take

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

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

South-West Hampshire Green Belt

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

NPPF (December 2023) Section 13 (Protecting Green Belt land) sets out national planning guidance on development and the green belt. NPPF Paragraph 155 sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include, amongst other things, engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location. The national PPG sets out further

The PPG sets out what factors can be taken into account when considering the potential impact of development on the openness of the Green Belt. These include, but are not limited to:

-

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

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

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

L VIA Paragraphs 9.136-9.137 set out:

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

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

L VIA Paragraphs 9.138-9.140 set out:

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

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

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

New tree planting within the streetscapes of development and the new landscaped frontage along Moortown Lane will have had time to mature by Year 15, giving this edge/entrance to development a much greener, softened appearance, which would be further softened along the eastern parts of the road adjacent to the POS area. Vegetation proposed within the POS would also have matured and softened the overall appearance of the eastern development blocks, and the entire development when viewed from some locations. With this in mind, it is expected that the

anticipated magnitude of change would reduce slightly to high at Year 15, resulting in a moderate level of effect upon receptors as a result of the Proposed Development.

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

As such, it is considered that the visual impacts of the proposed highway and access development within the South West Hampshire Green Belt would be modest and over the longer-term would be tempered by a context of maturing new planting and hence some. Given that there are no proposed buildings in the South West Hampshire Green Belt, there would be no volumetric impacts. There would however be a notable increase in traffic generation along Moortown Lane associated with the construction and eventual occupation of Local Plan Strategic Site 13.

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

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

Housing Land Supply and NPPF Tilted Balance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Summary

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

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

10.2 Housing

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

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

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

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

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

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

Where developers cannot deliver the level of affordable housing set by Policy HOU2 they need to submit a Financial Viability Assessment (FVA) to demonstrate why they

cannot make the development viable if the policy level of affordable housing is delivered.

Ringwood Neighbourhood Plan (2023-2036) (May 2024) Policy R5 (Smaller Housing) sets out that provision should be made for small dwellings with one and two bedrooms, in schemes of residential development where this can be achieved without detriment to the amenities and the character of the surrounding area and neighbouring properties. The number of small dwellings should be greater than 50% of the total in schemes of five or more dwellings.

Ringwood Neighbourhood Plan (2023-2036) (May 2024) Policy R6 (First Homes) sets out that affordable housing will be supported in new development in areas outside of the New Forest National Park as required by Local Plan Policy HOU2. Within that provision, a minimum of 25% of new affordable homes shall be provided as First Homes.

i. Housing Mix

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

Table 1: Phase 1 (Full Application) Housing Mix

Tenure	Market	Social Rented	Affordable Rented	Shared Ownership	Total
1-bed	0	7	5	0	12
2-bed	15	11	11	11	48
3-bed	23	6	10	9	48
4+ bed	37	2	0	3	42
Total	75	26	26	23	150

Table 2: Phase 2 (Outline Application) Housing Mix

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

Table 3: Housing Mix Phases 1 and Phase 2 combined

Tenure	Market	Social Rented	Affordable Rented	Shared Ownership	Total
1-bed	0	21	19	0	40
2-bed	113	15	14	19	161
3-bed	102	8	13	18	141
4-bed	95	3	0	3	101
Total	310	47	46	40	443

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

The market housing mix deviates slightly from the indicative percentages in Local Plan Figure 6.1 for 3 bed and 4+ bed dwellings. However, the provision of 102 three-bed and 95 4+ bed market houses on a site of this size is not considered to be excessive. In line with Policy HOU1, taking account of the edge-of-settlement location where the provision of larger family houses is reasonably expected, this is an acceptable level of both 3 bed and 4+ bed market houses.

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

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

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

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

The representations from Ringwood Town Council (RTC) set out that the proposed tenure mix of affordable housing is not compliant with RNP Policy R6, and that the proportion of small dwellings is not in accordance with RNP Policy R5.

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

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

This element of Policy R5 also indicates that the 50% target should be balanced against these considerations and hence there is a planning judgement to be made by

the decision maker on this matter. In this instance, the proposal is only 19 units (4.4%) short of the target – which does not distinguish between market and affordable homes - in RNP Policy R5. Essentially, this is not considered to be a significant shortfall when balanced against other material considerations as set out in the report including the overall delivery of new housing.

It is noted that RNP Paragraph 5.31 sets out that (with regard to an on-line Ringwood Housing Survey in 2021) that from the respondents experience, Ringwood is lacking starter homes (1-2 bed), mid-priced 2-3 beds and Council/Housing Association dwellings.

This proposal, as set out, provides a combined total of 342 new 1-bed, 2-bed and 3-bed homes across all tenures. This includes 133 new dwellings combined across the three affordable housing tenures in Local Plan Policy HOU2 (please see below) and 141 3-bed houses across all tenures.

As Local Plan Policy STR5 explicitly sets out, the housing to be delivered, in part, through the eighteen strategic sites is to address the needs for the Plan Area i.e. the District as a whole - and not necessarily for individual settlements, parishes or neighbourhood plan areas. As such, it is considered that in this case no substantive evidence has been provided on the proposed housing mix which would clearly outweigh the Local Plan's strategic housing policies HOU1 and HOU2. The proposed market housing mix will be secured through a s106 planning obligation clause.

ii. Affordable Housing

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

Applicant's Financial Viability Assessment

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

The applicants FVA (December 2023) concluded that:

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

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

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

Applicant's Revised Affordable Housing Offer

In February 2024 the applicants made a without prejudice offer via email of 30% affordable housing (against the 50% policy target) across the whole application site with a Policy HOU2 compliant tenure split ie. 35% social rented, 35% affordable rented and 30% shared ownership, whilst also committing to the s106 package. This offer is set out in Tables 1 to 3 above and would provide 133 affordable dwellings across all tenures and unit sizes.

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

Independent assessor comments (February and May 2024)

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

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

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

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

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

Overall, it appears the Council will have to take a view on the balance between scheme deliverability and the delivery of community benefits in the context of the inevitable uncertainties/potential tolerances etc. involved in doing so at a largely

outline and relatively early stage; and may also wish to consider whether viability can be revisited at a suitable point in the project if a satisfactory agreement providing the necessary certainty and confidence all round in the delivery (including of the AH and other s106) cannot be reached.

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

The proposal would provide 75 affordable dwellings in Phase 1 and 58 affordable dwellings in phase 2. The revised proposal has the support of the NFDC Housing Initiatives Manager and there does not appear to be any over-riding need to revisit the viability of the scheme at a later date.

First Homes

The Council has set out in its “First Homes Advice Note” that it does not require First Homes to be provided and in this case the applicants proposal reflects this fact.

The NFDC First Homes Advice Note, reflecting the PPG, sets out that First Homes are discounted market sale units which:

- must be discounted by a minimum of 30% against the market value;
- are sold to a person or persons meeting the First Homes eligibility criteria;
- are physically indistinguishable from equivalent market homes in terms of size and quality;
- on their first sale will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; an
- after the discount has been applied the first sale must be at a price no higher than £250,000 (outside Greater London).

If First Homes – a specific kind of discounted market sale housing - were to be provided the Council’s First Homes Advice Note is quite clear that First Homes could be an alternative to complying with the tenure requirements of policy HOU2 providing the offer is in full accordance with the government guidance on First Homes. This consideration is specifically addressed in the national PPG and suggests that in the event of First Homes being provided both the affordable rent and shared ownership tenures could be significantly reduced. This likely reduction in the level of Affordable Rent and Shared Ownership secured in the event of First Homes comprising 25% of the overall affordable housing is also set out (as an example) in paragraph 8.5 of the Council’s First Homes Advice Note.

If a minimum of 25% of the affordable housing were to be secured as First Homes this would result in the loss of at least 34 of the 86 affordable rent (46 units) and shared ownership (40 units) homes proposed and hence would provide a reduced combined quantum of these tenures of at most 52 dwellings.

Moreover, as set out after the 30% discount has been applied, the first sale must be at a price no higher than £250,000. As such, with a 30% discount only new homes with a (pre-discount) market value of £357,143 would likely be available through the First Homes initiative. For reference, as of August 2024, some new build two-bedroom houses on Local Plan Strategic Site Allocations in nearby Fordingbridge are

being marketed for £390,000 and new build two-bedroom flats in nearby Verwood (in the Dorset Council Area) are being marketed for £255,000.

As such, it is considered at this time it is possible that a minimum of 25% First Homes may not include any two-bedroom houses given their market value in the local area and clearly no larger (3-bed or 4-bed) First Home houses would also likely be secured.

As such, given local new build market values in the local area, and the current 30% discount, any First Homes could likely be only 1-bed or 2-bed flats.

Therefore, in this application that could result in the loss of at least all of the 1-bed Affordable Rent units (19) and a significant proportion (15 out of 33) 2-bed Affordable Rent and Shared Ownership 2-bed dwellings.

The Written Ministerial Statement issued on 30 July 2024 is itself a material consideration indicating the direction of travel of national planning policy. For reference, The Court of Appeal in *Cala* [2011] EWCA Civ 639 held that [t]he prospect of a change in planning policy is capable of being a material consideration and that the weight to be given to any prospective change in planning policy will be a matter for the decision-maker's planning judgment in each particular case.

The Written Ministerial Statement (30 July 2024) sets out with regard to Affordable Housing:

Proposed changes to the National Planning Policy Framework (NPPF) were also published on 30 July 2024. The draft NPPF (July 2024) is also a material consideration but the weight to be attached to it is likely to be quite limited at this time as it is still subject to consultation and may change following public consultation.

Proposed changes to the National Planning Policy Framework (NPPF) were also published on 30 July 2024. The draft NPPF (July 2024) is also a material consideration but the weight to be attached to it is likely to be quite limited at this time as it is still subject to consultation and may change following public consultation.

Notwithstanding this, the Government's supporting online NPPF consultation document (July 2024) sets out:

- An expectation that housing needs assessments explicitly consider the needs of those requiring Social Rent and that authorities specify their expectations on Social Rent delivery as part of broader affordable housing policies. We expect that many areas will give priority to Social Rent in the affordable housing mix they seek, in line with their local needs, and this is something we strongly support, but we will not be prescriptive, it is for local leaders to determine the balance that meets the needs of their communities.
- In line with this, we propose removing the prescriptive requirements relating to affordable home ownership products. Currently, home ownership products are prioritised over homes for affordable rent, with particular priority given to First Homes. We are clear that we must take steps to boost home ownership and the actions set out in this document will do just that – but the prescriptive prioritisation of these particular types of affordable housing in existing policy is not the right approach. It can force unhelpful trade-offs, especially in areas where, for example, Social Rent and Affordable Rent are most needed,

- For this reason, we propose removing the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership, as set out in paragraph 66 of the current NPPF. We also propose removing the requirement that a minimum of 25% of affordable housing units secured through developer contributions should be First Homes, as set out in the 'Affordable Homes Update' Written Ministerial Statement of 24 May 2021.
- First Homes would remain a type of affordable housing and an option for delivery where local planning authorities judge this to be appropriate for local needs, including through First Homes exception sites and through s106 developer contributions, and we propose reflecting this in the NPPF Glossary definition of affordable housing. We are also proposing to remove Starter Homes from the same definition given First Homes was a replacement for this scheme

NFDC Housing has confirmed that (as of early August 2024) there are 2039 households on the Council's Housing Register. NFDC Housing caveat that this represents only those households positively identifying as being in affordable housing need (ie. they have applied to the NFDC Housing Register) and does not likely represent the full extent of the affordable housing need in the area. NFDC Housing has also confirmed that (as of early August 2024) there are 205 households who identified Ringwood as their area of First Choice in the Council's choice-based lettings.

Additionally, NFDC Housing has confirmed that (again as of early August 2024) there are 651 households registered on the NFDC Shared Ownership interest list who have a confirmed interest in Shared Ownership with the Council.

As such, there is a very clear District need for the proposed 133 affordable housing units across the three tenures set out in Local Plan Policy HOU2.

Additionally, the new Government has set out in its July 2024 Written Ministerial Statement the proposed emphasis on securing affordable rent and social rent tenure affordable housing and the removal of the prescriptive requirements relating to affordable home ownership products which includes the First Homes requirement of 25% of all affordable housing secured.

Officers acknowledge that the proposal does not meet the second sentence of RNP Policy R6 (First Homes) which sets out that within the provision (of affordable housing) a minimum of 25% of new affordable homes shall be provided as First Homes. For reference, the supporting text of the RNP Policy R6 (Paragraph 5.38) sets out that the local housing needs evidence prepared for the Neighbourhood Plan does not consider First Homes to be currently affordable for those households on average or lower incomes – but a couple with joint incomes who fall within the First Homes household income limit of £80,000 per annum may well be able to afford a First Home discounted price dwelling.

The Ringwood Housing Needs Assessment (HNA) (AECOM, January 2022) sets out (Paragraph 72) that:

- This report has estimated the income required to afford First Homes and tested the implications of 30%, 40% and 50% discount levels. For each level (30%, 40% and 50%) it is not possible for average earning households to access First Homes at the price points assumed here, even with a 50% discount.

The Ringwood Housing Needs Assessment (HNA) (AECOM, January 2022) also sets out (Paragraph 74) that:

- It remains clear that the maximum discount level of 50% is generally necessary to bring First Homes (nearly) within reach of average earners. As such, this is recommended as the discount level most appropriate to local needs, despite the fact that First Homes will primarily serve those on higher average earnings rather than their intended target market.

As such, not only could delivery of at least 25% First Homes as set out in RNP Policy R6 reduce the overall number of affordable housing units in the three tenures set out in Local Plan Policy HOU2 from the 133 proposed but could also likely be impacted further by the need to discount the First Homes at a rate of 50% - if average earners were to potentially access these housing products,

Therefore, in recognising the conflict with the Neighbourhood Plan, a recommendation on 'balance of considerations' needs to be made. In this instance, the proposed affordable housing tenure mix conforms with Local Plan Policy HOU2 i.e. 35% social rent, 35% affordable rent and 30% shared ownership. NFDC has set out a position that it does not require First Homes to be provided in the publicly available "Advice Note" referred to above. This report has summarised that the District housing need for the three affordable housing tenures identified in Local Plan Policy HOU2 is and remains acute. The July 2024 Written Ministerial Statement set out that a potential direction of travel in national planning policy giving Local Planning Authorities greater discretion on the levels of affordable home ownership options including First Homes.

The NPPF December 2023 (Paragraph 30) is clear that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing *non-strategic* (emphasis added) policies in a Local Plan covering the neighbourhood area, where they are in conflict. In this instance, there is a conflict between Local Plan Policy HOU2 and RNP Policy R6 given the latter has a stipulation for a minimum of 25% First Homes.

However, it is considered that Local Plan Policies HOU1 and HOU2 are clear strategic policies setting out the Council's strategic housing policies in line with NPPF December 2023 Paragraph 20 criterion (a). As such, RNP Policy R6 cannot take precedence over Local Plan Policies HOU1 and HOU2 and should therefore be considered alongside them and in the balance of considerations as previously detailed.

Essentially, it is considered that cumulatively the material considerations set out above outweigh the requirement in RNP Policy R6 (First Homes) for a minimum of 25% of new affordable homes to be provided as First Homes.

In summary, the affordable housing offer is acceptable to NFDC Planning and Housing Officers both in terms of the overall offer which has been subject to viability review and the Policy HOU2 compliant tenure split.

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

It is also noted that the completed Building for a Healthy Life Assessment appended to both representations from Ringwood Town Council received by the LPA in 2024

sets out additional commentary on housing mix under the heading 'Homes for Everyone'. Commentary on this matter along with all the other elements of the Building for a Healthy Life Assessment Ringwood Town Council forwarded is set out later in the Planning Assessment.

10.3 Highways, Access and Parking

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

- i. Prioritise the provision of safe and convenient pedestrian access within developments, by linking to and enabling the provision of more extensive walking networks wherever possible, and where needed by providing new pedestrian connections to local facilities;
- ii. Provide or contribute to the provision of dedicated cycle routes and cycle lanes, linking to and enabling the provision of more extensive cycle networks and providing safe cycle routes to local schools wherever possible;
- iii. Consider and wherever possible minimise the impact of development on bridleways and horse riders;
- iv. Provide sufficient car and cycle parking, including secure cycle parking in schools and colleges, work places, bus and rail stations, and in shopping areas in accordance with the adopted Parking Standards Supplementary Planning Document;
- v. Incorporate infrastructure to support the use of electric vehicles; and
- vi. Provide, or contribute proportionately to the provision of, any highways or public transport measures necessary to enable the development to be accommodated in a safe and sustainable manner, including the requirements identified in any applicable Strategic Site Allocation Policies.

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

The Ringwood Neighbourhood Development Plan Policy R11 (Encouraging Active and Healthy Travel) sets out:

- A. The Neighbourhood Plan identifies the existing Sustainable Travel Network and opportunities for improvements, as shown on the Active Travel Policy Map, for the purpose of prioritising active and healthy travel.
- B. Development proposals on land that lies within or adjacent to the Network will be required, where practical, to provide opportunities for a more joined-up Network of walking and cycling routes to the town centre, local schools and community facilities and accessible green space by virtue of their layout, means of access and landscape treatment.
- C. Proposals for major development (10 dwellings or above) should adopt the Sustainable Accessibility and Mobility Framework, as illustrated, and demonstrate how they have, in the following priority order:

- i. sought to minimise the need to travel beyond the parish;
- ii. for longer trips, sought to encourage and enable the use of active, public and shared forms of transport; and,
- iii. for trips that must be made by car, sought to encourage and enable the use of zero emission vehicles.

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

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

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

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

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

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

i. Site Vehicular Access

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

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

HCC consider that the widening of Moortown Lane is necessary given existing over-running of the verge, the increase in vehicular movements arising from the proposal and the need to accommodate larger passing vehicles between Christchurch Road and the site access. The applicant has agreed to implement these improvements to Moortown Lane and will be secured through a s106 obligation. HCC has however set out that they would be willing to consider a monitoring framework for this proposed works during Phase 1, which would be secured through a s106 obligation. The cost of any works would be borne by the developer and not from the s106 highways contribution.

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

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

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

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

As such, subject to suitable conditions and a planning obligation, the proposed vehicular site access is considered acceptable in line with comments from the Local Highway Authority.

i. Site Access - Cycle/Pedestrian

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

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

Crow Arch Lane (in conjunction with further improvements in that open space) and hence the Castleman Trail (see submitted plan 'Pedestrian Crossing Point Crow Arch Lane, I-Transport, 6/4/2021, Ref: ITB12364-GA-038E)

- Pedestrian access improvements to the crossing at the junction of Crow Arch Lane and Crow Lane on the Castleman Trail (see submitted plan 'Crow Arch Lane/Crow Lane Pedestrian/Cycle Link – Option Two, I-Transport, 13/12/2023, Ref: ITB12364-GA-080B)
- An additional crossing point over Moortown Lane at the eastern end of the public open space to be delivered in Phase 2 (see submitted plan 'Proposed Eastern Pedestrian Access, I-Transport, 6/4/2021, Ref: ITB12364-GA-031E).

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

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

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

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

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

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

ii. Highways Works and Traffic Impact

The LHA set out in their 12 April 2024 response that the traffic impact has previously been agreed at all appropriate locations except the B3347/ The Furlong roundabout junction close to the town centre. The LHA now confirm that the modelling provided is acceptable, and that a mitigation scheme as shown on the submitted plan (The Furlong Roundabout Mitigation Scheme Concept Design) (I-Transport, 14/7/2021, Ref: ITB12364-GA-043 Rev. B) is acceptable. This mitigation would widen the Southampton Road arm of the junction to allow a longer length of two-lane approach. The cost of this improvement would be funded from the overall s106 contribution sought by the LHA.

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

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

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

v. Vehicular parking, cycle storage and electric vehicle charging

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

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

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

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

Parking Standards SPD.

The on-plot and courtyard surface parking design often include tandem parking solutions (one vehicle behind another) which are acceptable in line with paragraph 5.5 of the NFDC Parking Standards SPD. Officers do not consider that any of the parking arrangements would introduce any obvious additional hazards for other users over and above that generally associated with any moving vehicle.

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

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

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

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

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

vi. Sustainable Transport

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

The original intention for public transport serving the application site was for an initially subsidised bus service. This is reflected in the 2022 representation submitted by Morebus. However, no satisfactory agreement was reached between the applicant, local bus operators and HCC Highways on a suitable bus service. HCC Highways view is that without a suitable public transport offer the approximately 700m walk (more for residents in the south of the site) is an unacceptable distance to reach the current Ringo 1 service on Castleman Way.

To overcome this issue, a contribution to the Local Highway Authority (HCC

Highways) to enable a taxi share service to be provided has been agreed. This will provide a realistic alternative to the private car for those future residents either unable or unwilling to walk to the Ringo bus stop. A taxi share will run at peak times and can be flexible to accommodate the future demand. The estimate cost of running a taxi share to serve the Moortown Lane site is £52,000 per annum. In order to instil sustainable travel patterns, we would want to guarantee operation of this service from early in the build out of the development until post final occupation. Therefore, I suggest the service is supported for 10 years, giving a public transport contribution of £520,000.

HCC Highways consider that it is a cost-effective way of serving the site by public transport. It also supports a hub and spoke approach, allowing convenient access to Ringwood bus station for onward, longer distance, journeys by bus. Given taxi services are tendered so HCC is only charged when a journey is undertaken, it would enable the site to be served by public transport from first occupation, instilling sustainable travel patterns from the outset.

HCC has used a similar scheme to this at the Barton Farm development site to the north of Winchester.

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

The proposal includes improvements to the local pedestrian and cycle network which will be accessible to both occupiers on the site and the wider local community. This includes connections onto the Castleman Trail and hence facilities to the north-west and south-east of the application site. Phase 1 includes a north-south off-road cycle route through the proposed public open space in line with the Active Travel Policy Map identified in Policy R12 criterion A.

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

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

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

v. Summary

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

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

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

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

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

10.4 Flood Risk, Surface Water Drainage and Foul Drainage

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

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

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

i. Flood Risk and Surface Water Drainage

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

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

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

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

The Environment Agency (EA) has no objection to the proposal subject to conditions. A condition on no operational development in fluvial flood zones 2 and 3 is agreed. It is considered that there is no need for a specific condition on floor levels given the siting of the proposed new Phase 1 homes in flood zone 1 and the clear separation distances between them and the fluvial flood zones identified in the NFDC SFRA and this approach reflects the approach taken on other strategic site allocations in the District.

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

ii. Foul Drainage

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

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

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

Wessex Water has stated that they are currently providing additional storm storage at Ringwood Water Recycling Centre (WRC), to reduce the frequency of storm spills to the environment arising from the existing network and a programme for future capacity improvements at the WRC is to be delivered early (2025-30), and to

accommodate the future housing growth. It is important to stress that the existing network can accommodate the proposed development, but Wessex Water have set out a programme to upgrade the capacity of the network in association with the future housing growth.

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

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

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

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

iii. Summary

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

10.5 Ecology

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

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

The Ringwood Neighbourhood Plan Policy R9 (Creating a Green Infrastructure and Nature Recovery Network) sets out:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ii. Phosphates Mitigation

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

The SHRA acknowledges (paragraph 6.9) that in the absence of a strategic solution implemented across the local planning authority or County, a bespoke offsite mitigation solution is required to offset the increased discharge of phosphates into the River Avon SAC resulting from the Proposed Development (calculated as 67.45kg per year). The SHRA (Paragraph 6.10) goes on to state that the applicant intends to implement a mitigation strategy and that this will be via the former Bickton Fish Farm by means of purchasing phosphate mitigation credits.

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

iii. Biodiversity Net Gain and Ecological Reports

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

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

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

The NFDC Ecologist also recommends securing suitable monitoring in line with the Phase 1 LEMP and an Ecological Construction Method Statement (ECMS) should be secured by condition. The NFDC Ecologist has also confirmed that the ecological baseline has been adequately captured in the submitted ecological reports and recommends a suitable condition to secure suitable updated reports in conjunction with later phases of development. In line with the comments from NFDC Ecology the long-term management and monitoring of BNG will be secured through conditions and a suitable clauses in a s106 agreement.

iv. Protected Species

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

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

With reference to NFDC expectations and within the Environmental Statement which requires one bird box per dwelling, a total of 150 swift boxes (finish to match that of the building if integrated) will be installed. Boxes will be mounted following manufacturer's specifications, out of direct sunlight on aspects of the building that provide some cover from surrounding vegetation to offer shelter to birds but with a clear flight line to/from the entrance (uncluttered). Boxes should be positioned between 2m and 5m from the ground to deter predators.

A Phase 1 Landscape Features Plan (EDP, January 2024) illustrates this mitigation

which can be secured through a suitable condition tied to occupation.

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

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

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

v. Ringwood Town Council Neighbourhood Development Plan

The Ringwood Neighbourhood Development Plan Nature Recovery Policy Map sets out two areas comprising a 'nature recovery corridor'. Both of these are located south of the application site and mostly located within the New Forest National Park and as such are not adjoining the application site.

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

vi. Ecology Summary

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

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

Therefore, subject to a planning obligation and suitable conditions, the proposal accords with Local Plan Policies ENV1 and DM2 and RNP Policy R9.

10.6 Public Open Space and Landscape

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

development site or directly adjoining and well connected to it is required in addition to management and monitoring contributions.

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

- i. Features that contribute to a green infrastructure and distinctive character within settlements including the locally distinctive pattern and species composition of natural and historic features such as trees, hedgerows, woodlands, meadows, field boundaries, coastal margins, water courses and water bodies;
- ii. Features that screen existing development that would otherwise have an unacceptable visual impact;
- iii. Existing or potential wildlife corridors, footpath connections and other green links that do, or could, connect the site to form part of an integrated green infrastructure network;
- iv. The landscape setting of the settlement and the transition between the settlement fringe and open countryside or coast;
- v. Important or locally distinctive views, topographical features and skylines; and
- vi. Areas of tranquillity and areas of intrinsically dark skies.

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

Local Plan Policy STR2 (Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park) sets out that development should not have an unacceptable impact on the special qualities and purposes of the adjoining New Forest National Park and its settings. In the determination and implementation of development proposals including planned growth, great weight will be given to ensuring that the character, quality and scenic beauty of adjoining New Forest National Park are protected and enhanced.

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

The Ringwood Neighbourhood Development Plan Policy R7 (The Ringwood Design Code) sets out:

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

- i. Minimise the impact of development on higher ground by careful siting and by comprehensive landscaping;
- ii. Include on a Landscape Plan the opportunities to create wildlife corridors and deliver biodiversity net gain;
- iii. Include amenity space having sufficient size, shape and access to sunlight for the

- provision of recreational benefits to the occupants;
- iv. Offer highly permeable residential layouts for cyclists and pedestrians moving within and through the development;
 - v. Front boundary treatments should be in keeping with the historic and rural character of Ringwood (DC.03.02 and DC.05.2). Hard boundary treatments up to 1m high will be permitted, where taller boundaries are deemed appropriate (for example, for clear reasons of security or privacy) this should be achieved by planting unless otherwise justified by historic character. Hard boundaries should be permeable to wildlife; and
 - vi. Be respectful of the tranquil setting of the National Park and protective of its dark skies. Lighting should be fully justified and well designed to shine only where it is needed.

i. Landscape and Informal Open Space

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

The LVIA sets out in paragraph 9.174 that there would only be very limited (and not significant) effects upon the setting of the New Forest National Park arising from the development, primarily due to the flat topography and considerable tree cover (between the application site and the boundary of the NFNP), which limits the potential for intervisibility. NFDC Landscape has made no objection to this conclusion and as such it is considered that the proposed development would not have an unacceptable impact on the special qualities and purposes of the New Forest National Park and its setting in line with Local Plan Policy STR2.

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

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

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

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

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

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

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

i. Arboriculture

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

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

ii. Play Spaces and Formal Open Space

Phase 1 includes both a dedicated LEAP (Neighbourhood Equipped Area for Play). Broadly, a LEAP provides play space for younger children who are beginning to go outside the home and play under supervision.

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

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

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

The NEAP is sited in the northern half of the Phase 1 public open space. The

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

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

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

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

iii. Alternative Natural Recreational Greenspace

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

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

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

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

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

The ANRG is both well connected to and in proximity to the proposed housing. The

ANRG is generally open and level and has surveillance from housing around the perimeter of Phase 1 which takes into account comments from the Hampshire Constabulary design adviser. A similar approach will be sought for the Phase 2 open spaces in any future Reserved Matter application.

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

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

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

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

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

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

A Phasing Plan for the proposed Phase 1 ANRG will be secured through the s106 planning obligation in line with Natural England advice.

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

iv. Management and Maintenance of Public Open Spaces

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

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

v. Summary

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

For reference, the allotments identified in Policy SS13 criterion (i) third bullet point have been delivered outside the context of this proposal.

Therefore, subject to a s106 planning obligation and suitable conditions, the proposal accords with Local Plan Policies ENV1, ENV3 criterion (vi), ENV4, CS7 and SS13 criterion (iii) (a)(d) and (e), RNP Policy R7 (i) to (iv) and (vi) and the guidance set out in the Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) (May 2021).

10.7 Design – Density, Scale and Phase 1 Detailed Design

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

Further NFDC design guidance is set out in the Ringwood Local Distinctiveness SPD

(July 2013) and Housing Design Density and Character SPD (April 2006).

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

The Ringwood Neighbourhood Plan Policy R7 (The Ringwood Design Code) sets out that must demonstrate high quality design and legible layouts which where relevant have taken account of the positive aspects of local character defined in the Ringwood Design Code and should also address supporting criteria as set out.

The Ringwood Neighbourhood Plan Policy R8 (Building for a Healthy Life) sets out all development with a residential component of 10 or more dwellings should apply the Building for a Healthy Life (BHL) design assessment tool (or equivalent methodology) to inform the design proposals, based on a traffic light system of scoring seeking to achieve a majority of green scores. Building for a Healthy Life Assessment should be included within the Design and Access Statement and submitted with the application.

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

i. Built Density

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

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

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

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

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

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

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

ii. Scale

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

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

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

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

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

iii. Phase 1 Housing Detailed Design

Character Areas

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

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

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

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

Street Design

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

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

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

The DAS (p.110) sets out a Phase 1 landscaping strategy and the Phase 1 Landscape Detailed Design – Residential Plots (Sheets 1 to 5) (11/4/2024) (EDP; Ref: 5444-d091f) sets out a detailed planting scheme for the residential area. Phase

1 – with specific regard to new urban street tree planting – will include a modest palette of trees.

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

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

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

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

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

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

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

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

Housing Design

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

Ringwood material.

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

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

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

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

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

Gardens and Refuse Storage

Each of the proposed houses in Phase 1 has an accessible rear garden. Essentially, all the rear gardens are at least proportionate in size to the footprint of the host dwelling. Likewise, both the flatted blocks have access to rear semi-private spaces. NFDC Environmental Design have commented that 'garden groups' are often too confined for taller shrubs and trees but many of the gardens appear to have capacity for some planting including modestly-sized trees – if the future occupiers wished to do so. Moreover, there is no policy requirement for the applicants to plant rear garden trees prior to occupation and it is not reasonable to rely on private rear garden trees being secured by a condition.

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

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

The two flatted blocks each have integrated bin storage rooms and an area of

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

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

Design and Crime Prevention

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

iv. Ringwood Town Council – Building for A Healthy Assessment

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

NPPF paragraph 138 sets out::

Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. The primary means of doing so should be through the preparation and use of local design codes, in line with the National Model Design Code. For assessing proposals there is a range of tools including workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life. These are of most benefit if used as early as possible in the evolution of schemes and are particularly important for significant projects such as large-scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.

For the avoidance of doubt, there is no requirement on the part of the applicant to undertake a Building for a Healthy Life Assessment in the NFDC Local Plan and the NPPF. It is not on the list of required documents on the NFDC validation checklist. Indeed, the NPPF clearly sets out that it is only one possible assessment framework, amongst several, that could potentially be utilised. The requirement for a Building for a Healthy Life Assessment arises from the adopted Ringwood Neighbourhood Plan.

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

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

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

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

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

1. Natural Connections - amber

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

RTC set out the following 'amber' comments:

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

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

The land to the east of Willow Drive is within Phase 2. The Access and Movement

Parameter Plan does not show an access here as it is currently understood that the land along the boundary is in private, rather than public, ownership, and hence facilitating a new access at this point would not likely be straightforward.

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

2. Walking, Cycling and Public Transport

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

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

RTC set out the following 'amber' comment:

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

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

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

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

The Local Highway Authority has, as set out earlier in the Committee Report, accepted the proposed internal street layout and highlighted that detailed design matters can be addressed at the s38 (road adoption) stage. The broad cycle strategy, as set out in the Movement and Access Parameter Plan, is to prioritise cycling through the primary off-road route which connects Christchurch Road to Crow Arch Lane. The DAS (p. 84) sets out that the primary access route from Moortown Lane includes a 3m wide shared pedestrian/cycle route on the eastern side of the road.

3. Facilities and Services

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

- *Incorporates formal and informal recreation space (POS, LAP/ LEAP/ ANGR/MUGA, walking and cycle routes / dog agility area), however the ANRG is*

on a remote parcel of land. There is no direct access from the site to this area. The wider open spaces are also segregated from the built development, rather than being integrated through within Phase 1.

- Pocket park areas (in future phases) would enjoy a good degree of passive surveillance, well overlooked. But lacking for the LEAP and NEAP proposed as part of Phase 1.*
- This is a major housing development which does not incorporate any community facilities, such as a small convenience shop. The wider walkability and cyclability of routes to existing key facilities should be further explored as connecting roads / paths do not provide safe and accessible options for all.*

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

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

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

4. Homes for Everyone

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

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

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

RTC set out the following 'amber' comment:

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

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

5. Making the most of what's there.

RTC set out the following 'amber' comment:

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

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

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

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

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

6. A memorable character

RTC set out the following 'amber' comments:

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

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

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

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

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

7. Well defined streets

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

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

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

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

8. Easy to find your way around

RTC set out the following 'amber' comment:

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

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

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

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

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

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

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

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

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

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

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

9. Healthy Streets

RTC concluded that the following are 'red' lights:

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

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

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

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

10. Cycle and Car Parking

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

RTC set out the following 'amber' comments:

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

As set out in the Highways, Access and Parking sub-section of the Planning Assessment, tandem parking spaces are an acceptable parking solution in line with the NFDC Parking SPD paragraph 5.5. The appraisal is not clear on which 'parking arrangements' within the proposal are additionally hazardous for other cars. The supporting extract picture from the Phase 1 Masterplan shows surface parking spaces for plots 16 to 19 with clearly differentiated surface materials for the parking spaces and the shared surface route.

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

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

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

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

11. Green and Blue Infrastructure

RTC concluded that the following are 'green' lights:

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

RTC set out the following 'amber' comment:

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

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

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

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

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

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

12. Back of pavement front of home

RTC set out the following 'amber' comment:

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

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

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

As such, there remains clear differences between the applicants Building for a Healthy Life Assessment and Ringwood Town Council's Building for a Healthy Life Assessment in terms of the scoring each sets out. Notwithstanding this, the applicants has satisfied the second paragraph of RNP Policy R8 (Building for a Healthy Life) by virtue of submitting a Building for a Healthy Life Assessment in the supporting material.

Notwithstanding these differences between the applicant and Town Council, the NFDC Officer assessment of the relevant material considerations arising from the Assessment is set out throughout the various chapters of this report with the conclusions drawn against the relevant development plan policy and other material considerations.

v. Ringwood Town Council Neighbourhood Development Plan

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

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

As such, it is considered that the proposal is in broad accordance with the adopted Ringwood Design Code and Guidance (RNP Appendix B) and hence RNP Policy R7 (The Ringwood Design Code).

vi. Summary

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

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

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

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

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

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

In summary, whilst the design solution proposed could be improved in certain areas, overall the proposal provides a sufficiently well-designed and integrated southern extension of Ringwood.

As such, the proposal accords with Local Plan Policies SS13 criteria (iii), HOU2 criterion (iv) and ENV3 criteria (i),(iii) and (vii). NPPF paragraphs 128, 129 and 135 and broadly accords with Ringwood Neighbourhood Plan Policy R7 (The Ringwood Design Code).

10.7 Heritage Assets

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

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

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

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

Historic England made no specific comments.

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

10.8 Infrastructure and Developer Contributions

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

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

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

Air Quality Monitoring Contribution - £48,287.

Alternative Natural Recreational Greenspace, Public Open Space (POS) and play spaces - to be delivered by the applicant and subsequently privately managed with a long-term management and maintenance plan setting up of management company and provisions to safeguard against the scenario whereby management is not undertaken properly or the management company ceases to operate and setting up monitoring arrangements

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

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

District Council Monitoring Charges

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

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

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

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

Hampshire County Council Provisions

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

Primary Education in Ringwood - Total contribution of £2,465,274 towards the future

expansion of primary school(s) in Ringwood.

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

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

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

Community Infrastructure Levy

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

Impact on local infrastructure

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

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

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

Community focal point

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

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

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

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

Broadband

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

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

Local Plan Policy ENV3 (Design quality and local distinctiveness) criterion (ii) sets out that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity.

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

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

i. Residential Amenity

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

In terms of sunlight and daylight impact on the occupiers of the existing dwellings on the western boundary, whilst there may be some minor loss of early morning sun to their gardens and rear facing windows, it is not considered that the proximity of the new dwellings will be significantly detrimental to the lighting of habitable rooms which is the key consideration. Given the distances and relationship of the new properties to the existing it is considered that on balance the loss of early morning sun would be clearly insufficient to justify a refusal of planning permission.

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

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

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

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

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

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

ii. Air Quality

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

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

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

iii. Noise

The applicants have provided a Noise Survey and Assessment (Environmental Statement, Hydrock and Campbell Reith, Appendices 10.1 to 10.3, December 2021). NFDC Environmental Health has provided comment on both the Full stage (Phase 1) and the Outline stage (Phase 2) on the material consideration of noise.

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

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

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

iv. Odour and Flies

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

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

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

v. Lighting

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

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

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

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

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

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

vi. Contaminated Land

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

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

As such, subject to a standard conditions 14a-e, the proposal accords with Policy

CCC1 criterion (iv)(c).

vii. Minerals Safeguarding

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

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

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

viii. Sustainable Construction and Design

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

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

Additionally, the Department for Levelling Up, Housing and Communities website confirms that eFor reference, the NFDC major application validation requirements includes a Renewable and Low Carbon Statement.

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

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

- *The statement is intended to demonstrate that, following a fabric first approach to demand reduction, the proposed development will deliver a level of energy performance beyond the current Building Regulation standards whilst addressing a range of additional sustainable design considerations including how various sustainable transport provisions have been designed into the site.*
- *It is likely that some of the 323 dwellings on future phases (note: now 293*

homes) will be constructed to the interim Part L 2021 standards, or to the Future Homes standards. These dwellings will be constructed to meet the energy efficiency requirements outlined by the Building Regulations at the time of construction. To achieve this, an enhanced fabric specification would be utilised in conjunction with renewable energy technologies such as photovoltaic panels.

The Ringwood Town Council Neighbourhood Development Plan Policy R10: Zero Carbon Buildings sets out:

- A. All developments should be 'zero carbon ready' by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, building orientation, massing and landscaping.
- B. Wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m² /year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the character area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not have a significant harmful effect on the character of the area.
- C. All planning permissions granted for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted prior to occupation.
- D. All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life. Consideration should be given to resource efficiency at the outset and whether existing buildings can be re-used as part of the scheme to capture their embodied carbon.
- E. An Energy Statement will be submitted to demonstrate compliance with the policy (except for householder applications). Applicants are directed to the Cotswold Net Zero Toolkit for guidance on matters to be addressed at pre-planning and initial design stage. The statement will demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.

RNP Policy R10 sets out ambitious policy objectives that appear to go beyond relevant current adopted Local Plan policies. For example, the NFDC Cabinet report on 3 April 2024 set out (with regard to the now adopted Climate Change SPD) that

The Council is unlikely to be in a position to be able to refuse development if embodied carbon calculations (such as the Whole-Life Cycle Carbon Emission Assessment in Policy R10] criterion 3) are not included in the climate change statement, however, provision of this information will help assessment of the proposed development against adopted local plan policies STR1 & ENV3.

Likewise, the proposal does not meet Passivhaus standard (or equivalent) in line with the aspiration in the NFDC Climate Change SPD and criterion B in RNP Policy R10.

Essentially, the proposal has had adequate regard to the NFDC Climate Change SPD, taking into account the fact the application was submitted to NFDC in 2021 , and that there are potential opportunities to incorporate various sustainable construction and design features into the development in line with the submitted DAS and Energy and Sustainability Statement.

The proposal does not however meet the more ambitious objectives in the RNP including Whole-Life-Cycle Carbon Emission Assessments (criterion D) and certification to Passivhaus or equivalent standards (criterion B) and as such this matter will need to be considered in the balancing exercise in the conclusion.

ix. Community Engagement

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

x. Local Economy and Employment Land

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

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

xi. HCC Public Health

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

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

xii. Agricultural Land

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

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

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

xiii. Summary

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

The proposal broadly accords with the direction of travel in the recently adopted NFDC Climate Change SPD in terms of sustainable construction and design. However, the proposal does not meet the more ambitious requirements of RNP Policy R10: Zero Carbon Buildings including potential Passivhaus (or equivalent) standards and a Whole Life-Cycle Carbon Emission Assessment.

10.10 Response to Ringwood Town Council and Local Objections

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

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

Principle of Development and Housing

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

Recent Written Government Ministerial Statements do not undermine or in any way

change the allocated status of the site and do not change the legislative requirement that development is approved in accordance with the Development Plan unless other material considerations indicate otherwise.

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

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

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

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

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

Infrastructure

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

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

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

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

Highways, Access and Parking

There are no objections from the Local Highway Authority, Active Travel England and National Highways, subject to suitable conditions and a s106 planning obligation, with regard to site access, on-site highways, off-site highway improvement works, site access, traffic impact and sustainable transport. The proposal contains new sustainable cycle and walking routes that suitably connect into the local area. The proposed vehicular parking is broadly in line with the NFDC Parking SPD requirements and cycle storage and electric vehicle charging will be provided to all dwellings.

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

Flood Risk and Drainage

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

Ecology

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

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

Public Open Space and Landscape

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

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

The Local Plan Concept Masterplan for Strategic Site 13 sets out that residential development is appropriate up to and along the western boundary of the application site and hence there is no policy requirement for additional public open space in this area.

Design

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

Heritage Assets

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

Residential Amenity

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

Other Matters

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

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

10.11 Planning Balance and Conclusions

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

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

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

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay. The lack of a demonstrable five-year land supply, consistent with the recent Noads Way, Dibden Purlieu appeal decision means, however, means that the tilted balance in NPPF paragraph 11(d) is engaged for this application.

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

The proposed housing mix falls slightly short of the requirement in RNP Policy R5 (Smaller Homes) which seeks a minimum of 50% smaller homes. However, the Local Plan strategic housing Policy HOU1 (Housing type, size, tenure and choice) is clear that site specific material considerations should also be taken into account. The slightly shortfall in smaller homes when considered against RNP Policy R5 is outweighed by the benefit of the delivery of housing in total.

RNP Policy R6 (First Homes) seeks a minimum of 25% of affordable dwellings to be 'First Homes', which is noted, but again is outweighed by the acute housing need in the District for those housing comprising the three tenures set out in Local Plan strategic affordable housing Policy HOU2 (Affordable Housing) and the proposal which would provide 133 of these units. On balance of considerations, RNP Policies R5 and R6 are outweighed in this instance by the material considerations as set out in the Committee Report.

As such, given the proposed housing, the balance is clearly in favour of permission and will meet the priority of meeting housing needs set out in the recently adopted

NFDC Corporate Plan 2024 to 2028.

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

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

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

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

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

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

The application was submitted before the Climate Change SPD was adopted in April 2024 and hence the recommendation to NFDC Cabinet in April 2024 that the SPD is

taken into account as a material consideration in the determination of all relevant applications that are submitted after the date of adoption is a material consideration. The proposal does not accord with the more ambitious Policy objectives set out in RNP Policy R10 (Zero Carbon Buildings). However, it is considered that any shortfall against Policy R10 is outweighed by the overall benefits of the proposal including the delivery of 443 new homes on Local Plan Strategic Allocation Site.

The proposed design is of sufficient quality to meet the requirements of NPPF paragraphs 135 and 136 and Policy ENV3 and has taken adequate regard of local design guidance. The detailed objections from NFDC Environmental Design and Ringwood Town Council, including the completed Building for a Healthy Life assessment, are noted and have been addressed in the Planning Assessment and are considered in this balancing exercise. Essentially, it is considered that any perceived shortcomings in the proposed design are clearly outweighed by the overall benefits of the proposal including the delivery of 443 new homes on Local Plan Strategic Allocation Site.

As set out in detail in the Planning Assessment, the proposal, subject to suitable conditions, will not have a harmful impact on heritage assets, archaeological remains, the New Forest National Park its setting and the special qualities and purposes of the National Park, trees, mineral extraction, air quality, noise and general residential amenity.

The proposal will include a substantial package of contributions of approximately £4.4m towards local infrastructure and mitigation to be secured in a s106 planning obligation. Significant further infrastructure funding should also come forward through the Community Infrastructure Levy (CIL) in Phase 2 based on the agreed housing mix in addition to the circa £1.1m likely to be secured through Phase 1.

Any identified harms carry weight in the decision making process including this planning balance. In this instance, the proposal does not accord with RNP Policies R5, R6 and R10. The proposed design has been subject to criticism but as set out in the report it is considered that the design does accord with the criteria in NPPF paragraph 135. The access arrangements would as set out in the report have some modest impacts on South West Hampshire Green Belt but this itself is balanced by the fact that the site access is within the Local Plan Allocation Site.

However, it is considered that any identified harms clearly do not significantly and demonstrably outweigh the identified benefits that the application will bring as set out in the above detailed report. Moreover, the collective weight of identified harms does not equate to an identifiable level of adverse impact whereby that impact would significantly and demonstrably outweigh the identified benefits that the application will bring as set out in the above detailed report.

Overall, given the significant public benefits including the delivery of needed market housing and affordable housing and the provision of substantial new public open space, the proposal is considered to be acceptable in line with relevant NFDC Local Plan Policies and the NPPF subject to suitable conditions and a s106 planning obligation.

As such, whilst not an ideal form of development, in accordance with paragraph 11(d) of the NPPF, on the balance of all material considerations, with significant weight placed on the substantial housing being brought forward, the proposal comprises sustainable development in line with Local Plan Policy STR1 (Achieving Sustainable Development).

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal

accords with Local Plan Policies SS13, STR1, STR2, STR5 criterion (i), STR8 criterion (i)(b), STR9, ENV1, ENV2, ENV3, ENV4, HOU1, HOU2, CCC1 criteria (i) and (ii), CCC2, IMPL1, IMPL2 (i)(ii)(v) and (vi), CS7, DM1, DM2 and DM5, and Ringwood Neighbourhood Plan (2023-2036) Policies R1 criterion (D), R7 criteria (I, ii, iii, iv and vi), R8 (second Policy paragraph) and R11, and National Planning Policy Framework (December 2023) paragraphs 11, 96, 104, 114, 123, 128, 129, 135, 136, 165, 168, 173, 175 and 191(c).

11 RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to reconsult Natural England prior to the proposed adoption of the shadow HRA and AA, and to GRANT PERMISSION subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Affordable housing provision (133 units);
 - Air quality monitoring contribution;
 - Alternative Natural Recreational Greenspace (ANRG), Public Open Space (POS) and play spaces including management and maintenance framework (including provision for the scenario whereby management is not undertaken properly or the management company ceases to operate)
 - ANRG Phase 1 Phasing Plan;
 - Biodiversity Net Gain management and monitoring;
 - Community Facility contribution in lieu of community focal point ;
 - District Council Monitoring charges (recreational habitat mitigation commencement and on-site monitoring and/or inspections, affordable housing monitoring, biodiversity net gain monitoring, public open space);
 - Formal public open space (football pitch) contribution;
 - Habitat Mitigation;
 - Linden Ring 3 footpath improvement contribution;
 - Hampshire County Council:-
 - Primary Education in Ringwood contribution;
 - Countryside Services (Public Rights of Way) contribution;
 - Local Highway Authority contribution.
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

Proposed Conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **Reserved matters time limit**

The application for the approval of reserved matters shall be made within a period of three years from the date of this permission. The development shall be begun no later than two years from the final approval of details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Reserved matters details**

No development shall take place on any outline part of the site including site clearance and demolition works until the scale and appearance of the development which shall include detailed elevation and floor plans, and the hard and soft landscaping of the site (herein referred to as the reserved matters, as well as any outstanding conditions set out in this decision notice), insofar as they relate to the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

4. **Approved Plans (Outline and Full)**

The development in Phase 1 and Phase 2 shall be carried out in accordance with the following approved plans:

Full (Phase 1) and Outline (Phase 2)

- Site Location Plan, Pegasus, 18/1/2024, P21-1078-DE-003-0100 Rev. A
- Building Scale Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0110 Rev. A
- Land Use Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0107 Rev. A
- Movement and Access Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0108 Rev. A
- Building Density Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0109 Rev. A
- Landscape Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0112 Rev. B
- Landscape Masterplan and Alternative Natural Greenspace Strategy, edp 5444_d054q, 16 May 2024
- Open Space Strategy, edp 5444_d093l, 16 May 2024
- Alternative Natural Recreational Greenspace (ANRG) Strategy, edp 5444_d114a, 22 January 2024

The development in Phase 1 ONLY shall be carried out in accordance with the following approved plans:

Phase 1 (Full application ONLY):

- Phase 1 Masterplan, Pegasus, 27/3/2024, P21-1078-DE-003-0101 Rev. C
- Phase 1: Detailed NEAP Play Design, edp 5444_d067j, 16 May 2024
- Phase 1: Detailed LEAP Play Design, edp 5444_d099c, 16 May 2024
- ANRG Crossing, edp 5444_d117a, 15 March 2024
- Refuse Plan, Pegasus, 10/4/2024, P21-1078-DE-003-0102 Rev. B
- Boundary Treatment Plan, Pegasus, 10/4/2024, P21-1078-DE-003_0103 Rev. B
- Phase 1 Building Heights Plan, Pegasus, P21-1078-DE-003-0104 Rev. B
- Phase 1 Parking Plan, Pegasus, P21-1078-DE-003-0105 Rev. B
- Phase 1 Materials Plan, Pegasus, P21-1078-DE-003-0106 Rev. B
- Phase 1 Housing Tenure Plan, Pegasus, P21-1078-DE-003-0107 Rev. C
- Phase 1 EV Charging Plan, Pegasus, P21-1078-DE-003-0117 Rev. A

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- Garages and Car Barns, Pegasus, 17/10/2022, Ref: P21-1078-DE-0200 to 0213 inclusive
- House plans and elevations, Pegasus, 17/10/2022 with the following reference numbers:
 - P21-1078-DE-0300
 - P21-1078-DE-0301_1
 - P21-1078-DE-0302_1 B
 - P21-1078-DE-0302_2 B
 - P21-1078-DE-0302_3
 - P21-1078-DE-0302_4
 - P21-1078-DE-0303_1
 - P21-1078-DE-0303_2 B
 - P21-1078-DE-0304_1
 - P21-1078-DE-0304_2 A
 - P21-1078-DE-0305
 - P21-1078-DE-0306_1 A
 - P21-1078-DE-0306_2
 - P21-1078-DE-0306_3
 - P21-1078-DE-0307_1 A
 - P21-1078-DE-0307_2 B
 - P21-1078-DE-0308_1
 - P21-1078-DE-0308_2
 - P21-1078-DE-0308_3
 - P21-1078-DE-0308_4
 - P21-1078-DE-0308_5 A
 - P21-1078-DE-0308_6
 - P21-1078-DE-0308_7
 - P21-1078-DE-0309_1 C
 - P21-1078-DE-0309_2 A
 - P21-1078-DE-0309_3 B

- P21-1078-DE-0309_4 C
- P21-1078-DE-0310_1 A
- P21-1078-DE-0310_2 A
- P21-1078-DE-0311_1 B
- P21-1078-DE-0312_1 A
- P21-1078-DE-0312_2 A
- P21-1078-DE-0312_3 A
- P21-1078-DE-0313_1
- P21-1078-DE-0313_2
- P21-1078-DE-0314_1 A
- P21-1078-DE-0314_2 B
- P21-1078-DE-0314_3 A
- P21-1078-DE-0314_4
- P21-1078-DE-0314_5 B
- P21-1078-DE-0315_1 A
- P21-1078-DE-0315_2 A
- P21-1078-DE-0316_1 A
- P21-1078-DE-0316_2 A
- P21-1078-DE-0400_1
- P21-1078-DE-0401_1
- P21-1078-DE-0402_2
- P21-1078-DE-0402_1
- P21-1078-DE-0403_1
- P21-1078-DE-0403_2
- P21-1078-DE-0403_3
- P21-1078-DE-0403_4 A
- P21-1078-DE-0404_1 A
- P21-1078-DE-0404_2 A
- P21-1078-DE-0405_1 A
- P21-1078-DE-0406_1 A
- P21-1078-DE-0406_2 B
- P21-1078-DE-0406_3 A
- P21-1078-DE-0406_4 A
- P21-1078-DE-0407 A
- P21-1078-DE-0408_1 B
- P21-1078-DE-0408 2
- P21-1078-DE-0408 3
- P21-1078-DE-0409_1 A
- P21-1078-DE-0409_2 B
- P21-1078-DE-0409_3 A
- P21-1078-DE-0410_1
- P21-1078-DE-0410_2
- P21-1078-DE-0411_1
- P21-1078-DE-0411_2
- P21-1078-DE-0411_3 A
- P21-1078-DE-0411_4 A
- P21-1078-DE-0412_1
- P21-1078-DE-0412_2 A
- P21-1078-DE-0413_1
- P21-1078-DE-0413_2
- P21-1078-DE-0413_3
- P21-1078-DE-0413_4
- P21-1078-DE-0414_1
- P21-1078-DE-0414_2

- P21-1078-DE-0415_1
- P21-1078-DE-0415_2

5. Maintenance of car parking spaces: Garages and Car Barns (Phase 1)

Notwithstanding the provisions of the Town and Country General Permitted Development Order 2015 as amended, (or any revocation, amendment or re-enactment of that Order), the garages and car barns hereby approved in Phase 1 whether integral or as outbuildings/extensions to the dwelling or shall not be converted into additional living accommodation but shall be kept available for the parking of private motor vehicles. All car barns shall be retained in perpetuity as open structures and shall not be fitted with external doors other than those shown on the approved plans.

Reason: To ensure a reasonable and adequate level of parking is retained for the dwellings hereby permitted and to prevent ad hoc parking on pavements, cycle/footways and verges in the interests of highway safety for both pedestrians and vehicles.

6. Residential Cycle Storage (Phase 1)

The residential dwellings in Phase 1 Plots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 114, 115, 116, 117, 119, 120, 123, 124, 125, 126, 127, 128, 129, 137, 138, 139, 140, 142, 143, 149 and 150 as set out in the Phase 1 Masterplan (Pegasus, 27/3/2024, Ref: P21-1078-DE-003-0101-C) hereby permitted shall not be occupied until a wooden garden shed with the agreed specifications set out below is provided in the rear garden:

- i. Shed Size: minimum 1.8m (depth) x 1.2m (width) x 1.85m (height).
- ii. Shed Framing EX 38x50mm (finish size 34x45mm).
- iii. Shed cladding (Shiplap) EX 16x125mm (finish size 12x120mm)
- iv. All timber is Redwood Viths.
- v. All sheds dipped with Protek PR30 water-based treatment (Light Brown)
Green Mineral Felt roof.
- vi. Standard Fittings (12" 300mm galvanised T-Hinges (1no pair); 2" 50mm galvanised Turn Buttons (2no); Hinges are fitted with security screws); and
- vii. A suitable combination or key padlock.

Reason: To satisfy Local Plan Policy ENV3 criterion (iv)

7. Waste Collection - Flatted Blocks (Phase 1)

The development hereby approved shall incorporate a suitably designed dropped kerb on the road parallel to the northern elevation of the integral bin store to serve the flatted blocks (Plots 41-45 and 92-96), which shall be suitably sized to enable bins to be safely manoeuvred and returned to the flatted blocks and installed prior to first occupation of the residential units to which the bin store serves. Bin storage points shall also be provided as shown prior to occupation of that part of the site to which the bin storage

point relates.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3.

8. **Site Levels (Phase 1)**

Prior to the commencement of any part of the development of Phase 1, details of all intended land and site levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG and all drainage basins and swales), and the existing and proposed site contours, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

9. **Phasing of Development (Phase 1 - Full application area)**

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan for Phase 1 (Full application area), including all on and off-site works, plot construction programme, all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage works, shall be agreed in writing with the Local Planning Authority (LPA).

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted.

10. **Public Right of Way Access**

No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or positioned on or near (10 metres either side) to Ringwood Footpath 45 or Ringwood Bridleway 509 as to cause an obstruction, hinderance or hazard to the public, who retain the right to use the Public Rights Of Way network at all times.

Reason: In the interests of highway safety and the protection and amenity of users of the public right of way.

11. **Public Right of Way - Diversion**

Should the proposed pedestrian crossing point of Moortown Lane on the site's southeast boundary be approved the applicant shall apply to an order making authority to divert the legal line of Ringwood Footpath 45 from its present alignment to that demonstrated in the Movement and Access

Parameter Plan, where the route is shown in a southwest-northeast alignment at its southern end adjacent to Moortown Lane.

Reason: In the interests of highway safety and the protection and amenity of users of the public right of way.

12. **Phase 1 Internal Pedestrian and Cycle Links Pre-Occupation**

The internal primary and secondary pedestrian and cycle links in the Phase 1 development as set out in the Movement and Access Parameter Plan (Pegasus, P21-1078- DE-004-0108 Rev. A) (19/1/2024) which connect to Crow Arch Lane (Crow Arch Lane to Castleman Trail Pedestrian and Cycle Route, I-Transport, 6/10/2020, Ref: ITB-12364-GA-008 Rev. H) should be provided prior to first occupation of Phase 1 and available for use in perpetuity.

Reason: In the interests of highway safety.

13. **Internal Primary Route Delivery and Standards**

The proposed internal primary routes which connect to (i) the Employment Land parcel in the north-west of the Allocation Site and (ii) the residual housing area in the north-east of the Allocation Site as set out in the Movement and Access Parameter Plan (Pegasus, P21-1078- DE-004-0108 Rev. A) (19/1/2024) will be provided to an adoptable standard to the boundaries of the application site to facilitate future vehicular, cycle and pedestrian access and provided prior to the 200th occupation in the application site.

Reason: In the interests of local accessibility and highway safety.

14. **Construction Traffic Management Plan (CTMP)**

No development hereby permitted shall commence, including site clearance or other demolition works until a Construction Traffic Management Plan (CTMP), to include details of provision to be made for the following, has been submitted to and approved in writing by the LPA following consultation with the Local Highways Authority and Highways England. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

- viii. on site contractor's parking, and mess facilities
- ix. construction traffic access,
- x. site exiting construction vehicle and road cleaning procedures,
- xi. the turning and parking of delivery vehicles within the confines of the site,
- xii. lorry and delivery vehicle routeing to and from the site
- xiii. delivery times for construction materials including soil and hardcore
- xiv. a programme of works including phasing

Reason: In the interests of highway safety and local general amenity.

15. **Detailed Surface Water Drainage Strategy Scheme**

No development shall begin until a detailed surface water drainage scheme for the site (Phase 1 Full), based on the principles within the drainage strategy Hydrock Strategy Addendum, 27 March 2024, Ref: 21887-HYD-xx-xx-TN-c-0002 Rev. P06, Sections 2 (Surface Water Drainage Strategy) and 3 (Management and Maintenance) that has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- i. A technical summary highlighting any changes to the design from that within the drainage strategy.
- ii. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
- iii. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- iv. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- v. Evidence that urban creep has been included within the calculations.
- vi. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- vii. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include:

- i. Maintenance schedules for each drainage feature type and ownership; and
- ii. Details of protection measures

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

16. No operational development within Flood Zones 2 and 3

There must be no operational development within Flood Zones 2 and 3, inclusive of ground level changes, roads, and drainage features. There shall be no raising of existing ground levels on the site within fluvial flood zones 2 and 3. There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change. Any walls or fencing constructed within flood zones 2 and 3 shall be designed to be permeable to flood water. Access arrangements must not be impacted by flood waters.

Reason: To prevent obstruction to the flow and storage of flood water, with a consequent increased risk of flooding.

17. **Phase 1 Foul Water Drainage Strategy**

No development shall take place until a detailed scheme to deal with foul sewage, including connections to existing off-site foul drainage systems have been submitted to and agreed in writing with the Local Planning Authority. No occupation of any Phase 1 dwelling shall take place until the approved scheme is implemented.

Reason: To ensure that a foul drainage scheme is available prior to the first occupation of Phase 1.

18. **Phosphate mitigation and water efficiency**

The development hereby approved shall not be occupied unless

- A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the local planning authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;
- Proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
 - (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

19. **Phase 1 Landscape Ecological Management Plan (LEMP)**

The Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) sets out a framework for the protection, establishment, management, maintenance and monitoring of the landscape and ecology features in Phase 1 of the development as set out in the Ecological Features Plan (EDP, 19 January 2024, Ref: edp5444_d097a). The Phase 1 LEMP is to be read and enacted upon in conjunction with the following drawings and reports:

- All approved detailed Landscape Design plans in Condition 28;
- Ecology Baseline;
- Environmental Statement (Campbell Reith) – Volume 1 Chapter 8: Ecology and Nature Conservation (December 20210)
 - i. Key features to be retained, enhanced and created should be fully addressed in line with Section 3 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - ii. During the construction phase of Phase 1 all habitat creation and landscaping planting should be undertaken in line with Section 4 of the LEMP (EDP, February 2024, Ref: edp5444_r033c) taking full account of the Construction Environmental Management Plan (CEMP).
 - iii. For Years 1 to 5 following commencement of Phase 1 development the site developer should fully enact the Management Objectives and Maintenance Operations set out in Table 5.1 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - iv. Monitoring and Timetable of Phase 1 Works should be fully undertaken in line with Section 7 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).
 - v. For Years 6 to 15 following commencement of Phase 1 development the site developer should fully enact the Management and Maintenance tasks in line with Section 6 of the LEMP (EDP, February 2024, Ref: edp5444_r033c).

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

20. **Phase 2 Landscape Ecological Management Plan (LEMP)**

No development shall take place on Phase 2, or the 151st residential dwelling until the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) is reviewed after with any necessary changes to the protection, establishment, management, maintenance and monitoring documented within an updated LEMP which covers the residual landscape and ecological assets within the application site. The updated LEMP should be submitted and agreed in writing with the LPA prior to the commencement of works on Phase 2.

Reason: In the interests of the protection of landscape and ecological

assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

21. **Phase 1 Biodiversity Net Gain**

Prior to the first occupation of any Phase 1 housing unit (dwellings 1 to 150) the details of a biodiversity net gain package of on-site (supplemented if necessary off-site of BNG) in a Biodiversity Net Gain Monitoring and Management Plan covering a period of 30 years from commencement of each development phase - shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified 10% BNG arising from the Phase 1 element of the development and include:

- i. An updated calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric Calculation July 2021 (or a metric based on the latest guidance);
- ii. If offsetting is needed the details of the BNG project including its location;
- iii. A timetable for the provision of the BNG project;
- iv. Details of the management of the BNG project;
- v. Details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such; and
- vi. Written confirmation that the required number of offsetting BNG units had been secured.

The BNG monitoring report should be produced by a suitably qualified and experienced Ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images

Reason: To ensure Biodiversity Net Gain is secured as part of the development in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management), NFDC interim Biodiversity Guidance and the

22. Phase 2 Biodiversity Net Gain

Prior to the first occupation of any Phase 2 housing unit (dwellings 151 to 443) the details of a BNG package of on-site supplemented if necessary off-site of BNG shall be submitted to, and approved in writing by, the LPA. This package, whether on or off site or a combination of the two, should secure the identified 10% BNG arising from the Phase 2 element of the development and include:

- i. An updated calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric Calculation July 2021 (or a metric based on the latest guidance);
- ii. If offsetting is needed the details of the BNG project including its location;
- iii. A timetable for the provision of the BNG project;
- iv. Details of the management of the BNG project;
- v. Details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.
- vi. Written confirmation that the required number of offsetting BNG units had been secured.

The BNG monitoring report should be produced by a suitably qualified and experienced Ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring;
- Assessment of habitats against the objectives and target condition defined in the management plan / assessment;
- Habitat type, extent and condition;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes on factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth / establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images

Reason: To ensure Biodiversity Net Gain is secured as part of the development in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management), NFDC interim Biodiversity Guidance and the Environment Act 2021.

23. **Phase 1 Ecological Construction Method Statement (ECMS)**

No development shall take place on Phase 1 (Full application - dwellings 1 to 150), including any works of demolition and site clearance, until an Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved ECMS shall be implemented and adhered to throughout the entire Phase 1 construction period.

All Phase 1 works shall be carried out in accordance with the methodology and details set out in the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) and other relevant submitted ecological documents and include the following to be submitted for approval:

- i. Method for ensuring no wildlife is trapped during construction works
- ii. Protective fencing and other arrangements during construction
- iii. Delivery of toolbox talks to all operatives
- iv. Storage of topsoil and other materials including tree protection measures
- v. Detail measures to avoid and mitigate construction impacts on species and retained habitats
- vi. Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

24. **Phase 2 Ecological Construction Method Statement (ECMS)**

No development shall take place on Phase 2 (Outline - dwellings 151 to 443), including any works of demolition and site clearance, until an updated Phase 2 Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved ECMS shall be implemented and adhered to throughout the entire Phase 2 construction period.

All Phase 2 works shall be carried out in accordance with the methodology and details set out in a Phase 2 Landscape and Ecological Management Plan (LEMP) (as per Condition 23) and include the following to be submitted for approval:

- i. Method for ensuring no wildlife is trapped during construction works;
- ii. Protective fencing and other arrangements during construction;
- iii. Delivery of toolbox talks to all operatives;
- iv. Storage of topsoil and other materials including tree protection measures;
- v. Detail measures to avoid and mitigate construction impacts on species and retained habitats; and
- vi. Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

New supplementary ecological desk study and site surveys shall be undertaken as necessary to inform the preparation and implementation of

Phase 2 ecological mitigation measures to be set out in the Phase 2 ECMS in line with the CIEEM April 2019 Advice Note on the lifespan of ecological reports. The supplementary surveys shall be of an appropriate type and survey methods shall follow national good practice guidelines.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

25. Phase 1 Wildlife enhancements

Prior to commencement of development a detailed scheme including site plans showing the exact location of each feature for the placement of the wildlife enhancements set out in Section 3 (Key Features to be Retained, Enhanced and Created) (Paragraphs 3.38 to 3.57) of the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c). This includes the installation of:

- i. 150 swift boxes (finish to match that of the building if integrated) in line with the guidance set out in Paragraph 3.40 of the LEMP;
- ii. 150 bat boxes in line with the guidance set out in Paragraph 3.44 of the LEMP;
- iii. Holes in garden boundary fences of a minimum of 120mm x 120mm between garden boundary fences to be achieved through the installation of hedgehog friendly gravel boards or by alteration of standard gravel boards;
- iv. Four hibernacula will be created: two within the site and two within the ANRG Land. The design of the hibernacula will broadly follow that provided in the Design Manual for Roads and Bridges and the Reptile Habitat Management Handbook (as footnoted in Paragraph 3.50 of the LEMP).
- v. Four invertebrate towers within the Phase 1 site.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

26. Bats and Lighting

No development shall take place until a Phase 1 site wide sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/23 ‘Bats and artificial lighting at night’ for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- b) Identify and take account dedicated bat roost features provided by the development; and

- c) Show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the LPA.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

27. **Badgers**

Prior to the commencement of any construction work on the application site (Phase a and Phase 2), an updated Badger Survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

28. **Phase 1 Hard and Soft Landscaping Detailed Design**

Before development commences a scheme of detailed hard and soft landscaping plans for Phase 1 shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed Phase 1 public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG) and play areas.
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location for the proposed Phase 1 public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG) and play areas.
- iv. A schedule and specification for new tree planting (species, size,

spacing, location, details of irrigation pipe) for the public realm in the proposed Phase 1 housing area and a plan showing how adequate rooting volumes for each tree proposed within the housing area will be achieved and indicating the location and extent of any structural tree soil, crate systems and root barriers.

- v. A schedule and specification for all new soft planting (species, size, spacing, location) for the public realm in the proposed Phase 1 housing area.
- vi. A schedule and specification of all hard landscaping and means of enclosure, including those proposed to prevent anti-social vehicular parking, in Phase 1 for all public open space and public realm.
- vii. A schedule and specification of all hard and soft landscaping in the rear gardens of all dwellings in Phase 1.
- viii. A specification of the proposed bollard located in the centre of the emergency access in the south-west corner of Phase 1.
- ix. A specification for the protection of all new soft landscape planting in Phase 1 (e.g., temporary fences, rabbit guards, mulching).
- x. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests and a separate reptile hibernacula information board relating to the northern part of the Phase 1 ANRG.
- xi. A schedule and specification of all Phase 1 benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- xii. All public bins within Phase 1 shall be wooden combined litter/dog waste such as Wybone or similar as agreed with the Local Planning Authority and attached to a suitable concrete base.

All Phase 1 soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted.

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

Reason: To ensure that the development provides a suitable soft and hard landscaping strategy and arboricultural strategy and to comply with Local Plan Policies ENV3 and ENV4.

29. **Phase 1 LEAP and NEAP play areas**

The Phase 1 LEAP and NEAP play areas shall be implemented strictly in accordance with the approved plans (Phase 1: Detailed NEAP Play Design, edp 5444_d067j, 16 May 2024 and Phase 1: Detailed LEAP Play Design, edp 5444_d099c, 16 May 2024).

The LEAP shall be completed, subject to suitable safety certification by suitably qualified third-party inspector and made available for use prior to the 1st Phase 1 residential dwelling being occupied.

The NEAP shall be completed, subject to suitable safety certification by suitably qualified third-party inspector and made available for use prior to the 25th Phase 1 residential dwelling being occupied.

All play equipment and street furniture, and other facilities in connection with the use of the LEAP and NEAP play areas shall be kept available for the public use in perpetuity and managed in accordance with the details agreed in the allied s106 planning obligation.

Reason: To ensure that the Phase 1 development provides a suitable set of safe play spaces for the local community.

30. Materials and final drawings for dwellings - Phase 1

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted in Phase 1 (Full application) a full final elevation and floor plan for each dwelling type including all materials (manufacturer names, type and colour) to be used on all dwellings, garages and car barns i.e. facing bricks, wall renders, weatherboarding, tile hanging including finish and colours, joinery details, roofing materials, eaves boards, ridge tiles, solar and photovoltaic panels or other renewable energy measures including the finish colour of the EV charging box to be used on individual plots, together with the materials and colour of rainwater goods, soil and vent pipes, meter boxes including their intended finish, shall be submitted to and agreed in writing with the LPA. The development shall be completed in accordance with the details as may be agreed.

Reason: In the interests of the appearance and character of the development and to comply with New Forest Local Plan policy ENV3

31. Archaeology

No demolition and/or development shall take place within the application site boundary (Phases 1 and 2) as set out in the Site Location Plan, Pegasus, 18/1/2024, P21-1078-DE-003-0100 Rev. A until a programme of archaeological work has been secured, including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- i. The programme and methodology of site investigation and recording;
- ii. The programme for post investigation assessment;
- iii. Provision to be made for analysis of the site investigation and recording;

- iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v. Provision to be made for archive deposition of the analysis and records of the site investigation; and
- vi. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

No demolition and/or development shall take place other than in accordance with the approved Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured and agreed in writing by the Local Planning Authority.

Further archaeological work may be required subject to the findings of the evaluation.

Reason: To ensure that archaeological remains and features are suitably protected and recorded in accordance with Local Plan Part Two 2014 Policy DM1.

32. **Heritage Assets**

Before highways works relating to the junction of Moortown Lane and Christchurch Road commences a scheme for the protection of the listed milestone shall be submitted to and approved in writing by the Local Planning Authority. Such protection shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The monument protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of the listed milestone and avoidance of damage during the highways works phase in accordance with Policies ENV3 and DM1 of the Local Plan 2016-2036.

33. **Minerals safeguarding**

No development shall take place, excluding site clearance, enabling and demolition works, until a method statement covering the following matters has first been submitted to and approved in writing by the Local Planning Authority.

- i. A method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- ii. A method to record the quantity of recovered mineral (re-use on-site or off-site) and to report this data to the MPA upon completion of the development.

The development shall be carried out in accordance with the method

statement so agreed.

Reason: To ensure that any minerals found on the site can be re-used in accordance with New Forest Local Plan Part One 2020 Policy STR9

34. **Phase 1: Noise**

A full stage 2 Acoustic Design Statement (ADS) including the four key elements in accordance with ProPG: Planning and Noise shall be submitted to ensure that internal and external noise levels for the residential accommodation in Phase 1 shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority prior to the first residential occupation on Phase 1 and the approved scheme shall be implemented, maintained and retained.

Reason: In the interests of the amenities of occupiers.

35. **Phase 2: Noise**

At reserved matters stage, a full stage 2 Acoustic Design Statement (ADS) including the four key elements in accordance with ProPG: Planning and Noise shall be submitted to ensure that internal and external noise levels for the residential accommodation shall not exceed the designated minimum standards stated. The scheme shall be approved in writing by the Local Planning Authority prior to the first residential occupation on Phase 2 and the approved scheme shall be implemented, maintained and retained.

Reason: In the interests of the amenities of occupiers.

36. **Construction Environmental Management Plan (CEMP)**

No development shall take place, including any works of demolition, until a Construction Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works;
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) The parking of vehicles of site operatives and visitors;
- f) Loading and unloading of plant and materials, including permitted times for deliveries;

- g) Storage of plant and materials used in constructing the development;

- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulations Orders);
- j) Measures to control the emission of dust and dirt during construction;
- k) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted.

Reason: To ensure that construction works are not harmful to existing local residents who may be affected during the works and to comply with Local Plan policy CCC1

37. Removal of Permitted Development Rights Plots 1 to 14 (Phase 1)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any revocation, amendment or re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out on Plots 1, 2, 3, 4, 5, 6, 7, 8,9, 10, 11 and 12 of Phase 1 without express planning permission first having been granted.

Reason: In view of the Phase 1 layout of the development the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the amenities of the occupiers of the existing neighbouring properties to the west contrary to Local Plan Policy ENV3 criterion (ii).

38. Construction: Hours of Operation

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays, unless in the case of any emergency works that may be required urgently.

Reason: To safeguard residential amenities.

39. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 41 to 43 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the

unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 44 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

40. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's technical guidance, Land Contamination Risk Management (LCRM).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

41. Where contamination has been identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

42. Where a remediation scheme has been approved in accordance with condition 42, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

43. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 41, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 42, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 42.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

44. High Speed Fibre Broadband

Prior to the occupation of each dwelling in the development hereby approved, the necessary infrastructure required to enable high speed fibre broadband connections shall be provided within the site up to property thresholds, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In accordance with Local Plan Policy IMPL2: Development Standards criterion (v).

45. Reptile Mitigation

The development, including mitigation, shall be carried out in full accordance with the approved Reptile Mitigation Strategy (edp, January 2024, (Ref: edp 5444_r031e) and the Reptile Displacement Area and Reptile Enhancement Area plan (edp, 19 January 2024, edp 5444_d094d).

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered in accordance with Local Plan policies DM2 and ENV 3.

46. Retained Trees

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement.

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

47. New Trees

After the planting of all new trees on site as illustrated within the Detailed Landscape Design Plans and submitted tree planting schedule to be agreed under Condition 29 (Phase 1 Hard and Soft Landscaping Detailed Design), notice shall be given to the Local Planning Authority Tree Officer to inspect the trees. If it is found that the planting is not in accordance with the aforementioned documents, further works and/or replacement planting will

be undertaken and agreed with Local Planning Authority Tree Officer until correct.

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

48. **Replacement Trees**

If within a period of 5 years from the date of planting the trees (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted in the same place or in accordance with a variation for which the Local Authority give their written consent.

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

49. **Rear Garden Gates (Phase 1)**

The residential dwellings in Phase 1 Plots 16, 17, 18, 19, 53, 54, 59, 60, 61, 63, 64, 65, 67, 84, 85, 101, 102, 108, 109, 110, 116 and 117 as set out in the Phase 1 Masterplan (Pegasus, 27/3/2024, Ref: P21-1078-DE-003-0101-C) hereby permitted shall not be occupied until the rear or side access gate has been fitted with a suitable key operated lock that operate from both sides of the gate.

Reason: To satisfy National Planning Policy Framework Paragraph 135 criterion (f).

Further Information:

Robert Thain

Telephone: 023 80 285116

PLANNING COMMITTEE – 11 SEPTEMBER 2024

COMMITTEE UPDATES

Item 3a: SS13 – Land off, Moortown Lane, Ringwood (Application 21/11723)

Page 52 (EIA)

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

Additionally, the national Planning Practice Guidance sets out ~~that~~ further guidance on this matter.

Page 52 (Green Belt)

These include but are not limited to:

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

Page 54 (Green Belt)

The following paragraph to be added to the end of the sub-section:

Given that the proposed highways and access works in the South West Hampshire Green Belt does not include any new buildings and are clearly to facilitate the Local Plan Allocation Site the proposal does not conflict with the purposes in NPPF paragraph 143. As set out, NPPF paragraph 155 sets out that both engineering operations and local transport infrastructure are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The proposed highways and access works are considered to fall under the rubrics of engineering and local transport infrastructure. In line with the findings of the supported LVIA there would be some modest impacts on the openness of the Green Belt along Moortown Lane through these works but that they would be moderated in the longer-term by maturing planting and there would in the absent of new buildings be no volumetric impacts. Therefore, on balance of considerations, the proposal accords with Local Plan Policy ENV2.

Page 62

The Written Ministerial Statement (30 July 2024) sets out with regard to Affordable Housing:

a number of changes in planning policy designed to support the delivery of affordable homes: removing the prescriptive requirements that currently tie local authorities' hands with respect to particular types of home ownership products, and allowing them to judge the right

mix of affordable homes for ownership and for rent that will meet the needs of their communities.

Further Representations

A representation was received from Ringwood Town Council on 9 September 2024. The full representation is available to view on the NFDC website.

The representation sets out commentary on the following matters:

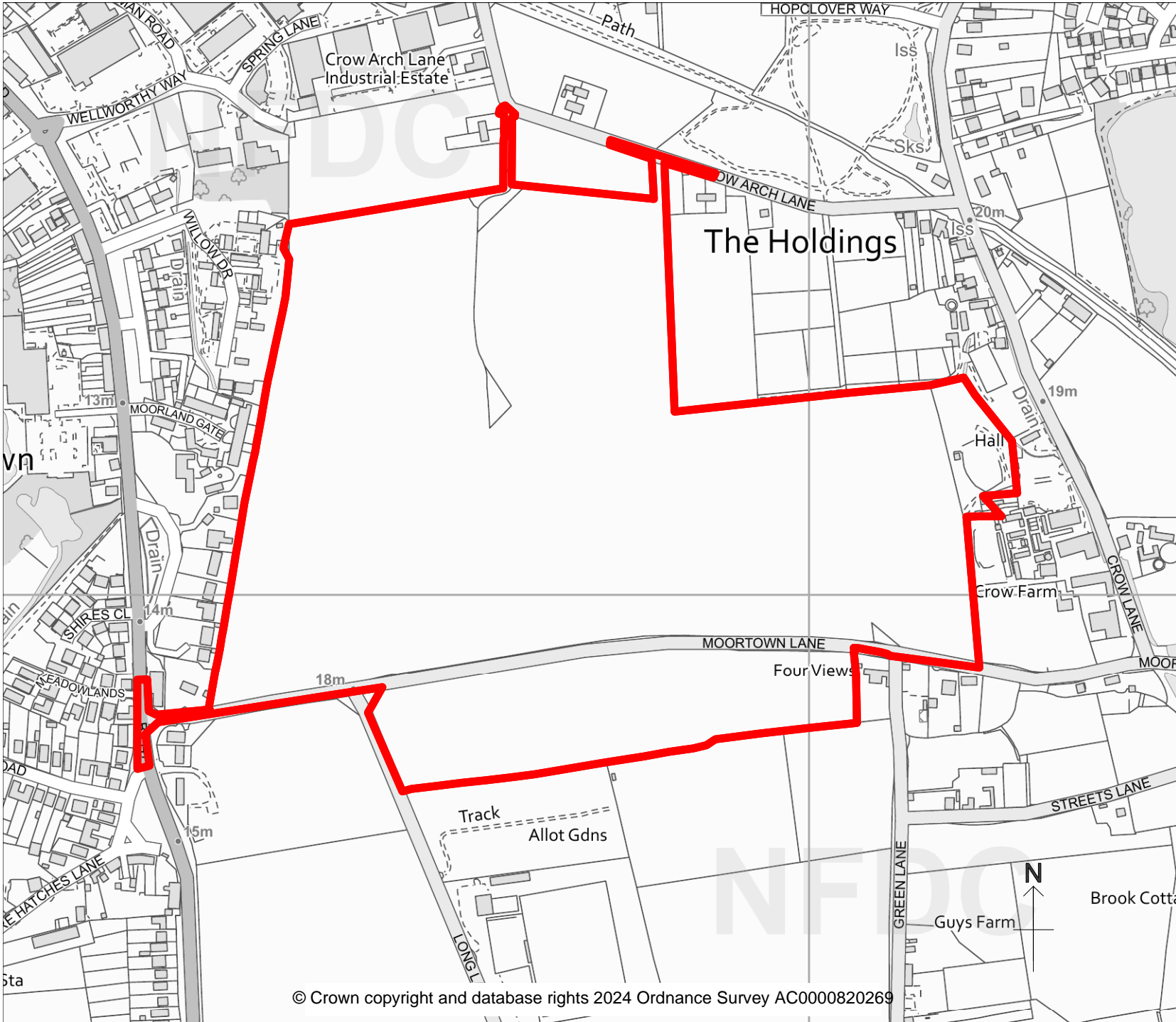
- Status of the Ringwood Neighbourhood Plan (RNP)
- Commentary on a letter from a former case officer sent to the applicants in August 2023
- Housing Land Supply and the NPPF Titled Balance
- Housing and Affordable Housing
- Highways, Access and Parking
- Flood Risk
- ANRG

NFDC Officers have the following comments to make in response to RTCs 9 September 2024 representation:

- The National Described Space Standards (NDSS) sets out that a single bedroom should be at least 7.5m² and at least 2.25m wide. This is set out on the Government website (link below):
[Technical housing standards – nationally described space standard - GOV.UK \(www.gov.uk\)](https://www.gov.uk/technical-housing-standards)
- As such, in line with the NDSS the proposed first floor study rooms do not qualify as bedrooms as they range in size from 5.4m² to 7.4m².
- As such, the proposed housing mix is accurately set out and the ANRG sufficient for the proposed development.
- The Affordable Housing quantum and mix is agreed by NFDC Housing and the NFDC viability advisors indicate that this is a suitable outcome when combined with the proposed s106 package.
- Ringwood Neighbourhood Plan policies have been adopted by NFDC rather than “binding”. The Committee Report sets out clearly the status of the Neighbourhood Plan on page 13.
- The Committee Report sets out where the proposal is non-compliant with the Ringwood Neighbourhood Plan and sets out that any harm needs to go into the overall planning balance.
- The content of the August 2023 letter from the former case officer is noted but the proposed design has evolved significantly since then and is now considered acceptable as set out in the Committee Report.

Two further representations which sets out additional commentary on affordable housing, foul drainage, highways, agricultural land and infrastructure, have been received from the

public since publication of the Committee Report. These are available to view on the NFDC website.



New Forest

DISTRICT COUNCIL

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 Service Manager
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 New Forest District Council
 Appletree Court
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PLANNING COMMITTEE

November 2024

LAND OFF, MOORTOWN LANE
 RINGWOOD

Scale 1:5000

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

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Planning Committee 13 November 2024

Application Number: 23/10707 Full Planning Permission
Site: OPEN SPACE ADJACENT TO CROW LANE
(PROPOSED LEGAL AGREEMENT)
Development: The change of use of agricultural land to publicly accessible open space to facilitate Alternative Natural Recreational Green Space ('ANRG'), with associated landscaping, footways and access points
Applicant: Crest Nicholson South
Agent: Savills
Target Date: 10/11/2023
Case Officer: Robert Thain
Reason for Referral to Committee Decision deferred from September Planning Committee

BACKGROUND

This planning application was included within the reports for Planning Committee at its meeting on 11th September 2024. However, following the deferral of the associated application reference 21/11723 this application was also deferred and was not presented by Officers.

The Officer Report for that meeting is attached at **Appendix 1**.
The written update paper is provided at **Appendix 2**

Further Information:

Robert Thain
Telephone: 023 80 285116

Planning Committee 11 September 2024

Application Number: 23/10707 Full Planning Permission

Site: OPEN SPACE ADJACENT TO CROW LANE
(PROPOSED LEGAL AGREEMENT)

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

Applicant: Crest Nicholson South

Agent: Savills

Target Date: 10/11/2023

Case Officer: Robert Thain

Officer Recommendation: Service Manager - Grant

Reason for Referral to Committee: Contrary to Town Council view.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Ecology
3. Landscape and Trees
4. Flood Risk and Drainage
5. Other Matters
6. Planning Balance and Conclusions.

2 SITE DESCRIPTION

The application site is situated to the south-east of Ringwood in open countryside located between Crow Lane to the west and the Castleman Trail and Hightown Lake to the west. To the north is a detached dwelling with a large outbuilding in a large plot. To the south is a dwelling, several outbuildings with paddocks. Beyond the site is Ringwood to the north and west and the New Forest National Park to south and east. The application site abuts the New Forest National Park Authority boundary to the south-east.

The application site is broadly trapezoidal in shape and generally flat. The site is currently open greenfield land comprising arable farmland and has a size of approximately 2.51 hectares. The perimeter boundaries of the are comprised of hedgerow of mixed native species which curtail some views into the site from the adjoining public highways. There are two trees with preservation order on the site boundary: one on the boundary with Crow Lane and one on the southern boundary. There are no existing buildings or structures within the application site.

There are no statutory designated sites for nature conservation on the Site. The closest statutory nature conservation sites are the Avon Valley RAMSAR, SPA and

Site of Special Scientific Interest (SSSI) located approximately 868.5 metres to the west (at its closest point to the Site) and the New Forest SAC, SPA and Ramsar site located 1.7 kilometres east (at its closest point to the Site).

3 PROPOSED DEVELOPMENT

The application seeks planning permission for the Change of Use of land to publicly accessible open space to facilitate both Alternative Natural Recreational Green Space ('ANRG') and informal open space, with associated landscaping, footways and access points. The proposal will provide two points of non-vehicular access from the Castleman Trail to the north and a looped 2m footpath around the interior of the open space. The size of the proposed public open space is 2.45ha of which 1.33ha is ANRG and 1.12ha is informal open space.

The proposed landscaping includes species-rich grass meadow, new tree planting, flowering lawn and new native shrub planting. A series of swales created along the development periphery will be primarily covered with a species-rich meadow mix sowed to the banks. Informal pockets of planting will be included along the banks of the swales with the aim of enhancing ecology. The base of the swales will include a gravel trench.

The proposal will include a dog agility area but does not include dedicated children's play areas and equipment. The proposal also includes some benches and picnic benches. In the south-east corner of the application site, the existing timber footbridge is proposed to be replaced with a new GRP footbridge with approximate dimensions of 1.5m width, 3m span and two-rail parapets.

4 PLANNING HISTORY

No known planning applications within the application site.

The application reference 21/11723 Land at Moortown Lane, Ringwood (Local Plan Strategic Site 13) is linked to this proposal. That proposal is for the residential-led mixed-use development of part of the Local Plan Allocation Site 13: Land at Moortown Lane, Ringwood. The proposal is submitted as a hybrid planning application with planning permission sought for the following:

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

5 PLANNING POLICY AND GUIDANCE

Relevant Government advice

National Planning Policy Framework December (NPPF) (December 2023) .
Planning Practice Guidance (PPG)

Core Strategy 2009 (Saved Policy)

CS7: Open Spaces, Sport and Recreation

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

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

Local Plan Review 2016-2036 Part One: Planning Strategy

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

STR9: Development within a mineral safeguard area

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

ENV2: The South West Hampshire Green Belt

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

Strategic Site SS13 Land at Moortown Lane, Ringwood

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites (2021)
- Ecology and Biodiversity Net Gain Interim Advice Note
- Ringwood Town Access Plan (March 2011)
- Ringwood Local Distinctiveness (July 2013)

Neighbourhood Plan

The Ringwood Neighbourhood Development Plan (RNP) was adopted by NFDC on 8 July 2024. A report was taken to NFDC Cabinet on 1 May 2024 which sought approval for the modifications recommended by the Examiner of the Ringwood Neighbourhood Development Plan and agreement that the Neighbourhood Development Plan can proceed to a local referendum. The referendum was held on 4 July 2024. The local Ringwood community was asked whether they supported the Neighbourhood Plan, in a referendum on 4 July 2024. A majority (83.2%) of those voting in the referendum voted in favour of the Plan (on a turnout of 58.9%).

In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the Ringwood Neighbourhood Plan was 'made' (adopted) by New Forest District Council on 8 July 2024. Now made, the Neighbourhood Plan forms part of the statutory development plan for Ringwood parish within New Forest District Council area.

There are eleven policies within the adopted Ringwood Neighbourhood Development Plan (listed below):

- R1: A Spatial Plan for Ringwood
- R2: Maintaining a Successful and Prosperous Town Centre
- R3: Making Better Use of Opportunity Areas in the Town Centre
- R4: Shops and Parades Within and Outside Defined Local Centres
- R5: Smaller Housing
- R6: First Homes
- R7: The Ringwood Design Code

- R8: Building for a Healthy Life
- R9: Creating a Green Infrastructure and Nature Recovery Network
- R10: Zero Carbon Buildings
- R11: Encouraging Active and Healthy Travel

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

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

July 2024

There is a disconnect here between the two applications that fall to be considered. Application 21/11723 is only (arguably) compliant with policies requiring ANRG etc if application 23/10707 is also granted. Conversely, 23/10707 only becomes necessary if 21/11723 is granted. 23/10707 is also lacking in significant respects – for example: The new survey is out of date; The plan does not secure the use “in perpetuity” (which somewhat contradictorily is defined as 90 years!); The location of the site “does not relieve pressure from (on) the NFNP but in fact does the opposite”; “Overall, it is considered that the creation of the proposed ANRG.... would be detrimental to the setting of the NFNP and its landscape character”; “This parcel of land does not meet the criteria for Alternative Natural Recreational Greenspace as set out in Policy ENV1 para 4.ii.a.....” “The layout submitted does not have sufficient features of interest to provide an incentive to visit for any length of time”.

The NFNP “has set out that the creation of the ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character”. The Officer’s Report also accepts that in terms of the Mitigation SPD (paragraph A4.1.13: “The proposal has not met one of the criteria (but has met the other criteria. Hence, when addressing the guidance in A4.1.3 an on-balance decision could be made”. It is RTC’s strong view that the “on-balance” decision is that the application should be refused as being non-compliant with policy.

February 2024.

Ringwood Town Council recommends Refusal (4) (updated comments agreed by Full Council 28 February 2024). The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13). Loss of Green Belt and Agricultural Land. The development is inappropriate and would lead to a loss of Green Belt and further loss of agricultural land, in addition to that already allocated for SS13.

Road Safety

The proposed location of the crossing in Crow Lane is not safe. Although on paper

the road appears to be fairly straight, there is a curve in the road and visibility for and of pedestrians would be compromised. The creation of an access to Crow Lane at this point would encourage pedestrians/cyclists to take this route to walk/cycle to Crow Farm Shop; a route that would not be safe without improvements unlikely to be achievable in this narrow road.

The road regularly floods at this location, meaning access to the site would be compromised at certain times of the year (Note: photograph of flooding in Crow Lane included in representation).

Flood Risk

There is considerable concern about the impact the proposal would have on an area already susceptible to flooding.

Crow Lane regularly floods after heavy rainfall and is impassable as a result at least twice a year. The photograph below shows flood water running into the application site and at the proposed location of the road crossing and access into the site.

The proposed site adjoins Crow Stream on the east side where it too bursts its banks a few times a year with implications for site drainage. It is important to ensure that no more water goes into the Stream as it cannot cope. Ringwood Town Council and its Flood Wardens have a great deal of knowledge regarding the flooding and drainage in this area, having undertaken works to re-gravel and widen Crow Stream (downstream of the application site), and keeping it regularly maintained, to reduce the frequency and severity of flooding in the area.

It is highly probable that the developers do not understand the dynamics of the local drainage relevant to the site development. They need to take a catchment view of the system in order to understand the causes of existing flooding to address the issue through mitigation so that the situation is not worsened.

Specific issues with regard to the application are as follow:

- We need to be sure the infiltration tests are made in February when the water table is highest. Under SUDS rules the bottom of the drainage cages need to be at least a metre above the ground water level. Evidence shows that, in the flood season, this might be difficult to achieve.
- Gentle releveling of the site” is proposed by the applicant to effect satisfactory drainage. Additional detail is required to assess any unintended consequences.
- The red line on the plans includes the stream to the south of the site. We would like to understand what is proposed here.
- We need assurance that no extra water will get into the Crow Stream as a result of the proposed development.
- Crow Stream to the south-east of the site breaks its banks a few times a year. This will have implications for development in this corner of the site. For example, the footpaths would become impassable.
- The consequences of the backflow from the Crow Stream into the Crow Lane Ditch (which runs alongside Crow Lane) need to be understood and considered. In flooding events, the water in the Crow Stream at Streets Lane is 2 or 3 feet higher than the pipes on the north side of the wetland which drains the Crow Lane Ditch. The stream water therefore has always backed up into the Crow Lane Ditch. As it is, during flooding events, water will still back up from the Crow Stream into the Crow Lane Ditch which will then always flood. Several remedial actions have been identified to stop the backflow, including removing some flow restrictions in the Crow Lane Ditch.

Should permission be granted, this is an opportunity for those measures to be implemented.

- The Council would appreciate the opportunity to meet with developers to share local knowledge and discuss these concerns.

Should permission be granted, an enforceable condition (financial penalty?) should be imposed to ensure all the agreed flood mitigation measures are implemented prior to completion of the development of SS13.

Rights of Way

The Council notes the updated response from HCC Countryside Service and supports the proposed improvements to Footpath 45 and the Castleman Trailway, as well as the replacement footbridge on Footpath 41a.

Biodiversity

No biodiversity study has been provided with the application – this should be requested.

Viability

It is noted that a Financial Viability Assessment has already been submitted by the applicant in relation to 21/11723. There are concerns the additional costs to create this ANRG will impact further on the proposed development and affordable housing provision.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Natural England

No objection subject to appropriate mitigation being secured.

ANRG Layout

The area of Area of Natural Recreational Greenspace (ANRG) which is a total of 2.51 ha will provided mitigation to the planning application (23/11732) which is connected to the site via a 3 m wide footpath/ cycle lane.

A detailed Landscape Ecological Management Plan detailing habitat creation, seed mixes and management has been submitted to support the application is recommended to accompany the Landscape strategy drawing (Environmental Dimension Partnership LTD) to fall in line with Appendix 4 of the SPD.

However, the LEMP only include management up to 10 years, however ARNG is required to managed and monitored for 90 years.

On review of the proposed plans for the area of ANRG, Natural England raise the following points for consideration:

- The amenity grassland provides good opportunities to exercise dogs off the lead

along with recreation sport activities. These areas are recommended to feature dog bins and benches. The area of grassland could be enhanced with permanent dog agility equipment to encourage and make the area more attractive to dog walkers.

- Dog bins and litter bins to be located at the entrance and road access points.
- Seats and benches provided at an average of the one, two person seat for every 50 new resident.
- Interpretation board for each space or at the entrances to a combined network of spaces. These will show connected routes as well as explain the purpose of the recreational mitigation land, any expectations regarding behaviour, and indicating any dog management requirements, such as dog off lead areas.
- Pathways made of substrates that can be used all year round.

Phasing of ANRG

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

Future Management of ANRG

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

ANRG and Biodiversity Net Gain Guidance

ANRG can be included in developers' BNG calculations up to a maximum value of no net loss, as calculated by the biodiversity metric. This means that 10% of a developer's BNG units must come from other, additional activities.

Additional habitat creations or enhancements within a ANRG, which go over and above the site's existing requirements to function as a ANRG in perpetuity, could contribute to a developer's BNG beyond no net loss.

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

The area of ANRG is required to be secured for 90 years in perpetuity, whereas BNG is required to be secured for 30 years. It is recommended that management

plans are carefully set out according to the time scales and requirements. Biodiversity net gain assessments should be accompanied by a management and monitoring plan outlining management requirements for 30 years.

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

Landscaping

The proposed development is for a site close to the New Forest National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Biodiversity Enhancements

The New Forest District Council Policy ENV1 outlines that all applicants will be required to demonstrate the impacts of their proposal on biodiversity. For certain types of development by submission of an Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity. Additional measures to enhance biodiversity across the area of ANRG, could include the following;

- Retaining hedgerows and trees along the boundaries.
- Retaining and enhancing hedgerow with native species planting.
- Plant native tree species characteristic to the local area within including fruit trees such as cherry, apple and pear and those with early spring blossom such as hawthorn and blackthorn.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. Species list can be found at Bumblebee Conservation Trust.
- Planting night blooming plants to attract bats and insects, species lists can be found within the Encouraging Bat guide from the Bat Conservation Trust. Seed mixes including Bats in Garden Wildflower Mix to attract bats and insects can be found at John Chambers.
- Creating highway and by ways in connecting fences, with sign-posts for hedgehog and other species, guidance found at RSPB Hedgehog Highways document.
- Bat and bird boxes on retained trees along the boundary.

- Create a pond (Link to Froglife Guidance here).
- Retain and create deadwood habitats e.g. log piles.

Sensitive Lighting Strategy

A sensitive lighting scheme should be designed and implemented to maintain and retain dark corridors used as an important commuting corridor for bats as well as other protected and notable species. The Bat and Conservation Trust have produced a guidance document *Bats and Artificial Lighting in the UK*. Further general advice on the protected species and other natural environment issues is provided at Annex A.

New Forest National Park Authority

The District Council will be aware that national policy set out in paragraph 176 of the NPPF (2023) states, "The scale and extent of development within all these designated areas [National Parks and AONBs] should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." This development is within the setting of the New Forest National Park and there is an opportunity to ensure an appropriate landscape transition from the developed area of the town of Ringwood to the nationally protected landscape to the east.

It is noted that the proposed 'Accessible Natural Recreational Greenspace' (ANRG) provision is linked to the NFDC Local Plan (2020) strategic site allocation 13 (Policy SS13 - Land at Moortown Lane, Ringwood. This policy allocates the site for 'at least 480 dwellings'. The concept plan taken from the NFDC Local Plan (2019) envisaged that the 480 dwellings and required ANRG would be accommodated within the allocated site. The area of land subject to this NFDC application is outside the Council's Local Plan allocation. It is noted that Ringwood Town Council has objected to this in principle, stating: The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13).

For the ANRG provision to work and perform its required function in mitigating recreational impacts from the planned development on the New Forest's internationally designated sites, it must be accessible from the new development. The submitted Planning Statement states, "The ANRG sought herein is intended to provide mitigation for the residential development at Land North of Moortown Lane (21/11723) to which the site would be linked by way of a 3m footway/cycleway. To this end the two applications should necessarily be 'read together'." Figure 2 in the submitted Planning Statement shows this link from the development site to the ANRG provision, which is detached from the main development site. NFDC will need to be fully satisfied that this link is safe, attractive and usable for the ANRG to perform its legal function.

The Authority's Landscape Officer has been consulted and has provided the following comments:

"The proposed additional ANRG to the east of Crow Lane sits immediately adjacent to the New Forest National Park (NFNP) boundary at its southern and south eastern boundary, with the Public Right of Way at the southern tip of the ANRG forming the southerly site boundary, also bordering the NFNP boundary.

Therefore, it can be reasonably assessed that the ANRG sits within the immediate setting of the NFNP.

In the Landscape Strategy document submitted it is stated 'To relieve pressure from

(on) the NFNP an additional 9.57 Ha of open space has been provided as an ANRG'. A 3-metre wide tarmac cycle/footpath is shown in the Landscape Detailed Design drawings that runs across the north west of the ANRG, linking to the Castleman Trail running along the north east boundary to the ANRG.

I would comment that the close proximity of the proposed ANRG to the NFNP boundary and the direct link to the Castleman Trail does not 'relieve pressure from (on) the NFNP' but in fact does the opposite. A right turn onto the Castleman Trail takes recreational users directly into the NFNP, first to the enclosed landscape and then onto the Open Forest landscape less than 2 kilometres away. On a practical basis, the 3-metre wide tarmac cycle/footpath is shown on the Detailed Landscape Design drawings as running along the existing mature hedgerow and tree boundary between the car parks of the Liberty's Centre and the adjacent WI Hall, with no indication that there would be any 'existing vegetation to be removed' (as per the key to the drawing). There is also a roadside ditch to Crow Lane, and it is not detailed how the 3-metre wide tarmac cycle/footpath would cross the ditch, also with the roadside hedge having to be removed to accommodate the 3 metre wide path. Although this area falls outside the NFNP boundary, retaining mature trees and hedgerow close to the NFNP boundary is of importance.

Overall, it is considered that the creation of the proposed ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character. I would also note that the intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNP and its most sensitive landscapes.

Hampshire County Council (HCC) Countryside Services, February 2024)

Hampshire Countryside Service (the Service) acts as Highway Authority in respect of Public Rights of Way (PROW) and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire.

Consultation response to both applications (23/10707 and 21/11723): No objection subject to obligations and conditions (as set out).

Following the submission of further information from the applicant the Service provides the following comments.

Ringwood Bridleway 509/Castleman Trail improvements

The wider development shall cause a significant increase in user volume on this route and, therefore, a contribution for surface enhancement is seen as justifiable and is specified in the Obligations section below. It is noted that the section directly adjacent to the site shall not form part of the financial obligation – it is used by vehicles associated with the neighbouring fishing club and discussions between the Service and the club regarding vehicle damage to the surface of the PROW are ongoing. It is advised that any internal footways, where they are proposed to connect to the public bridleway, are designed and constructed to Hampshire Countryside Service design standards to ensure no detrimental impact to the surface of the PROW. The applicant shall provide the Service with a specification for the footways where they are proposed to connect to the PROW, for the Service's approval in advance.

Ringwood Footpath

41a footbridge This bridge, located on the southeast boundary of the 'Open space

adjacent to Crow Lane' site is proposed to be upgraded, as per point 17, page 14 of the Green Infrastructure Strategy. The Service is supportive of this and, prior to works taking place, it shall be provided with a specification and details of the work for its approval in advance.

HCC Highways Authority

The Highway Authority previously responded to this application dated 27th October 2023, with no objections. This recommendation therefore still remains.

HCC Lead Local Flood Authority

As there is minimal development proposed that would generate additional surface water runoff, the LLFA has no comments.

Nature Space

It is recommended that the great crested newt survey data is updated as it was conducted in 2021 so it is now considered out of date and unreliable. Therefore, the applicant can either: - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through New Forest Council's District Licence (more details can be found at www.naturespaceuk.com); or - - Provide further information (for example, updated survey information on nearby ponds), in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.

New Forest District Council (NFDC) Tree Officer

Further to the previous comments the access point of the cycleway from the main road (Crow Lane) has been revised/removed from the proposal with access for a 2m secondary footway utilising the existing right of way (Castleman Trail) to the east of the site. A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

In terms of the important and protected trees on site this is a preferred option. The new access points into the ANRG as shown are located outside of the root Protection Areas (RPA's) of trees to be retained. A small number of trees require removal (within G59) on the southeast corner to facilitate the new surface (2m secondary footway). This would be acceptable, and the loss of these trees can be mitigated within an approved landscaping scheme with replacement tree planting.

A minor incursion into the RPA of a mature Oak (T61) is required to facilitate a replacement footbridge. The site topography at this point is such that the majority of the root system will not be affected by this as the tree sits on the bank of the water course. Provided sufficient care is taken to install a replacement bridge there is unlikely to be any significant adverse impact. An Arboricultural method statement would be required to detail the methodology of construction within the RPA. Overall, there are no objections subject to conditions

NFDC Open Space Officer

The site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths and ANRG near to

the proposed development with a possible connection. However, the applicant will need to demonstrate within their separate application that the new development is compliant to NFDC Policy CS7 and delivers the size of each type of open space for number of new occupants.

The layout of paths within the site and the surfacing of these appears appropriate. Further detail on the construction method should be submitted, including ensuring the gravel paths have suitable foundation and a camber to the edges to shed surface water.

The applicant should give further details how this site interfaces with the PROW running to the south east of the site. The current watercourse crossing is unsuitable for all users and a proper durable replacement (suggested to be in GRP to ensure anti-slip) should be included in the plans. Further detailed comment on design and maintenance also provided.

NFDC Ecologist

Designated sites: No significant adverse impacts on designated sites are anticipated.

BNG: The proposals would result in a net gain for biodiversity.

Recommend that a Biodiversity Management Plan (BMP) is secured by condition. This should include enhancement measures e.g. bird and bat boxes and management and monitoring of habitats on site to ensure the delivery of BNG including (as listed).

The Natural England comment on lighting is noted. It is understood that the site will not have lighting. Further detailed comments on surveys, great crested newts, Ecological Construction Method Statement.

As identified by NE, the ANRG use should be secured in perpetuity and a phasing plan is sought to understand when the ANRG will be provided relative to the linked development across the road if granted.

NFDC Landscape Officer (Updated comment - May 2024)

This parcel of land does not meet the criteria for Alternative Natural Recreational Greenspace (ANRG) as set out in Policy ENV1 para 4.ii.a which requires: Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it.

The application site is not on, directly adjoining or well-connected to the site it is intended to provide ANRG for (Strategic Site 13) and as such is not acceptable. The comments below therefore relate only to the application for change of use from agricultural land to public open space and should not be taken to imply that this site is considered acceptable as ANRG to mitigate impacts caused by the development at SS13 (Moortown Lane).

The Landscape and Visual Appraisal is thorough and well-organised. It concludes that the landscape effects on the site, and the immediate surroundings (15 years after completion) would be minor beneficial). The wider Landscape Character Type is predicted to experience a minor-negligible beneficial effect. Whilst the study does not appear to explicitly refer to the 'setting' of the New Forest National Park (NFNP), whose boundary forms the eastern site boundary, as a landscape receptor, views

from the adjacent NFNP are assessed and predicted to result in a moderate-minor beneficial effect upon maturation of the proposals. Other receptors are predicted to experience either beneficial or neutral effects.

he layout submitted does not have sufficient features of interest to provide an incentive to visit to for any length of time. Opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Additional secondary and tertiary paths should be added to provide a variety of routes for walkers. The dog activity equipment could be located alongside the path to create a trail, rather than confined to one area.

The drainage feature serves to cut off a slither of the site and render it nearly inaccessible. Breaking the swale into shorter lengths, or installing a crossing would create a feature of interest for visitors. Additional paths to the south of it could provide alternative routes. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

The site is known to be seasonally wet, particularly along its boundary with the Castleman Trail. Proposals should ensure that the paths remain firm and dry throughout the year. Primary routes should be of bitmac and secondary routes of hoggin. Tertiary routes of mown grass can also be provided. Lengths of boardwalk may be required to bridge wet areas and link different levels. Any constructed slopes or ramps should be accessible for wheelchair and mobility scooter users. Details of these and proposed levels should be provided.

Tree and shrub species should be native, selected for their ability to cope with seasonal waterlogging, and reflect those found locally. Opportunities exist on this site for planting Black Poplar. White-barked birch is not considered suitable for open countryside. Downy birch could be planted in addition to Silver Birch if variety is required. The ornamental planting to the north of the proposed drainage ditch is considered inappropriate and should be replaced with native planting or species-rich meadow. Wheelchair accessible picnic benches should be positioned so that children will not run into the overhanging table-top. Grass/meadow mixes specified should be suitable for the local soil conditions and take into account potential waterlogging. Opportunities exist to plant native bulbs to increase biodiversity and seasonal interest.

Artificial grass is not considered suitable around the dog activity items. A hoggin surround should be installed. NFDC currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Details of proposed planting details are required for native shrubs and trees. For construction and planting details refer to 'A guide to Performance Specifications and Standard Details for Public Accessible Spaces' by NFDC which sets out the minimum standard required. If the committee is minded to grant consent to for this application it is recommended that revised Detailed Landscape Design plans are secured by condition.

NFDC Conservation

No comment.

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

10.1 Principle of Development

South West Hampshire Green Belt

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

The National Planning Policy Framework (NPPF) (December 2023) Paragraph 155 sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

- a. mineral extraction
- b. engineering operations;
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Essentially, the proposal is in line with criterion (e) as a material change of use for public open space. The proposal does not include any new buildings and as such the openness of the Green Belt will be preserved.

NPPF paragraph 143 sets out the five purposes of Green Belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Again, given that the proposal does not include any new buildings the proposal would not conflict with any of the purposes i, ii, iii and iv set out in NPPF paragraph 143. Purpose (v) is not applicable given that the land in the application is neither derelict nor urban.

As such, the proposed public open space is an appropriate form of development in the South West Hampshire Green Belt and therefore accords with Local Plan Policy ENV2.

Alternative Natural Recreational Greenspace

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) criterion 4 (ii) sets out that the approved mitigation measures for residential developments currently include for developments of 50 or more net additional residential dwellings:

- a. Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it; and
- b. A financial contribution towards Access and Visitor Management and Monitoring

The Mitigation of Recreational Impacts Supplementary Planning Document (SPD) (May 2021) provides supplementary planning guidance to Local Plan Policy ENV1

The linked mixed-use application (21/11723) includes sufficient Alternative Natural Recreational Greenspace (ANRG) within that application site to meet its needs. This separate application would provide additional ANRG over and above that.

This application site is not adjoining the application site for 21/11723. There is a clear gap between the two application site boundaries comprising Crow Lane itself and land on its western side. Neither is this application site adjoining the boundary of the Local Plan Allocation Site SS13 (Land at Moortown Lane, Ringwood). The boundary of SS13 extends only as far as the western side of Crow Lane.

However, given both existing access provision adjacent to this application site and the package of on-site and off-site access improvements set out in conjunction with 21/11723 it is considered that this application site is well connected to both the Local Plan Allocation Site SS13 and the 21/11723 application site. The application site is adjacent to the existing Castleman Trail which is an established bridleway connecting the land immediately to the north of the application which extends westwards bisecting the RING3 public open space and hence on towards Ringwood Town Centre.

Access improvements proposed in 21/11723 which could assist in facilitating access to this additional public open space include:

- Improvements to the existing Public Rights of Way (PROW) in the eastern portion of the linked application site 21.11723
- Financial contribution towards improving access within the RING3 land;
- Off-site access works at the junction of Crow Arch Lane and Crow Lane which seek to improve the connections along the Castleman Trail;
- Further off-site access works at the western end of Crow Arch Lane which seek to link the Castleman Trail and the public open space in Phase 1 of 21/11723

As such, it is considered that this application, in conjunction with existing access arrangements and proposed access improvements sought through 21/11723 can demonstrate that it would be well-connected.

The supporting text to Policy ENV1 (Paragraph 5.23) sets out that:

In some instances, it will not be possible to provide recreational mitigation land on or adjoining sites of 50 or more homes, for example on redevelopment sites in existing built-up areas. In these circumstances the developer should put forward the required eight hectares per 1,000 population of land for recreational mitigation in an alternative location that will provide equivalent benefits to the settlement where the site is located, preferably in close proximity to the site.

As such, the Local Plan supporting text sets out a degree of flexibility in terms of the location of recreational mitigation land. Paragraph 5.23 is clear that redevelopment sites in existing built-up areas is an example. The principle of alternative locations is not exclusive to larger urban regeneration projects.

In this instance, the proposed public open space is in close proximity to both the Local Plan Allocation Site SS13 and the 21/11723 application site. For example, using the existing public right of way in the eastern portion of Local Plan Allocation Site SS13 there is a direct link from the public open space in the linked application 21/11723 to the Ring 3 public open space north of Crow Arch Lane and hence the Castleman Trail which bisects it.

The NFDC Mitigation SPD (May 2021) sets out (paragraphs A4.1.7 - A4.1.8) that: *Normally new residential developments on large-scale sites should deliver ANRG in accordance with guidance set out in this document and show this at the planning application stage within a clear rationale for green infrastructure as part of comprehensive layout designs. Where it is agreed that this is not possible, delivery of an alternative offer of ANRG, that best fits this guidance in all other ways, and provides ANRG of any equivalent effectiveness and quality should be proposed.*

As set out, in this instance the delivery of the alternative ANRG is in addition to that proposed within the application site (21/11723). Notwithstanding this, the SPD sets out – reflecting Local Plan paragraph 5.23 - that in principle the delivery of an alternative offer of ANRG can be considered by the Local Planning Authority (LPA).

The Mitigation SPD also sets out (paragraph A4.1.13) that (emphasis added):

It may be possible in some circumstances to extend the offer of ANRG beyond the development site boundary provided that:

- The land in question can provide easily accessible and effective recreational mitigation;
- The land in question is within the control of the site developer; and
- That its inclusion would support the principles of an integrated green infrastructure approach (being adjoining and well-connected to the site)

However, it will not normally be acceptable to offer an area of land nearby as ANRG simply in order to expand the proportion of built land within the allocation site to an unreasonable degree or to the detriment of landscape character.

The ANRG in the application site is, as set out, accessible to both the future occupiers of the proposed residential development in 21/11723 and the wider local community. The land is within the control of the site developer – both applications (21/11723 and 23/10707) are from the same developer. As such, the proposal meets the first two provisions in paragraph A4.1.3 of the Mitigation SPD.

As set out, the application site is not adjoining the main application site but is well-connected. As such, the proposal has not met one of the criteria but has met the other criteria. Hence, when addressing the guidance in A4.1.3 an on-balance decision could be made.

The linked application site (Ref: 21/11723) includes a sufficient level of ANRG to meet the needs arising from the proposed housing. It also has increased coverage of public open space including ANRG than set out in the Local Plan Concept Masterplan and is below the minimum number of dwellings the Allocation Site is seeking to provide. As such, it is considered that this proposal does not support an unreasonable degree of built development in the main application site.

The Mitigation SPD also sets out (Paragraph A4.4.5) the following guidance:

- *For an area to be considered as spacious enough to offer a sense of being in the countryside at least part of the provision should consist of a space of at least*

120 metres across in all directions.

- *Secondary spaces should have a diameter of at least 60m and are properly linked to the main space, with the links being spacious (minimum 15m width).*
- *Secondary spaces cannot be disconnected from the main space.*
- *Provided that ANRG spaces meet the dimensional criteria, additional public open spaces uses should be integrated within the design of the development.*

The submitted Alternative Natural Recreational Greenspace (ANRG) Strategy (edp, 22/1/2024, Ref: edp5444_d114b) sets out that the ANRG in this application would be at least 120 metres in diameter and as such meets the Mitigation SPD dimensional criteria guidance and is classified as a 'main space' in line with Paragraph A4.4.5).

Therefore, the secondary space guidance in Paragraph A4.4.5 of the Mitigation SPD does not apply in this instance.

For reference, it should be noted that several of the Local Plan Strategic Site Allocations have all or part of their on-site ANRG severed from areas identified in the supporting Local Plan Concept Masterplan by roads of various sizes. This includes SS1 in Totton and SS8 in Hordle.

The proposal is for a combined public open space provision informal open space and ANRG. As such, in line with the Mitigation SPD paragraph A4.4.5, the principle of having a combined function public open space is acceptable.

As set out, the proposed ANRG is well-connected to the linked development (21/11723) by virtue of the existing and proposed access arrangements. The ANRG is not adjoining to either Local Plan Allocation Site SS13 or the 21/11723 application site.

However, as set out, Local Plan paragraph 5.23 sets out that alternative locations for ANRG in 'close proximity to the site' can also be considered. Essentially, it is considered that the proposed additional ANRG is in 'close proximity' to the linked main site despite not being adjacent.

The proposed ANRG would also be a main space as defined in the Mitigation SPD and hence would not be discounted by virtue of the severance element of the guidance. Public open spaces combining ANRG and informal open spaces are acceptable in line with the Mitigation SPD guidance. The main application (21/11723) has sufficient ANRG and as such this is not a proposal to sought to overcome overt deficiencies in that application.

The Local Plan and Mitigation SPD provide scope for the LPA to consider alternative sites for ANRG provision. On balance of considerations, whilst the proposed ANRG open space is not adjacent to the application site (and Local Plan Allocation Site) it is well-connected through existing public rights of way, public open space (Ring 3 land) and the Castleman Trail and hence in close proximity. As such, the proposal is acceptable in principle.

Commentary on the management of the proposed ANRG in line with the response from Natural England is set out below (Section 10.2 Ecology (ii) Habitats Mitigation).

Therefore, it is considered that the proposed ANRG is acceptable in principle and as such satisfies Local Plan Policies ENV1 and the Mitigation SPD.

ii. Informal Public Open Space

Local Plan Policy CS7 (Open spaces, sport and recreation) sets out that the aim is to provide, as a minimum standard, the equivalent of 3.5 hectares of public open space per 1000 population to serve the district's towns and larger villages. This provision will be supplemented by support for the community use of sports pitches on educational land and by private provision. There will be a presumption against any development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development. Improvements will be made to enhance recreation, play and sports facilities within communities. Outdoor opportunities to improve the physical fitness of all age groups will be enhanced by providing accessible green spaces within our towns and villages, especially where new development takes place, and by creating safe environments for walking and cycling within and adjoining our towns and villages, where access is compatible with environmental designations. The improvement of play, sports and other public open space provision will be implemented in a number of ways.

The application is supported by a Green Infrastructure Strategy (edp, January 2024) which sets out that the proposal would provide an additional 1.12 ha of informal open space. This proposed provision would address the shortfall of 1.03 ha informal open space identified in the linked main application.

The proposed informal open space would have the same access arrangements as the proposed ANRG i.e. from the Castleman Trail. The NFDC Open Space Officer has set out that the site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths, the proposed ANRG, and is near to the proposed development with an existing pedestrian connection.

The proposed informal public open space has been designed primarily for dog walkers. The proposed informal open space includes dog agility equipment. The dedicated children's play spaces for the linked main application are all within that site and it is not intended to replicate or provide additional play equipment here.

The appropriate long-term management and monitoring of the proposed public open space, both ANRG and informal open space, will be secured through a s106 planning obligation linked to the main application (21/11723). The proposed public open space will be managed by a management company appointed by the site promoters.

Essentially, there are no specific planning policy restrictions in providing informal public open space in principle at this location and as such the proposal satisfies Local Plan Policy CS7.

10.2 Ecology

i. Protected Species and Biodiversity Net Gain

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

The application is supported by an Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b), Reptile Mitigation Strategy (edp, March 2024, Ref: edp5444_r031e) and Ecology Baseline (joint with the site in application 21/11723) (edp, January 2024, Ref: edp5444_r009e).

The NFDC Ecologist has set out that the proposals would result in a net gain for biodiversity and recommends that a Biodiversity Management Plan (BMP) is secured by condition. The NFDC Ecologist is content that the ecological baseline provided has adequately set out enough to make an informed planning decision with respect to ecology and does not feel undertaking additional surveys at this stage would be proportionate given the amount of work done to date.

The NFDC Ecologist is also content with regard to Great Crested Newts (GCN) that even if present an offence is highly unlikely in the work area and that favourable conservation status of the GCN is unlikely to be affected. The Reptile Mitigation Strategy also includes a hibernacula in the additional ANRG land which can be secured through a suitable condition.

The NFDC Ecologist has also set out that an Ecological Construction Method Statement (ECMS) should be provided through a suitable condition which is acceptable.

A phasing plan for the additional ANRG is requested by Natural England and the NFDC Ecologist. This can be secured through a suitable condition.

The proposal does not include any outdoor lighting and as such there is no need for suitable condition.

In line with the above, subject to necessary mitigation secured through suitable conditions, the proposal has addressed the material ecological considerations of biodiversity net gain and protected species.

Therefore, suitable conditions, the proposal accords with Local Plan Policy DM2.

ii. Habitats Mitigation

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

Natural England has set out that as submitted, the application could have potential significant effects on the below designated sites:

- Avon Valley Special Protection Area (SPA) / Ramsar • New Forest Special Area of Conservation (SAC)
- New Forest SPA / Ramsar site
- Dorset Heathlands SPA/ Ramsar sites
- Dorset Heath SAC
- New Forest Site of Scientific Interest (SSSI)

Natural England go on to set out that in order to mitigate these adverse effects and make the development acceptable, an Alternative Natural Recreational Greenspace (ANRG) Management and Monitoring Plan for the perpetuity (90 years) of the ANRG to be secured via a planning obligation clause.

Therefore, subject to a suitable conditions and planning obligation clause, securing the Management and Monitoring Plan and linked to the main application ANRG would be sought and hence the proposal would accord with Local Plan Policy ENV1.

10.3 Landscape and Trees

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

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

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

i. Impact on Setting of New Forest National Park and Access to the New Forest National Park

NPPF paragraph 182 sets out (emphasis added):

The scale and extent of development within all these designated areas (as set out) should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The application is supported by a Landscape and Visual Appraisal (LVA) for the additional ANRG Land East of Crow Lane, Ringwood (edp, May 2023, Ref: edp5444_r027a). NFDC Landscape has set out that the LVA is thorough and well-organised. NFDC Landscape has highlighted that the LVA concludes that as a landscape receptor, views from the adjacent New Forest National Park are assessed and predicted to result in a modest ('moderate-minor') beneficial effect upon maturation of the proposals.

However, the New Forest National Park Authority (NFNPA) has set out that the creation of the ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character.

The view that the proposal would introduce suburban style features and hence

detrimental to the setting of the New Forest National Park and its landscape character is not shared by NFDC Officers. As set out, the proposal does not include any new buildings. The proposal does include new rural footpaths comprised of hoggin or similar materials and any public furniture (benches, dog agility equipment) would be modest in size and akin to those found in the National Park itself. The proposal includes new landscape planting (see commentary below) and would retain the essentially open character of the existing agricultural field.

The NFNPA also set out that the intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNPA and its most sensitive landscapes. NFDC Officers do not agree with this comment given that as the NFNPA themselves state - it is the existing Castleman Trail itself which provides direct access, not this proposal. Essentially, people could continue access the NFNP through the Castleman Trail whether this public open space is there or not.

As such, the proposed public open space would not diminish the visual appreciation of the New Forest National Park from key viewpoints, nor would it be to the detriment of the special qualities of the National Park. For reference, other Local Plan Allocation site policies have set out in the supporting Concept Masterplans public open space including ANRG adjacent to the National Park boundary – including site SS14 Land to the north of Hightown Road, Ringwood.

Therefore, the proposal is, subject to suitable landscape conditions, sufficiently sensitively designed to avoid any notable adverse impacts on the setting of the New Forest National Park in line with NPPF paragraph 182.

ii. Landscaping Strategy

The proposal is supported by a revised Phase 1 Detailed Landscape Design (edp 11 April 2024 Ref: edp5444_do78c).

NFDC Landscape has set out updated detailed comments (10 May 2024) on the proposed landscaping. NFDC Landscape notes that opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

Essentially, Officers agree with these views and the necessary amendments are not so fundamental that they would affect what is being considered. The amendments can be secured through a detailed planning condition.

NFDC Landscape suggest a trail of dog agility equipment. However, Officers are minded that these proposed facilities are better concentrated in one place as set out in the Detailed Landscape Design.

However, Officers do agree with NFDC Landscape that artificial grass is not considered suitable around the dog activity items and that a hoggin surround should be installed instead. Again, this can be secured through a detailed planning condition.

NFDC Landscape also set out currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Again, this type of bin can be secured through a suitable condition.

As such, subject to suitable conditions including a detailed landscape design condition, the proposal satisfies Local Plan Policy ENV4.

iii. Trees

A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) (edp, Ref: edp5444_r028b, January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

The NFDC Tree Officer has no objection and notes in his revised comments of February 2024 that the revision to the access arrangements whereby the original access point from Crow Lane has been removed from the proposal and the Castleman Trail used instead.

The NFDC Tree Officer has suggested two conditions which are both agreed. The second condition relates to the need for a method statement for the implementation of the proposed new footbridge in the south-east corner of the site given the nearby mature oak tree.

As such, subject to suitable conditions, the proposal would satisfy Local Plan Policy ENV1 criterion 4(ii) and Local Plan Policy ENV4.

10.4 Flood Risk and Drainage

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

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

The Lead Local Flood Authority (LLFA) (Hampshire County Council) has raised no objection to the proposal. The site will be left largely greenfield in nature and therefore does not represent a flood risk with respect to surface water runoff. Given the open nature of the application site it would have reasonable resilience in terms of accommodating excess surface water from outside the site.

The applicants have submitted a Flood Risk Assessment (FRA) (Hydrock, January 2024). The FRA concludes that the proposed public open space is a water compatible development in line with NPPF Annex 3. As such, the site is not subjected to the NPPF sequential and exception tests.

The FRA also confirms that the development includes a shallow depression/drainage ditch to the site's western boundary to contain surface water runoff within the site including any runoff generated from any new internal paths. The detailed design for these proposed features can be secured through a suitable condition.

The application site is bounded by land to the east and west by areas identified at risk of both fluvial and surface water flooding. The representations from Ringwood Town Council (RTC) have highlighted localised flooding issues along Crow Lane and have provided photographs showing recent flood events.

However, it is considered that the proposal will not increase flood risk elsewhere given that the application site will not be subject to any significant additional

impermeable coverage and, as set out, will include internal features to address surface water runoff. Access to the site is from the Castleman Trail which is outside the fluvial and surface water flood zones as set out in the NFDC Strategic Flood Risk Assessment (SFRA).

As such, subject to suitable conditions securing the proposed drainage features, the proposal accords with Local Plan Policy CCC1 (iv)(b) and NPPF paragraph 173.

10.5 Other Matters

Highways and Access

Local Plan Policy CCC2 (Safe and Sustainable Travel) sets out that new development will be required, inter alia, to prioritise the provision of safe and convenient pedestrian access within developments

The Highway Authority (Hampshire County Council) has no objection to the change of use.

The comments received from Ringwood Town Council (RTC) with regard to road safety are noted. However, the Highway Authority has no objection and the RTC comments appear to reflect the earlier proposal to provide an access link across Crow Lane in the area adjacent to the WI Hall. This earlier proposed access has been removed from the proposal and replaced with the proposed enhancements to the Castleman Trail at the junction of Crow Lane and Crow Arch Lane to the north (as set out in the Committee Report for the main application).

The proposed footpaths within the public open space will be made of hoggin or a similar material and as such, subject to suitable condition, would address the comments made by NFDC Landscape.

NFDC Landscape also highlight the need for detailed design for any necessary embankments associated with the two proposed access points. This is agreed and a suitable design can be secured through detailed design conditions.

Ringwood Neighbourhood Plan

Policy R9 (Creating a Green Infrastructure and Nature Recovery Network) of the Ringwood Neighbourhood Plan designates a Green Infrastructure and Nature Recovery Network (as shown on the Nature Recovery Policy Map) for the purpose of promoting ecological connectivity, outdoor recreation and sustainable movement.

The Nature Recovery Network shown on the Ringwood Neighbourhood Plan Nature Recovery Policy Map is located to the south of the application site and as such does not directly apply to this proposal. Nonetheless, it is considered the proposal broadly accords with the objectives of connectivity, outdoor recreation and sustainable movement.

Mineral Safeguarding

The supporting Planning Statement (Savills, June 2023) sets out that Hampshire County Council has confirmed (18/11/2022) that they will not require a Mineral Resource Assessment for a change of agricultural land to ANRG as there will be no sterilisation given the nature of the proposal.

Loss of Agricultural Land

The application site is noted as good agricultural land on the Natural England website. Essentially, the loss of approximately 2.5 hectares of agricultural land that is not classified as best and most versatile is not considered to be significant and hence its loss is considered to be acceptable.

Viability

RTC commented in February 2024 on the impact of this proposal on the viability of the linked main application (21/11723).

The Planning Agent has confirmed in writing that the cost plan for 21/11723 includes a significant allowance for landscaping, inclusive of the Land East of Crow Lane public open space/ARNG. As such, there should be no additional impact on development viability of the main application.

10.6 Planning Balance and Conclusions

The proposal will provide suitable public open space in the form of ANRG and informal open space. The proposal is acceptable in terms of the South West Hampshire Green Belt. On balance of considerations the proposal is acceptable in terms of ANRG provision. The long-term management of the proposed public open space can be linked to the main application and secured through suitable conditions and a planning obligation. The proposal is acceptable in terms of informal public open space and assists in meeting the identified shortfall in the linked main application. The proposal, subject to suitable conditions, is sufficiently sensitively designed to minimise any adverse impacts on the setting of the New Forest National Park.

The proposal, subject to suitable conditions and a planning obligation, would be acceptable in terms of ecology, flood risk and drainage, trees, landscaping and access. The proposal would result in the loss of approximately 2.5 hectares of agricultural land but this is considered to be outweighed by the benefit of additional public open space.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies ENV1, ENV2, ENV4, CS7, DM2, CCC2 and NPPF paragraphs 173 and 182.

RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to GRANT PERMISSION subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Public Open Space Management and Maintenance framework
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i. the completion of a planning agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:

- Public Open Space Management and Maintenance framework

ii. the imposition of the conditions set out below.

Proposed Conditions:

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

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

2. **Hard and Soft Landscaping Detailed Design**

Before development commences a scheme of detailed hard and soft landscaping plans shall be submitted for approval in writing by the Local Planning Authority.

This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed public open space including informal open space, alternative natural recreational greenspace, including areas with open surface water drainage features (within and without the ANRG).
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location for the proposed public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG).
- iv. A schedule and specification of all hard landscaping including footpaths and raised access areas.
- v. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests.
- vi. A schedule and specification of all dog agility equipment, benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- vii. All public bins within the public open space shall be wooden combined litter/dog waste such as Wybone or similar as agreed with

the Local Planning Authority and attached to a suitable concrete base.

All soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted. No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development provides a suitable soft and hard landscaping strategy and arboricultural strategy and to comply with Local Plan Policies ENV3 and ENV4.

3. **Public Rights of Way**

No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or positioned on or near to Ringwood Bridleway 509 as to cause an obstruction, hindrance or hazard to the public, who retain the right to use the PROW network at all times.

Reason: In the interests of public safety.

4. **Trees**

The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and works in accordance with the measures set out in the Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) and Tree Protection Plan (drawing Number edp5444_d085b dated 17th January 2024)

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

5. **Trees and footbridge**

No development, demolition or site clearance shall take place until a method statement for the design/installation for the GRP footbridge of the approved development has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

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

6. **Ecological Construction Method Statement (ECMS)**

No development shall take place including any works of demolition and site clearance, until an Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the approved ECMS shall be implemented and adhered to throughout the entire works construction period.

All works shall be carried out in accordance with the methodology and details set out in the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) and other relevant submitted ecological documents and include the following to be submitted for approval:

- Method for ensuring no wildlife is trapped during construction works
- Protective fencing and other arrangements during construction
- Delivery of toolbox talks to all operatives
- Storage of topsoil and other materials including tree protection measures
- Detail measures to avoid and mitigate construction impacts on species and retained habitats
- Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

7. Sustainable Drainage System Detailed Design

No development shall take place until a detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority.

The approved surface water drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the public open space commencing and maintained thereafter for the lifetime of the development in line with any allied planning obligation.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

8. Biodiversity Management Plan

Before any works commence on site, a Biodiversity Management Plan shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate this shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

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

9. **Landscape Ecological Management Plan (LEMP)**

The Additional ANRG Land off Moortown Lane, Ringwood Landscape and Ecological Management Plan (LEMP) (EDP, January 2024, Ref: edp5444_r036a) sets out a framework for the protection, establishment, management, maintenance and monitoring of the landscape and ecology features of the development as set out in the Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b). The LEMP is to be read and enacted upon in conjunction with the following drawings and reports:

- All approved detailed Landscape Design plans (Condition 2);
 - Key features to be retained, enhanced and created should be fully addressed in line with Section 3 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - During the construction phase all habitat creation and approved landscaping planting should be undertaken in line with Section 4 of the LEMP (EDP, February 2024, Ref: edp5444_r036a)
 - For Years 1 to 5 following commencement of development the site developer should fully enact the Management Objectives and Maintenance Operations set out in Table 5.1 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - Monitoring and Timetable of works should be fully undertaken in line with Section 7 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - For Years 6 to 15 following commencement of development the site developer should fully enact the Management and Maintenance tasks in line with Section 6 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

10. **Further details of new PROW footbridge**

Detailed drawings at the scale of the proposed footbridge (1:250 scale or a another suitable scale agreed by the Local Planning Authority) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Public Right of Way footbridge.

Reason: In the interests of visual amenity and the character of the area.

Further Information:

Robert Thain

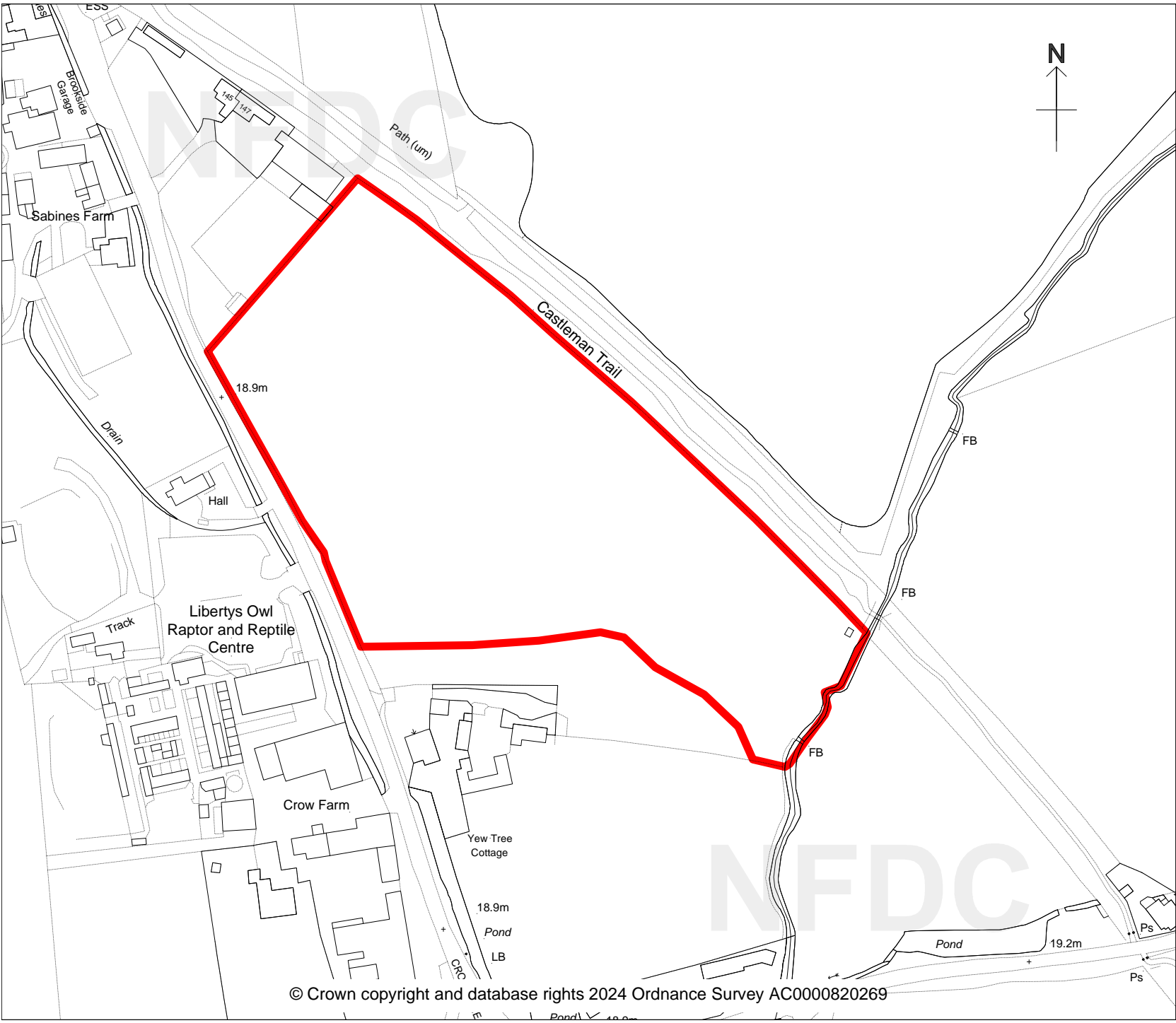
Telephone: 023 80 285116

Item 3b: Open Space adjacent to Crow Lane, Ringwood (Application 23/10707)

The revised Site Location Plan is attached.

Further Representations

A representation was received from Ringwood Town Council on 9 September 2024. The full representation is available to view on the NFDC website. The representation reiterates commentary previously made by Ringwood Town Council on application 23/10707.



17394



New Forest

DISTRICT COUNCIL

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Mark Wyatt
 Service Manager
 Development Management
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

September 2024

Open Space adjacent to
 Crow Lane
 Ringwood
 23/10707

Scale 1:2000

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

Planning Committee 13 November 2024

Application Number: 22/10219 Outline Planning Permission
Site: SS1 LAND NORTH OF COOKS LANE TOTTON SO40 2BQ
Development: Development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space & Alternative Natural Recreational Greenspace and Drainage (Outline Application with details only of Access).
Applicant: Miss Reeves & Merlion Capital Corporation
Agent: Ken Parke Planning Consultants Ltd
Target Date: 01/06/2022
Case Officer: James Gilfillan
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: One of the Councils Strategic sites.

1 THE MAIN ISSUES

The issues are:

- A. The Principle of the Development, Housing Land Supply and National Policy Context
- B. Housing Mix and Affordable Housing
- C. Character, Layout, Landscape, Trees and Open Space
- D. Highways and Access
- E. Flood Risk and Drainage
- F. Residential Amenity
- G. Heritage
- H. Ecology and Habitat Mitigation
 - i) Ecology and Protected Species
 - ii) Recreational Activity Impact on New Forest and Solent Habitats
 - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
- I. Other Matters

2 SITE DESCRIPTION

The application site is made up of agricultural fields located to the north of Cooks Lane adjacent to the existing residential area of Calmore. The site straddles the boundary between Totton and Eling Town and Netley Marsh Parish. It is a substantial portion of the Strategic Allocation SS1 'Land to the North of Totton' that covers a much larger area of land that extends either side of Pauletts Lane, to the A326 in the west and beyond the A36 Salisbury Road towards the M27 in the north.

The site is enclosed by Cooks Lane to the south, Salisbury Road to the east and Pauletts Lane to the west. To the north are fields also within the SS1 allocation site but outside the application site. There are residential properties on Cooks Lane and Pauletts Lane backing on to the site. There is a single residential property on the site at present, Laurel Bank Farm, accessed from Salisbury Road that would be retained, albeit with a reduced garden. There is a Grade II Listed building, Broad

Oaks Cottage, close to the western edge of the application site on Pauletts Lane.

There are several field gate accesses in to different parts of the application site from the respective surrounding roads.

The land slopes gradually down from Cooks Lane to the ditch crossing east-west along the field boundary, before rising to the north towards Salisbury Road. There are mature trees and hedgerows along boundaries, many of the trees are protected by Preservation Orders. Bog Plantation a large area of woodland, in the centre of the site, also protected. There are ditches that cross the site and surface water flooding is predicted along their route, predominately following the north boundary of the application site.

The area has a rural character owing to the dominance of agricultural uses, mature trees and very low density of the existing built form. However, the site falls within the built up area, as defined in the Local Plan, to accommodate the allocated strategic mixed-use site SS1.

3 PROPOSED DEVELOPMENT

The application is made in Outline for the development of up to 196 Dwellings, including accesses from Cooks Lane and Pauletts Lane, provision of Public Open Space, Alternative Natural Recreational Greenspace and Drainage.

The Matters under consideration by this application are:

Principle: The principle of up to 196 dwellings across the application site and the provision of Public Open Space (POS) and Alternative Natural Recreational Greenspace (ANRG) to serve the residents.

Access: The means of accessing the site on foot, cycle and by car from the adjoining routes and roads.

The detailed Matters of; Appearance, Landscaping, Layout and Scale of the development; are reserved for consideration by future applications.

The application is supported by detailed proposals of two accesses for all modes of travel from Pauletts Lane and one from Cooks Lane, to serve three development parcels. Detailed plans also propose shared cycle-pedestrian (non-vehicular) access will be provided from Salisbury Road, Pauletts Lane and Cooks Lane.

Three parameter plans are provided to support the principle of the development;

- An Access Parameter Plan;
- A Built Development Framework Parameter Plan;
- A Landscape and Drainage Parameter Plan.

with two further supporting plans;

- Indicative Proposed Site Sections;
- Pauletts Lane Area 3 Indicative pedestrian/cycle crossing.

These plans set out the extent of land proposed for development, with a range of densities and potential building heights across those parcels. Those parcels are defined by the on site management of surface water drainage and flood risk and retention of existing landscape features to contribute to the provision of adequate Public Open Space and Alternative Natural Recreational Greenspace. A potential

hierarchy of routes between the identified access points is shown, including options to link to adjoining land within the SS1 allocation.

Environmental Impact Assessment (EIA)

Despite the Council's opinion that the development constituted EIA development, the Secretary of State was invited, by the applicant, to adopt a screening opinion. The SoS issued a Screening Direction that it was not likely that significant effects would arise, alone or in combination with other SS1 sub parcels, to constitute EIA development.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
Application Site		
21/10564 Development of up to 225 residential dwellings. Provision of public open space (POS) (approximately 2 hectares) and Alternative Natural Recreational Greenspace (ANRG) (approximately 4.8 hectares); (Request for EIA Screening Opinion)	16/06/2021	EIA Required Applicant 'appealed' this view to SoS, who directed not EIA development.
Adjoining Sites		
22/10747 - Land North of the Hollies, Hill Street. Construction of 9 detached dwellings with access from Hill Street.	13/12/2023	Approved
22/10854 - Land West of Hill Street. Construction of 60 dwellings with two accesses from Hill Street.	08/11/2023	Resolved to Grant, subject to S.106.
23/10268 - Land North of Salisbury Road (Bloor Homes) Reserved matters application for 269 homes pursuant to outline application 20/10997		Resolved to Grant subject to S.106
20/10997 - Land North of Salisbury Road (Bloor Homes) Outline planning application with all matters reserved, except means of access to the highway network, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings.	16/01/2023	Granted subject to S.106 and Conditions.

5 PLANNING POLICY AND GUIDANCE

Relevant Legislation

Planning and Compulsory Purchase Act 2004. Section 38 Development Plan

Planning (Listed Buildings and Conservation Areas) Act 1990

S.66 General duty as respects listed buildings in exercise of planning functions.

National Planning Guidance

NPPF (December 2023)

NPPF Consultation Draft July 2024

July 2024 Written Ministerial Statement

Planning Practice Guidance

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR5: Meeting our housing needs

Policy STR8: Community services, Infrastructure and facilities

Policy STR9: Development on land within a Minerals Safeguarding Area or Minerals Consultation Area

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

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size, tenure and choice

Policy HOU2: Affordable housing

Policy CCC1: Safe and healthy communities

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Strategic Site 1: Land to the north of Totton

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM9: Green Infrastructure linkages

Local Plan part 1: Core Strategy 2009 (Saved Policy)

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

SPD - Parking Standards

SPD - Mitigation Strategy for European Sites

SPD - Air Quality in New Development.

SPD - Planning for Climate Change

Infrastructure Delivery Plan 2018

Tree Preservation Order: 85/03/W1

Strategic Flood Risk Assessment 2024.

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council - April 2022

PAR 5. We are happy to accept the decision reached by the NFDC Officers under their delegated powers.

Overall the design of the application within Netley Marsh area of the application is considered acceptable.

Concerns were expressed on:

- Pauletts Lane. During original discussions the lane was supposed to be traffic free. New application uses it for access.
- Flooding issues appear to have been addressed for the area within Netley Marsh Parish. There is concern regarding flooding issues in the Totton & Eling area of the application.
- It is felt more attention is needed on the wider infrastructure implications. Infrastructure needs to be agreed and implemented prior to building commencement and needs to be linked to the infrastructure for the wider area.
- There is also concern about the additional pressure on the A326

Totton & Eling Town Council - January 2023

RECOMMENDATION PAR4: We recommend REFUSAL, for the reasons listed

- Consideration must be given to existing residents which historically have not been overlooked, new housing will literally surround them.
- Properties on Cooks Lane experience flooding in rear gardens, this existing problem would only be heightened.
- Whilst three separate vehicle accesses have been proposed on Pauletts Lane, it is felt the Lane cannot handle the increase, the proposed vehicular movements in the Transport Plan do seem miscalculated based on potential additional vehicles.
- Infrastructure facilities mainly schools and doctors have been overlooked.
- If approved it is requested that a section of the proposed houses in area 1, adjacent to Cooks Lane, be completely removed to avoid un-necessary over-looking, to avoid over intensification and complete loss of wildlife habitat.
- The impact of the development to existing residents would not 'achieve high quality design that would contribute positively to their quality life nor enhance the character and identity of the local area by creating buildings that are appropriate or sympathetic to the environment of context? - therefore failing to comply with policy ENV3.

Netley Marsh Parish Council - September 2023

PAR4. We recommend REFUSAL, for the reason listed below.

The current proposals do not take account of the rural character of Pauletts Lane, the retention of which was part of the original proposals. Further development to the west of the site will only exacerbate any problems. There are also concerns about drainage and its adequacy to cope with the amount of standing water which accumulates on the site after periods of heavy rain

Totton & Eling Town Council - September 2023

PAR4: We recommend REFUSAL, for the reasons listed.

Having reviewed the amended plans, the Town Council are of the opinion the proposal is unsatisfactory for the purpose of the application and would not be a suitable solution, it is also felt the measures proposed would do little to discourage speeding.

Our original comments still stand in that Paulett's Lane is not designed to handle the proposed volume of additional traffic this development would generate.

7 COUNCILLOR COMMENTS

Cllr A Davis: Objects to the failure to respect residents concerns, increased vehicle movements on Pauletts Lane compromising highway safety and the general lack of infrastructure to support such a proposal.

N.B Arthur Davis is no longer a district councillor.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest District Council

Arboriculture: No Objection subject to conditions.

No objection to the access to the site or the principle of the overall layout. However, the number of paths through the woodland should be reduced at detailed design.

Archaeologist: No Objection subject to conditions.

Based on archaeological activity close to the site there is good potential for site to contain undiscovered archaeological deposits. Due to the outline form of the application a condition can be used to ensure further geophysical surveys and trenched evaluation undertaken to identify any remains or deposits that should inform detailed design work.

Conservation: No Objection.

The two main heritage assets identified are the grade II Listed Broadmoor Cottage to the west of the site and the grade II Little Testwood House to north-east of the site. The inter visibility of the site to these assets is limited and does not form a key part of their setting, as such no harm is found.

Ecologist: No Objection subject to conditions.

Sufficient survey and impact assessment of the impact of the scheme has been undertaken. The Impact assessment presents an appropriate range of mitigation for the species and habitats found. Impacts on protected New Forest and Solent habitats would occur and mitigation identified. Off site BNG is proposed. Some concerns will be addressed by detailed proposals provided at reserved matters stage.

Environment Design: Objection.

Satisfactory distribution of greenspace and location for developable parcels, which is justified through the Design and Access Statement (D&AS) and the amended landscape masterplan.

The layout illustrated within the D&AS demonstrates some unreasonable expectations regarding the intensity of development within large parts of the site and there are several concerns about potential layout issues that impact upon the delivery of good landscape, appropriate treatment of green infrastructure, good streets, respect for local context and upon the development's quality as a whole. We remain opposed to the damage to the woodland proposed by the cycleways, paths and glades within it.

The application fails to accord with ENV3 and ENV4.

Environmental Health (Pollution): No Objection subject to conditions.

Air Quality - Adequate modelling and assessment has been undertaken, no objection subject to a CEMP condition.

Noise - There is low to medium risk of noise disturbance, a condition should be imposed to undertake a stage 2 Acoustic Design Statement to ensure appropriate internal and external amenity for residents.

Lighting - A condition should be imposed seeking a lighting strategy to ensure lighting does not adversely effect amenity.

Construction - A condition should be imposed seeking a Construction Management Plan in order to minimise adverse impacts on the amenity of local residents.

Environmental Health (Contaminated Land): No Objection.

No evidence of historic uses that would result in ground contamination requiring mitigation.

Housing Team: No Objection subject to S.106.

The commitment to deliver 35% of the scheme as affordable tenures is welcomed. The proposed size mix reflects needs in Totton. As an outline application the appropriate tenure split and proposed house size mix should be secured by way of S.106 obligations.

Open Space Officer: Objection.

Raises concerns over illustrative proposals in respect of the detail and execution of

surface water drainage, play provision and landscape design.

Hampshire County Council

Countryside Services: Comments.

Expects the development to provide a financial contribution towards enhancement of the local Public Right of Way network.

Education: No Objection subject to S.106.

Considering the scheme as part of the larger strategic site with a cumulative impact, there is insufficient capacity in the local primary age schools to meet the needs of the allocated site. A proportionate financial contribution should be secured to provide additional primary age accommodation.

Highways Authority: No Objection subject to conditions and S.106.

Sufficient information, assessment and evidence has been presented to demonstrate the scheme can come forward without causing harm to pedestrian or highway safety. Conditions and S.106 obligations would secure appropriate mitigation and improvements to highway infrastructure for all users.

Minerals and Waste: No Objection subject to conditions.

The east edge of the site falls within the Mineral safeguarding area. Whilst there may not be sufficient value in the minerals on site to justify extensive extraction, a Mineral Resource Assessment should be secured by condition to explore the potential for the use of existing materials on site during construction of the proposed scheme, including and changes in levels and landscaping that can rely on lower grade/quality materials.

Lead Local Flood Authority: No Objection subject to conditions.

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application site will be managed through attenuation basins. A significant level of modelling has been carried out, and a flood meadow / wetland area, localised land raising / bunds, provision of new ditches and SuDS have been proposed to manage this overland flow path within the proposals. This is also acceptable in principle.

Others

New Forest National Park Authority: Comments.

Comment that delivery of the whole allocated site in a comprehensive coordinated approach could ensure better outcomes for the delivery of green infrastructure, drainage, affordable housing and nutrient neutrality.

Environment Agency: No objection subject to conditions.

Extensive review of modelling inputs, sensitivity testing and analysis of potential flood risks have been undertaken and accepted. Subject to conditions securing appropriate finished floor levels for the proposed dwellings and detailed design of the flood mitigation measures no properties will be at risk of flooding nor would the scheme exacerbate any existing flood risk.

Hampshire Fire & Rescue Service: Comments.

Comment only that standards for fire access and fire safe construction materials should be adhered to.

Hampshire Swifts: Objection.

Objects to the lack of ecological enhancement including provision of features to support Swifts.

Southern Water: No Objection subject to conditions.

A desk top study indicates that reinforcement of the existing foul sewer network is likely to be required. Detailed modelling will be undertaken and enhanced capacity improvements agreed with the developer. No objection subject to a condition securing phased implementation of the development to allow sewerage network enhancement to be delivered.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

41 letters have been received objecting to the proposals on:

Principle

- Social housing is out of character with the area
- Development and access should be comprehensive with adjoining land
- Already plenty of other developments in the waterside area
- The land is used for public recreation

Highways

- Increased traffic on Pauletts Lane would affect the character of the area and conflict with highway and pedestrian safety
- Accesses on to Pauletts Lane would not be safe
- Access from Cooks Lane would create unsafe cross roads with Buckland Gardens
- Access should be from Salisbury Road
- Insufficient public transport and active travel routes
- Off site parking compromising amenity and causing nuisance

Character

- Overdevelopment, excessive scale compared to Calmore, poor design, insufficient variety of design
- Design and density would be out of character with existing properties along Cooks Lane
- Detrimental impact on the setting of a listed building

Amenity

- Overbearing and overlooking impacts on existing residential properties
- Rear garden access causing anti-social issues
- Noise and dust disturbance during construction
- Disturbance, littering and loitering

Others

- Flood risk would be unacceptable
- Failure to accommodate wheeled bins in the design
- Education and medical infrastructure already oversubscribed, improvements to infrastructure need to be in place first
- Impact on and loss of trees
- Loss of wildlife and countryside and lack of opportunity to retain or preserve habitats. Failure to incorporate adequate ecological enhancement measures
- New drainage ditch would cause water logged conditions in rear gardens, how would they be maintained
- What future proofing for climate change and renewable energy sources are being provided

10 letters have been received supporting the proposal on:

- Provision of new homes is supported, it will give young local people a chance to get onto the housing market without having to move away
- Thoughtful development that will increase the prosperity of the neighbourhood and have a positive knock effect for the surrounding area
- Provision of a good mix of housing and affordable housing is supported
- Provide for those looking to downsize or upsize
- Support growth in jobs in Southampton
- Less demand for Council housing
- Plenty of greenspace, sensible cycle links, more patronage of village hall and new ecology opportunities
- Provide publicly accessible open space for existing residents
- Scheme includes bungalows

10 PLANNING ASSESSMENT

A) Principle of Development

Local Plan policy STR1 'Achieving sustainable development' sets the overarching requirements expected of developments to achieve sustainable development. The first three requirements are particularly relevant to this application;

i) Ensuring housing needs are met by delivering development in sustainable locations;

ii) Requiring a context led approach to the design of development and secure a high quality design that maintains local distinctiveness, safeguards landscapes and heritage assets;

iii) Achieving environmental gains, avoiding or mitigating the impact of development on the integrity of protected habitats in the New Forest and Solent.

Policy STR4 sets a settlement hierarchy for the New Forest. The site falls within Totton, included in the list of 'Towns', the largest settlements in the hierarchy, considered to be the most sustainable locations for large scale residential development, such as the scheme proposed by this application.

Policy STR3 presents the strategy for locating new development, seeking to direct development to accessible locations that help to sustain the vitality and viability of the towns and villages of the plan area.

The location of the development, within the defined built up area of Totton is appropriate for the scale of the proposed development, in accordance with the requirements of STR3 and STR4.

Policy STR5 sets the housing need targets and the trajectory for delivering the housing to meet the overall identified need, against which the 5 year supply of land for housing is calculated. The delivery strategy identifies that circa 60% of the District's housing needs will be delivered by Strategic Site Allocations, of which this application site is located within.

The site falls within the built up area as defined by the proposals map. It is part of a larger site allocated for residential led mixed use development by Strategic Site policy SS1 (Land North of Totton), set out in full below:

Strategic Site 1: Land to the north of Totton

- i. Land to the north of Totton, as shown on the Policies Map is allocated for residential-led mixed use development and open space and will comprise the following:**
 - **At least 1,000 homes, dependent on the form, size and mix of housing provided.**
 - **A commercial core west of Pauletts Lane including around five hectares of land for business and employment uses.**
 - **A community focal point in a prominent location including ground floor premises suitable for community use.**
 - **Contributions to educational provision to include two hectares of land to be reserved for a primary school.**
 - **On-site provision of formal public open space.**

- ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street and Pauletts Lane and a countryside edge to the New Forest National Park. Development will be required to:**
 - a. Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse), and by making a positive feature of water courses, to connect new greenspace to existing footpaths and rights of way to Loperwood, Sharveshill Plantation, Wade Hill Drove and Testwood Lakes.**
 - b. Set development behind the ridgeline on the northern and northwestern edges to maintain an open landscape and an appropriate westbound transition from urban Southampton to the countryside edge of the New Forest National Park.**
 - c. Provide traffic calming and crossing points for the A36 (Salisbury Road) and creating a choice of vehicular routes including an alternative route west of Pauletts Lane between the A36 and Loperwood suitable for two-way traffic including buses, and an eastwest pedestrian and cycle route across Pauletts Lane.**

- iii. Site-specific Considerations to be addressed include:**
 - a. The need for an agreed comprehensive development framework for the whole allocation to ensure the effective coordination between multiple land interests to deliver an integrated, whole-site approach to the provision of access, community facilities, open space and natural recreational greenspace for habitat mitigation.**
 - b. Design and other appropriate measures to mitigate potential noise and air quality impacts from the M27/A31, A36 and the A326.**
 - c. To assess the need for, and to provide where necessary, enhancements to the A326 and A36 junctions to provide safe**

vehicular access for the development.

- d. The Grade II listed building Broadmoor Cottage, Pauletts Lane should be retained within an appropriate setting so that its significance can be appreciated.***
- e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which would demonstrate that there will be no inappropriate development within Flood Zone 3b.***

The concept masterplan supporting the policy in the Local Plan presents a very broad approach to the layout of development and open space across the wider site. That masterplan does not place the commercial core, employment land, community uses or land for education services on the land subject to this application. As such the lack of provision of such other uses by this application does not weigh against it.

Policy SS1 (criterion iii (a)) recognises a need for the multiple land ownership interests to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole site, approach to the provision of routes across it, the mix of uses and facilities and spread of green space. It has not been possible to secure such a development framework. However, this should not and can not preclude consideration of applications, assessment on their merits and discharge of the duty of the Local Planning Authority (LPA) to determine planning applications made to it.

Third party comments received objecting to more residential development due to the amount of development in the Waterside area of the New Forest already are given little weight. The Local Plan has adopted a strategy to meet the objectively assessed housing needs of the District, this allocation is part of that strategy, and as such is required to meet identified need. The provision of up to 196 homes on this site contributes significantly towards the target of delivering at least 1000 homes from the entire SS1 allocation. At present 418 dwellings have planning permission or a resolution to grant planning permission

Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

Housing Land Supply and National Policy Context

In determining planning applications decisions should be made in accordance with the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning & Compulsory Purchase Act). Material considerations include the planning policies set out in the National Planning Policy Framework (NPPF).

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

For decision-taking this means: ‘...'

- c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

Taking NPPF paragraph 11(c), if the proposed development accords with the local plan it should be approved.

If the development does not accord with the local plan, the development must be considered against NPPF paragraph 11(d).

In light of the current NPPF (December 2023), planning applications registered before 19 December 2023, such as this application, remain subject to the policies of the previous NPPF in relation to the requirement to demonstrate a 5 year housing land supply. In such circumstances, the Council is currently unable to demonstrate a 5 year housing land supply, with 3.07 years of supply being the current published position.

This position was exemplified in the recent appeal decision at Orchard Gate, Noads Way, Dibden Purlieu (NFDC Ref:22/10813), that was received on 16 January 2024. The Inspector confirmed that paragraph 11(d) of the NPPF was engaged due to the lack of a 5 year housing land supply and after an appropriate balancing exercise was undertaken concluded that the harm he identified did not significantly and demonstrably outweigh the scheme benefits and the scheme should be approved.

Footnote 8 to the NPPF paragraph 11 is clear that in such circumstances where a 5 year supply of deliverable housing sites is not demonstrated those policies which are most important for determining the application are to be considered out-of-date meaning that the presumption in favour of sustainable development in paragraph 11 is engaged.

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

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

The remainder of this report will assess the application against the relevant policies of the development plan and relevant material considerations. The report concludes with a balancing exercise as per the requirements of paragraph 11d, limb 2 in the NPPF.

B) Housing Mix and Affordable Housing.

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes, this is emphasised by the consultation response from the NFDC Housing Officer, when referring to those registering a need for affordable housing in the Totton area. A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

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

Figure 6.1 supporting policy HOU1 also seeks to set out the combination of tenure and unit size. Whilst the Council's Housing team would prefer to see a higher number of 1 bed units, the table included in the development plan combines need for 1 and 2 bed units as a single category, therefore it would not be possible to require a higher percentage of 1-bed units specifically.

The outline application does not commit the scheme to a precise number of dwelling sizes. It would be appropriate to ensure a suitable range of dwelling sizes is delivered in order to provide a diversity in housing choice as advocated by policy HOU1. A condition would be imposed to set a range of dwelling sizes.

Adopted policy HOU2 sets the targets for delivery of affordable housing in the District. Falling within 'Totton and the Waterside' in accordance with HOU2 i) the scheme is required to deliver 35% affordable housing, which the scheme offers to do. Based on the proposed 196 dwellings there is a requirement for 69 dwellings to be secured. The provision will be split 70:30 between affordable (affordable rent and social rent) rent and affordable home ownership. The affordable rental properties would be split 50:50 between affordable and social rent in accordance with HOU2 criterion iii). This would be secured by a S.106 legal agreement.

The following Affordable Housing Mix has been agreed with the site promoters:

	1-bed1	2-bed	3-bed	4-bed
Social Rent	35-45%	35-45%	10-20%	0%
Affordable Rent	35-45%	35-45%	10-20%	0%
Shared Ownership	0-5%	55-65%	30-35%	2-5%

As such, the proposed Affordable housing mix provides for a mix of house types, terraced, semi-detached, detached and flats. This supports a wide range of choices and costs within the market and housing needs and is supported by NFDC Housing officers. The proposed mix would reflect the District housing need and would also coincidentally be in line with identified needs in the Totton area which specifically includes smaller rented units.

As such, the scheme would deliver the social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as

giving a wide choice.

Therefore, subject to a s106 planning obligation securing the proposed affordable housing in perpetuity, and a condition ensuring a variety of dwelling sizes for the open market dwellings, the proposal accords with Local Plan Policies HOU1 and HOU2.

C) Parameter Plans (Access, Built Environment and Landscape), Public Open Space and Trees

Local Plan Policy Strategic Site 1 (Land to the north of Totton) sets out the aim of the policy is *inter alia*:

"to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Pauletts Lane".

It goes on to require development to:

"Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse)".

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to address specific design criteria (i) to (vii).

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

The national Planning Practice Guidance (PPG) sets out additional guidance over and above that set out in the National Planning Policy Framework (NPPF). The PPG confirms that applications for Outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable before fully detailed proposals are put forward.

The PPG also confirms that Parameter Plans can include information on the proposed land use, building heights, areas of potential built development, structure of landscape and green infrastructure, access and movement and other key structuring and placemaking components. Parameter Plans can provide elements of the framework within which more detailed design proposals are generated, but they are not a substitute for a clear design vision and masterplan, and need to be used in a way that does not inhibit the evolution of detailed proposals. For example, setting maximum parameters for aspects such as building heights can still allow flexibility in determining the detailed design of a scheme.

Parameter Plans

The application is supported by Parameter plans setting out the following:

- Access – including vehicular, cycle and pedestrian access points

- Built Framework – including the proposed housing areas and their proposed respective densities
- Landscape and Drainage – sets out the location of public open space, drainage features, Alternative Natural Recreational Greenspace and landscape buffers

i) Access Parameter Plan

The Access parameter plan sets out the vehicular, cycle and pedestrian access points into the application site to be determined in this application. The indicative Local Plan concept masterplan, accompanying policy SS1, includes an indicative primary access in to the site from Cooks Lane. The proposed joint vehicular and cycle/pedestrian access from Cooks Lane serving the larger portion of the proposed development reflects the concept masterplan.

The proposal does not include a secondary access from Salisbury Road – as indicated in the Local Plan concept masterplan. An access at this point would be on land partly outside the control of the applicants and hence it may not be deliverable.

The Local Plan concept masterplan also locates residential development parcels along Pauletts Lane, but without indication as to where access would be delivered. The proposal includes a single joint vehicular and cycle/pedestrian access from Pauletts Lane for each of the two smaller housing development parcels in the western portion of the application site.

As such, the proposed Access Parameter Plan is an acceptable basis for providing vehicular, cycle and pedestrian access and routes at the detailed design stage in a future Reserved Matters application.

Based on the proposed points of access as fixed points being considered by this application the Access Parameter Plan also illustrates a network of dedicated streets and shared pedestrian and cycle routes using the proposed points of access could be laid out.

NFDC Environmental Design has objected to the presence of routes through the Bog Plantation woodland as it would likely require the removal of trees in order deliver useable pedestrian and cycle paths.

However, the proposed routes on the Access Parameter Plan are purely indicative, as described on that plan and demonstrate what connectivity could be achieved. The final routes will be determined as a 'Layout' issue in a future Reserved Matters application. Bog Planation is subject to a Tree Preservation Order and any future access through it would therefore need to be designed to a high standard compatible with the future retention and health of the woodland. However, this is clearly a matter for determination at the Reserved Matters stage. A suggested informative has been added to the recommendation.

ii) Built Framework and Density Parameter Plan

The Built Framework Parameter Plan proposes three parcels of built form, areas 1, 2 and 4. 1 would contain the majority of the housing, accessed from Cooks Lane. Areas 2 and 4 are much smaller and are both accessed separately from Pauletts Lane. Area 3 is the majority of the proposed public open space.

Area 1 is the largest of the three development parcels and is located in the eastern

portion of the application site north of Cooks Lane. The majority of Area 1 would provide housing at a built density of between 30 and 40 dwellings per hectare (dph). Buildings in this area would be between 1.5 and 2.5 storeys high. The Built Framework parameter plan places this core area adjacent to public open space, which ensures an opportunity to provide setting for any taller buildings, natural surveillance and limiting the potential for a cramped appearance or visually discordant built relationship.

In the northernmost part of Area 1 is a smaller area which would provide housing at a built density of 50+ dph. Buildings in this area would be up to 3 storeys high in order to achieve the proposed number of dwellings and to make effective and efficient use of land. This area would likely facilitate smaller dwellings (1 or 2 bedrooms) and thus make a positive contribution towards a mix of homes by type, size, tenure and cost in line with Local Plan Policy HOU1.

The Built Framework parameter plan places this core area adjacent to some of the open space, which ensures an opportunity to provide setting for any taller buildings, natural surveillance and limiting the potential for a cramped appearance or discordant built relationship, that might occur elsewhere within the application site.

A second sub-area is included at the southern edge of Area 1, adjacent to residential properties on Cooks Lane that back on to the application site. Here a lower density of between 20 and 25 dph is proposed and a lower height of buildings that will better relate to the existing context and provide a better transition between the proposed and existing built form, that do not share the residential estate characteristics of the land further south. Whilst the extent of detail is limited to the principles explained, this reduced density does respond positively to residents' concerns in respect of the potential impacts that a change in character arising from the proposed development would cause.

Area 2, at the southern end of Pauletts Lane, is divided into two sub areas to reflect the relationship of the parcel with other properties backing on to the application site. A density range of 15-20 dph, with house sizes of 1 to 2 storeys, in the southern half would respect the low density character of Pauletts Lane and existing properties. The northern half has only one residential neighbour so would not require such a low density or lower building heights to achieve a satisfactory relationship. Furthermore its small size as a development parcel and close proximity to proposed open space on site would ensure that any scheme at the top of the proposed density range will still be spacious.

Area 4, at the northern end of Pauletts Lane has a similar context to that of Area 2 and proposes a similar density and building height range. This parcel is also surrounded by proposed open space.

NFDC Environmental Design has raised a range of concerns to the scale of development, the potential intensity of development that would occur and the assumed poor design that would arise as a result of seeking to deliver the proposed number of dwellings.

However, Officers consider that the Parameter Plan clearly articulates for decision makers the proposed areas of different built density. The proposed density ranges suitably reflect Local Plan Policy HOU1 and the strategy to ensure that all residential development addresses diversity of housing needs of local people at all stages of life by providing a suitable mix and choice of homes by type and size. NFDC Environmental Design has not provided any design narrative as to why built development adjacent to woodland has to be lower density. There is clear capacity within the site for taller buildings up to three-storeys and this can assist in meeting

the Policy aim of a diverse range of housing options.

It is considered that the principles being established at this outline stage provide a positive response to the context of the site and the need to deliver homes and contribute to the successful implementation of the policy and local plan. Lower densities for parcels 2 and 4 are entirely appropriate to the prevailing character of Pauletts Lane, these parcels have little frontage to Pauletts Lane, placing the development parcels predominately behind existing landscape or residential plots, thereby preserving the balance of built and rural edge to the lane. Where the Built Framework parameter plan shows built form could front Pauletts Lane, it is considered that this would be likely to manifest itself as individual detached houses or a streetscene with spacious properties between the built form.

Combined with the wider range of densities proposed for Area 1, the scheme seeks to maintain the character and setting of the wider area and make efficient use of the land available for development, in line with NPPF Chapter 11 paragraphs 128-129. The site does not abut the rural edge of the proposed built up area, as identified by the policies map, nor the New Forest National Park, separated by land to the north and west within the strategic allocation that does. As such the scheme does not need to address a change in character to respect the transition away from the built up area.

As such, the character and appearance of these areas will vary based on their density, architectural style and the hierarchy of streets and routes through those areas. Each of these detailed design considerations will be determined through subsequent Reserved Matters applications.

Whilst Strategic Site policy SS1 requires a minimum of 1000 homes are delivered within the allocation, the acknowledged lack of a 5 year supply of land for homes suggests much greater use of land allocated for development should be made. In May 2024 the council published a Housing Delivery Action Plan due to the rate of delivery of housing in the district falling below 95% of its identified annual needs. One of the identified actions to achieve delivery targets is to "take a proactive approach to bring forward existing sites to seek to ensure that development comes forward as soon as possible and continue to ensure that the development capacity of sites is optimised", it is therefore imperative that

iii) Landscape and Drainage Parameter Plan, Public Open Space and Trees

The Landscape and Drainage Parameter Plan indicates how the proposed development parcels have been defined by the presence of existing landscape features, including drainage features and proposed measures to manage water flows. The Bog Plantation (which is identified in the Local Plan SS1 site Concept Masterplan) is retained in its entirety, the proposed development proposals are considered to be appropriately separated from its edge. The majority of existing boundary trees and hedgerows would be retained, including some of the former field divisions, as would drainage ditches across the site. The plan also demonstrates how and where the scheme will accommodate open spaces that are large enough to perform as Alternative Natural Recreational Greenspace (ANRG) and linked in a way to provide attractive and functional spaces, meeting the design and spatial requirements of the European Sites Mitigation SPD and positively contributing to the amenity needs of residents.

Essentially, it is considered that the provision of public access through the Bog Plantation woodland would contribute attractively to the character of the public open space being provided on site and most particularly the attractiveness of the ANRG by contrasting with the open grassland aspects and adding variety, as such

accepting the principle is not considered unacceptable, despite the concern of the NFDC Environmental Design Officer.

To reiterate, the proposed pedestrian and cycle routes across the public open space in both the Landscape and Drainage Parameter Plan – and the Access Parameter Plan – are purely indicative at this stage, as described on those plans, and give an indication of the connectivity that could be established. The national Planning Practice Guidance is clear that the matter of how routes and open space within a development are provided, situated and orientated in relation to each other is a Layout matter. Reserved matters application of Landscape would present the landscape plans for the open spaces to ensure they deliver attractive spaces that function well and are usable for informal recreation.

Public Open Space

In accordance with Local Plan Policy CS07, based on the principle of requiring 3.5ha per 1000 population, 198 dwellings the requires a total of 1.8ha of Public Open Space. That breaks down to:

- 1.02ha of informal open space;
- 0.13ha of play space;
- 0.64ha of formal space.

As shown on the Landscape Parameter Plan a total of 1.85ha is provided for throughout the site, including elements of the existing landscape and framing the development parcels and complementing the Alternative Natural Recreational Greenspace. This would deliver in excess of the requirement for informal public open space which is 1.15 hectares given that Formal public open space provision will be addressed through an off-site s106 contribution.

In accordance with Policy SS1 and specific requirements identified by the Infrastructure Development Plan, financial contributions towards the provision of a MUGA style pitch and cricket pitch, to be delivered in Totton, are required. This is consistent with other applications within Strategic Site SS1. A proportionate contribution of £398 per dwelling towards wider community formal open space projects would therefore be secured through the s106.

The s106 legal agreement would also ensure management and maintenance of on site open spaces and play facilities is secured. Expected to take the form of a management company, details will be required to be established prior to first occupation.

The comments from NFDC Environmental Design on the useability of the public open space taking into account drainage are noted. However, there is clearly an excessive provision of informal public open space over and above Policy requirements and as such there is capacity for some of this land to be utilised for drainage solutions during periods of higher rainfall without falling below Policy space requirements.

In respect of surface water drainage, the principle of attenuation basins has been included within the open spaces shown on the landscape parameter plans. In doing so it would be possible to integrate these into the landscape setting, by making use of the wider spaces in which they would be located, reducing the depth of the basins required to achieve the necessary attenuation volumes. Existing overland water flows in the northern part of the site would be accommodated and used to contribute towards the landscape of the site as a water meadow. This environment would contribute positively to the variety of biodiversity supported on site and also address

retention of the natural site drainage.

The ANRG design guidance included in the Mitigation for Recreational Impact on European Sites SPD at paragraphs 5.13 - 5.14 of Appendix 4 allows for such scenarios. Whilst the drainage strategy indicates it is not expected that there will be water in the basins for long periods of the year, a sufficient amount of ANRG would still be provided should use of the basins be precluded for periods of the year.

The matter raised by NFDC Environmental Design with regard to the lack of accessibility of buffer strips and hence cannot be counted towards public open space is accepted. However, with 0.7 hectares of excessive informal public open space there would still clearly be a sufficient quantum to meet Policy requirements.

The Landscape Parameter Plan also indicatively indicates how the required amount and a variety of space for play could be delivered. Shown in principle on the parameter plans, detailed proposals for the design and layout of the residential areas could accommodate Local Areas for Play (LAP's) within the residential areas. Provision of a Local Equipped Area for Play (LEAP) in a dedicated area of open space is acceptable in principle. Details of the type and range of equipment or natural features to be used in the play areas would be required to accompany the reserved matters applications in order that they meet the needs of the development. The concerns of NFDC Environmental Design that a LEAP would take the form of an enclosed square space that would not relate to the surrounding landscape fail to recognise the purpose of its inclusion on the Parameter Plan, in order to show the size of space being provided. The final designs of play spaces will be determined through a future Reserved Matters application.

Retaining the primary existing landscape features of the site and accommodating them in the landscape proposals contributes to the requirement of paragraph (ii) (a) of policy SS1 to "*Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks*" and perpetuates the contribution of those features to the overall character of the area.

The scheme retains a large area of open space alongside Pauletts Lane, between development parcels 2 and 4. Whilst the landscape treatment of that space may change from existing, it will still retain a long length of undeveloped landscape frontage to Pauletts Lane, a strong characteristic of the Lane at present, furthermore it would retain the views across that land to the Bog Plantation, another strong landscape feature of the area and a positive feature of the proposed layout. As such, whilst recognising that development is going to change the character and this is only part of the land allocated for development, it is considered this layout will satisfy the policy SS1 paragraph (ii) aim of maintaining the rural character Pauletts Lane and set a framework to contribute to delivery of an integrated network of green spaces as expected by paragraph (ii) (a).

As such, the proposed informal public open space accords with Local Plan Policy CS7. Suitable conditions and a S.106 obligation can ensure sufficient, publicly accessible, open space and play facilities are provided on-site and a suitable contribution to wider off-site community formal open space provision.

Further commentary on the proposed Alternative Natural Recreational Greenspace (ANRG) is set out later in the Committee report.

Trees

The tree survey supporting the application identifies a minimum of 98 trees, groups

of trees and hedges present on the site. That excludes the Bog Plantation, a large group of maturing trees in the centre of the site, which has not been surveyed in any detail due to the density and number of trees therein.

Many of the trees located along field and site boundaries are protected by Tree Preservation Orders. Only one of which is protected, a category B Oak tree, would be removed to facilitate the proposed access to the Area 2 residential parcel.

This tree as a category B tree, is a constraint to the development and its loss would be noticeable in the short term, however category A and B Oak trees sit either side of that proposed access and will preserve landscape dominance in views along Pauletts Lane and space is available beside the proposed access road, within the site, for replacement tree planting. The NFDC Arboricultural Officer does not object to the loss of the category B tree because of these factors and the wider benefits of the scheme the tree loss supports. It is noted that the density of trees alongside Pauletts Lane further north would require greater tree removal to achieve a safe access were it provided in a different location.

Low category trees and hedges would also be removed within the site to facilitate the development. As category C and U trees these are not considered to be significant constraints to development and as such there is no objection to their loss. New landscape planting across the wider site, in open space and landscape setting along roads in the residential parcels would be able to mitigate their loss and enhance the tree cover on site by introducing tree planting in currently open fields.

The Built Framework parameter plan and illustrative section drawings demonstrate that adequate separation from retained trees and hedgerows, including the Bog Plantation can be achieved, to preserve their wellbeing and accommodate appropriate residential amenity. Some key landscape features on the east side of Area 1 are excluded from the development parcels in order to preserve their contribution to the landscape of the site and provide a basis for open space within the built environment. The reserved matters applications of Landscape and Layout would have to respect their retention and could potentially enhance their appearance with new planting.

The NFDC Arboricultural Officer raises concerns about the extent of paths illustratively shown through the Bog Plantation. The concern goes beyond the effect of constructing paths on roots, but also the impact of providing access to the woodland and the need for active management of the trees in order to maintain the safety of users, including any subsequent signage or lighting.

The arboricultural assessment comments that proposed footpaths around the site, especially those passing through the Bog Plantation could be laid in a no-dig specification to minimise the impact on trees. However, due to the outline nature of the application detailed assessment of topography and tree quality, within the Bog Plantation to determine a precise route has not been undertaken. Whilst design solutions will be possible and suggests the principles can be accepted, it doesn't deal with the principle of the area becoming more accessible and the concern for the natural character of the woodland as a result of being more actively managed.

A balance has to be struck between providing permeability throughout the entire site, making use of the existing landscape features as a benefit for attractive open spaces and successful ANRG and preserving the natural environment. The Strategic Site Policy SS1 criterion (ii) (c) advocates forming an east-west link for pedestrians and cyclists and access points on the respective boundaries are shown. The precise route of a link is not before the Council, as it would be subject to consideration by the detailed reserved matters application of Layout. Whilst it is likely that routes through

the Bog Plantation are likely to occur, the concern of the NFDC Arboricultural Officer will need to be addressed in a future Reserved Matters application.

The arrangement of protective fencing around the trees to be retained has been shown and would adequately protect the trees during development. The NFDC Arboricultural Officer does note that aspects of the existing and proposed drainage infrastructure are located within the exclusion area, and whilst the proposed drainage infrastructure would not directly impact on rootzones, a revised Arboricultural Method Statement will be required to recognise that works will occur within areas currently shown to be within protective fencing. A condition will be imposed to secure a revised Arboricultural Method Statement. In any event, details of the final layout of the scheme are likely to place paths through exclusion zones, requiring revised details of construction methods and protective fencing to justify that approach.

The loss of one category B tree is not considered to materially undermine the overall acceptability of the scheme. Especially where the size and amount of open space to be provided with the scheme ensures space will be available for adequate compensatory planting to be secured.

Summary

Objections to the impact of the development on the Bog Plantation woodland have been received from the NFDC Arboricultural Officer and NFDC Environment Design. However, by virtue of the allocation of the surrounding land for residential led mixed use development this will unavoidably introduce new residential activity in the area. Whilst the detailed provision of paths through the woodland is not under consideration at this time, it does have benefits for the amenity of residents, active travel and permeability and would ensure active management and passive surveillance of the space is secured.

Concerns from the NFDC Environment Design Officer primarily relate to details that are not before the Council at this time and can be assessed through the detailed design in a later Reserved Matters application. However, it should be acknowledged that any such assessment has to recognise the importance of ensuring land identified for development is used effectively and efficiently to meet all aspirations of the development plan.

Based on the proposed plans and level of detail under consideration by this outline application, the scheme presents optimal use of the site in terms of meeting housing needs, retains high quality and important landscape features, proposes a suitable framework for public open space to be determined through a future Reserved Matters application and will contribute successfully to the amenity and wellbeing needs of residents. It will deliver important additional residential development in a manner that responds positively to the distinctiveness of the existing context and requirements of policies SS1, ENV3, ENV4 and CS7 contributing to a sustainable development in accordance with STR1 and NPPF.

D) Highways and Access

Access to the site is the only detailed 'Matter' before the Council as part of this Outline Planning Application.

In accordance with Local Plan policy CCC2 proposed development is required to deliver safe and sustainable travel, by prioritising safe and convenient pedestrian access within developments, provide or contribute to the provision of dedicated cycle routes and lanes, consider the impact of development on bridleways, provide

sufficient car and cycle parking in accordance with the parking standards SPD, provide infrastructure for electric vehicles and contribute to the provision of highway or public transport measures.

It also recognises that the Strategic Site Allocation Policies may make site specific requirements. In this case policy SS1 site specific consideration (iii) (c) requires assessment of the need to enhance the junctions between the A326 and A36.

The scheme proposes to form accesses from Cooks Lane, Pauletts Lane and Salisbury Road in to the application site, for all modes of travel, in order to achieve safe and sustainable access.

Access

Each proposed development parcel, as shown on the parameter plan, would be served by an access for all forms of travel. Detailed proposals of these accesses have been provided, demonstrating sufficient width to accommodate the size of vehicles expected to be using them and sufficient visibility for measured vehicle speeds on the respective roads.

The access from Cooks Lane would serve the largest development parcel, carrying the highest number of vehicle movements. It is located broadly in the location of an indicative Primary Access shown on the Concept Masterplan for the Strategic Allocation. It would form a new cross road junction with Buckland Gardens, which Hampshire Highway Authority (HA) indicate can be in accordance with recently adopted technical highway design guidance, provided minor road design speeds do not exceed 20mph. In this case the 'minor roads, would be the new estate road serving the development and Buckland Gardens. The design of the proposed estate road, would be subject to review at Reserved Matters application stage and Buckland Gardens is a short residential cul-de-sac, where vehicles will not travel far, building up much speed, before arriving at the existing junction with Cooks Lane. It is therefore reasonable to accept that the Hampshire highway technical design guidance can be achieved.

The access would take the form of a standard bell mouth design, with 'give way' lines. Pavements would follow the junction radii and dropped kerb crossings, with tactile surfaces would support access to the south side of Cooks Lane. All of these works would fall within the existing highway so would need to be delivered to the standards required by Hampshire Highway Authority.

Representations received object to this access on safety grounds evidenced by the common occurrence of vehicle accidents in the vicinity. The speed limit is 30mph at this point and there is nothing inherently wrong with the highway that the HA require this scheme to address in order to ensure safety of the proposed access. Sufficient visibility is achieved for the measured speeds to meet the required standards. The width of the bell mouth at the junction between Buckland Gardens and Cooks Lane would be narrowed to improve its safety, contributing to achieving the 20mph design speed. The HA do not believe that the accidents referred to by representations demonstrate that the proposal would be unsafe or exacerbate an existing problem.

The two accesses from Pauletts Lane would serve much smaller parcels of development and thus smaller volumes of vehicle movements. Both accesses result in the loss of short sections of hedgerow and in the case of the southern access, a tree, to facilitate the development. Seeking to provide a vehicle link between these parcels and parcel 1 accessed from Cooks Lane, to avoid accesses on to Pauletts Lane, would result in significantly greater amount of tree and landscape loss than the proposed approach.

A third development parcel and vehicular access along Pauletts Lane was removed from the scheme due to the inability to achieve sufficient visibility to preserve highway safety without unacceptable amount of tree removal.

Serving smaller development parcels with lower densities and thus lower numbers of dwellings the access openings on to Pauletts Lane are not as extensively engineered, with narrower openings and footways only on one side. This strikes a reasonable balance between preserving the landscape edge of Pauletts Lane and ensuring highway safety.

It is acknowledged that large vehicles will manoeuvre over the majority of the width of Pauletts Lane to access and egress those development parcels. That has not been raised as unacceptable by the HA, who suggest the width of the first section of road inside the respective parcels could incorporate widths that would assist manoeuvres, a matter to be presented by reserved matters applications for Layout.

It is expected that these three accesses would serve primary vehicle routes in to the site, from which secondary routes would extend. Whilst the Design and Access statement and illustrative site section plans have sought to set out the form these may take, their precise size, design and route would be subject to the detailed designs provided with the reserved matters application of Layout and would have to demonstrate safety can be achieved for all users and ensure they deliver an attractive residential character.

Three shared pedestrian/cyclist accesses would also be provided to deliver enhanced accessibility for sustainable modes of travel. On the east side, at the existing access from Salisbury Road (to be retained to serve the existing dwelling Laurel Bank Farm), on the west side from Pauletts Lane and south east corner from Cooks Lane. These accesses would link to off site destinations such as the new Aldi foodstore on Salisbury Road and Totton football ground, other SS1 sub parcels and Calmore village hall to the west and routes in to Calmore neighbourhood centre and Totton town centre to the south.

An objective of policy SS1 is to provide a shared pedestrian and cycle route east-west crossing Pauletts Lane. The provision of non-vehicular accesses from Salisbury Road and Pauletts Lane create destinations for such a route across the site. Its final route would be considered by the reserved matters of Layout and have regard to preservation of trees in the Bog Plantation. In the absence of proposals for the land west of Pauletts Lane, or the land being in the control of the applicant, provision of a road crossing could not be designed at this time, however the principle of the access will be secured with a route upto the highway edge on the east side of Pauletts Lane.

The Highway Authority raise no objections to the proposed accesses, accepting that sufficient widths and visibility can be achieved to preserve highway and pedestrian safety, according with policy CCC2 of the Local Plan.

Trip Generation and Vehicle Movements

The policy for Strategic Site 1 seeks provision of a new north-south vehicular route on the west side of Pauletts Lane, between the A36 and Cooks Lane/Loperwood Lane, suitable for 2-way traffic including buses. The site subject to this application is east of Pauletts Lane, so can not make provision for such a route.

The application is supported by a Transport Assessment that undertakes appropriate modelling to identify likely trip generation and distribution. It includes predictions on cumulative growth from other developments and background growth. That

modelling work has been accepted by the highway authority and does not identify any material impact to the free flow of traffic on the highway network or safety conflicts, other than the ability of the A36/A326 junction to absorb the additional movements, identified by paragraph (iii) (c) of the SS1 site specific policy. Furthermore, nor does that assessment indicate that this application should not proceed without the north-south route across the strategic site identified at paragraph (ii) (c) of policy SS1, having first been provided.

The scheme would result in more vehicle movements along Pauletts Lane. The modelled trip distribution and generation identify an additional 45 trips during the AM and PM peak periods, this accounts for 18% increase in the overall number of movements along Pauletts Lane at those periods. Very extensive discussion and negotiation has occurred between the Applicant and the highway authority in order to ensure highway safety is preserved and avoid tree or hedgerow loss. During those negotiations and prior to revisions to the scheme to exclude development from Area 3, measures to slow vehicle movements were proposed by the Applicant, in order to demonstrate safe visibility could be achieved from Area 3, however in the absence of a history of road collisions resulting in casualties there is no strong case for physical traffic calming to be installed. Furthermore, the highway authority have identified that carriageway traffic calming on Pauletts Lane would likely create further hazards for pedestrians, cyclists and potentially conflicts for large agricultural vehicles.

There is no objection, from the HA, to the scheme based on the narrow width of Pauletts Lane and as such there are no proposals for widening works to Pauletts Lane to be secured, nor in the absence, at this time, of any proposals to deliver the new north-south link road advocated by policy SS1, is it appropriate to seek the closure of Pauletts Lane to through traffic.

In respect of comments made in representations received regarding blocking off Pauletts Lane, there is no policy basis for such an approach, furthermore with existing residential properties relying on Pauletts Lane for access, such interventions would not be feasible at this time nor necessary in the interests of highway safety.

Hampshire Highways Officers do not raise an objection to the scale of additional vehicle movements along Pauletts Lane, nor through the junctions at either end.

In accordance with paragraph (iii) (c) of site policy SS1 it has been identified that the cumulative scale of vehicle movements generated by the quantum of housing expected to be delivered by the entire Strategic Allocation would result in highway safety conflicts on the A326 as a result of queuing cars at the junction with the A36 Salisbury Road. Each application contributing to delivery of the Strategic Allocation is required to make a proportionate contribution towards the project to mitigate the conflict. In this case, as an outline application, a contribution of £1500 per dwelling would be secured by a S.106 agreement.

The Access parameter plan provides an illustration of the routes the site could deliver that would contribute to wider improvements to sustainable and active travel across the entire strategic site. The east west link described above would aid non-motorised travel from and to other sub-parcels of the Strategic Allocation and potentially connect to attractors such as a local centre and employment opportunities identified by the Strategic Site Policy.

Furthermore, the Access Parameter plan demonstrates opportunities to contribute to a network of routes connecting to the land immediately to the north of this application site. These routes should extend to Salisbury Road and support non-motorised travel from the permitted schemes to the north of Salisbury Road. This is a positive feature of the scheme that would contribute to a reduction in the traffic movements

generated by the entire strategic allocation.

The HA have requested a financial contribution towards projects improving access for cyclists and pedestrians. The Local Cycling, Walking Infrastructure Plan (LCWIP) seeks to enhance priority and safety for cyclists and pedestrians on routes to Totton Town Centre and train station. Based on predicted additional vehicle flows as a percentage of overall flows along Salisbury Road, a contribution of £315,811, towards the full cost of the package of improvements identified by the LCWIP, is required. These enhancements would complement the provision of such dedicated routes across the site and allow residents and visitors to travel further by those non-motorised modes safely, contributing to a reduction in reliance on the private car and the multiple benefits for air quality and health that arise from less carbon based miles and improved active travel.

There would also be minor improvements to provide safer crossing points of roads in the vicinity of the application site, at the junction of Cooks Lane with Calmore Drive and Calmore Road. At the roundabout on Salisbury Road and routes towards Calmore local centre where the nearest school is located. These would contribute to improving safety and accessibility for residents to encourage walking to those destinations.

Hampshire CC Countryside officers have requested a financial contribution towards improved maintenance of the existing Public Right of Way (PROW) network in the area, due to the likely increase in use arising from delivery of the strategic allocation. There are no PROW's crossing the site or that it seeks to directly connect to. Furthermore, there is no identified project or scheme of improvement presented, nor justification for maintenance being a requirement of making the scheme acceptable, nor is the contribution of £1000 per dwelling justified as being reasonable in scale to the impact or a reflection of the cost of the unidentified works. As such the request fails to meet the CIL regulation 122 tests that any obligation is, necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

A residents travel plan has been submitted in support of the application, presenting measures that would be delivered to encourage use of alternative modes of travel, promoting schemes to encourage walking and cycling, support national lift share week and providing details of sustainable travel in the area. This has been accepted by the HA and would be captured by the S.106 legal agreement.

Provision of on site parking would be a matter to be assessed by reserved matters applications of layout, providing the details against which to assess the parking needs of the development. There is no reason to expect the scheme would not be able to comply with the adopted parking standards SPD. In the event shared or courtyard parking is provided evidence that Electric Vehicle Charging points are capable of being provided would be expected.

Should flats be provided then communal bike storage facilities would be expected to be provided to encourage use and reduce reliance on the private car. It would be expected that houses would be designed to be capable of providing storage in garages or shelters in gardens.

Details of the Layout of the scheme would have to demonstrate it could be serviced by the Council's refuse collection fleet and ensure refuse is readily accessible for efficient collection in accordance with any adopted design guidance in place that reflects the Councils waste collection regime.

If unmanaged, short term impacts could occur for highway safety during construction. There is no vehicle weight limit restriction on Pauletts Lane, but there is a vehicle width restriction. A Construction Management Plan will be required to manage the matter. Such a plan could consider matters regarding vehicle routing, deliveries and the transfer of equipment and materials across the wider site, with respect to the safety of large HGV using Pauletts Lane, as well as wheel washing facilities and contractor parking. A condition could reasonably be imposed to secure details.

Subject to financial contributions, enhancement projects and suitable conditions the scheme would preserve highway and pedestrian safety and would make a positive contribution towards providing a network of routes that would encourage sustainable modes of travel. As such, the proposed accesses and highway works accord with policies STR1, CCC2 and SS1.

E) Flood Risk and Drainage

Local plan policy CCC1 seeks to ensure that development does not result in hazards that prejudice the health and safety of communities and the environment, and also take opportunities to address existing hazards. It confirms that in areas of flooding, vulnerable development will not be permitted unless in accordance with the sequential and exceptions test. Paragraph 8.12 confirms that the Council will apply national policy as set out in chapter 14 of the NPPF.

Based on the recently published Strategic Flood Risk Assessment for the district the application site is in fluvial flood zone 1, being the land outside areas identified as being at risk of flooding under current or future flood scenarios from rivers. There are areas of the site identified as being at risk of surface water flooding associated with existing ditches and overland flows that cross the site. Largely located within the northern portion of the application site following the site boundary.

The application is supported by detailed assessments and analysis of the extent of the flood risk and proposals for managing the risk and ensuring the development parcels are protected or located in areas not at flood risk.

There are significant overland flows in the north-west corner of the site, where water flows under Pauletts Lane from land to the west. A flood meadow is proposed to be better defined to preserve a habitat that has formed naturally and the existing drainage it provides. It is designed to offer a preferential flow path, capturing flood water that spills over Pauletts Lane, during periods of heavy rainfall and convey it to the ditches heading east off site, but without increasing flow rates.

Parameter plans indicate access to area 4 would be immediately adjacent to the flood meadow and an internal road would likely cross the meadow to serve the majority of the built form within the development parcel. The route would be safe from flood risk and the level of the road will be capable of being above the flood meadow. Indicative proposals show how the access road could cross that space, however until such time as the design of the layout and arrangement of the internal roads and house plots is prepared, the precise specifications for that road and crossing have not been prepared. However, it is clear from the illustrative material that an appropriately designed solution could be achieved.

Pauletts Lane is known to flood close to the position of the access to Area 4. Analysis of ground levels and assessment of water depths and volumes has been undertaken and indicate that safe access away from the site would be possible in a northerly direction.

The consultation response from Hampshire County Council as Lead Local Flood Authority acknowledges the significant level of flood modelling that has been carried out by the applicant to support the application and the extent of attention put to measures to manage the flood risk and avoid flooding on site or down stream.

The consultation response received from the Environment Agency, who have extensively scrutinised the details and inputs used to prepare the flood models presented by the applicant, also reach the conclusion, that the scheme manages the identified flood risk to protect the proposed development and existing residents subject to suitable conditions.

Where achievable, in order to minimise the risk to parts of the site in the future, new ditches and earth bunds would be formed to direct existing surface water flooding around the development parcels and in to the existing ditch network.

The approach prioritises the sequentially safest land in the first instance, then uses natural features to protect the areas assessed as being at minor risk over the lifetime of the development.

Conditions requested by the Environment Agency require submission and agreement of the detailed design of the mitigation measures and finished floor levels of the dwellings prior to commencement of development. The purpose and necessity for the conditions is entirely reasonable, but rather than be a pre-commence condition, will be required at the stage of submission of Reserved Matters for Layout and Landscape in order to ensure the mitigation is embedded in the overall design of the scheme.

Due to poor percolation conditions on site and the shallow depth of ground water below existing ground levels, the surface water drainage approach is to make use of the existing network of ditches taking water off site. In order to maintain existing green field discharge rates attenuation basins would be formed to store water during periods of high rainfall in order to prevent overtopping ditches causing problems on site or down-stream.

Attenuation basins have been shown on the parameter plans, with indicative calculations for their size and depth. The largest of these, serving area 1, the largest development parcel would indicatively require a depth of 1.3m. This would be in a 60m wide piece of open space, adequately capable of absorbing the gradient change as part of the landscape design. Basins serving other development parcels would not be so deep, nor need to accommodate such large volumes of water, so would contribute differently to the landscape setting of the site.

The Lead Local Flood Authority consultation response support the principles of the drainage strategy and the suggested conditions are recommended to secure the final design of the drainage strategy to accommodate the detailed design of the development parcels.

Southern Water have indicated that the existing Foul Water drainage network may not have sufficient capacity to accommodate all of the foul water drainage needs of the development. They do indicate a willingness to work with the developer to assess the opportunity to deliver enhancements in due course and that there may be some capacity in the network for some dwellings to be occupied in advance of improvements. They have requested the development is phased to allow any required enhancements to be delivered in a timely manner, a condition has been included in the recommendation.

Sufficient analysis and information has been provided to demonstrate to the

satisfaction of both the Environment Agency and the Lead Local Flood Authority that the scheme can safely deal with the existing surface water impacts on the site and safeguard the proposed development parcels from future flood risk. As such in accordance with the requirements of policy SS1 paragraph (iii) (e), policy CCC1 and the NPPF, subject to conditions the development will deal with surface water sustainably and avoid placing residents at risk.

F) Residential Amenity

Local Plan policy ENV3 at paragraph (ii) requires development, to avoid unacceptable effects by reason of visual intrusion, overbearing, overlooking, shading, noise and light pollution.

There are existing residential properties backing on to the site along Cooks Lane and Pauletts Lane. The application proposes built form close to the boundaries of those properties, however given the size of the neighbouring plots, their position, to the south and west of the application site in most cases, and the scale and density proposed for the adjoining areas, there is no reason to believe that an acceptable relationship between the existing and new development can not be achieved.

Details of the Appearance, Layout and Scale of the development would be subject to future applications at which time the individual circumstances of each relationship will be suitably assessed in order to ensure amenity is preserved.

Concerns raised in representations received regarding the loss of views of open fields are acknowledged, however the principle of residential development is established by adoption of the development plan. Whilst some residents would be able to see the proposed development from their property, that does not mean their outlook or privacy would be detrimentally compromised and the right to a view is not a material planning consideration.

Due to their location, the proposed accesses would not compromise the amenity of nearby residents. The residential nature of the scheme would not give rise to a type, form or pattern of vehicle movements that would be out of character with the residential characteristics of the area.

Existing residents would have access to the new open space being made available and accessible on the site for informal recreation needs.

There is potential for short term disturbance during construction, such impacts would be addressed by way of a Construction Management Plan to consider how to minimise the spread of dust and avoid noise disturbance when detailed design and layout plans are confirmed and the construction process being considered. A condition could ensure a Plan is provided prior to the commencement of works.

There is nothing about the proposals that would prejudice residential amenity. It would be entirely possible to reasonably preserve the amenity of existing residents in accordance with Policy ENV3, detailed assessment of which would be undertaken upon receipt of Reserved Matters applications.

G) Heritage Assets

There are no designated heritage assets on the site, nor is the site in or adjacent to a Conservation Area.

The application is supported by a Heritage Assets Statement that identifies there are two Listed Buildings close to the site whose significance could be affected by the

proposed development.

Local Plan policy DM1 sets the policy approach to assessing the impact of development on heritage assets, seeking to conserve or seek to enhance the historic environment and heritage assets. A proportionate approach to the scale of harm should be considered, based on the significance of the asset and public benefits of a scheme may be considered to outweigh less than substantial harm. The presence of archaeological remains need to be considered and where appropriate mitigation measures included to reduce or avoid any impact.

One of the identified listed buildings, Broadmoor Cottage (referenced as Broad Oaks Cottage on OS maps and on the ground) is referred to in the Strategic Site Policy, paragraph (iii) (b). It is a Grade II Listed Building located on the west side of Pauletts Lane, opposite Area 2 of the proposed development.

There would be no impact on its historic fabric or features of special architectural interest it possesses. Due to its position set back from Pauletts Lane, there is little scope for inter visibility between the building and application site.

Any impact to the setting of the Listed Building would be as a result of the change to the character of Pauletts Lane arising from development of land along its length rather than the direct loss or erosion of its plot or the association of the listed building to historic agricultural activities in the area. The concept masterplan for SS1 recognised development on the east side of Pauletts Lane opposite the Listed Building would be appropriate. Furthermore, as described in section C, the development would be positioned behind the mature landscape along Pauletts Lane and at a density and scale that would minimise the impact on the character of Pauletts Lane, and thus the setting of the listed building.

The NFDC Conservation Officer is content that there would be no harm to significance of the Broadmoor Cottage as a designated Heritage Asset.

The second designated Heritage Asset identified by the Heritage Asset Statement, is Little Testwood House also a Grade II Listed Building. This is approximately 220m away from the application site, with extensive landscape setting and Salisbury Road separating the sites, nor any vantage points from which inter visibility of the respective sites, for there to be any impact on the significance of the Listed Building. Other applications within the SS1 allocation, north of Salisbury Road, have undertaken trench based surveys checking for the presence of archaeological remains. Features of interest have been identified by those surveys, however the Heritage Asset Statement, for this application, advocates a Written Scheme of Investigation is prepared. The consultation response from the Archaeologist requests a Geophysical survey is also undertaken. As this is an outline application it is reasonable to impose a condition securing this approach in order that any archaeology present on site can be assessed for its significance and influence the detailed design of the Layout of the scheme.

There is limited interaction between the proposed scheme and heritage assets in the area, sufficient to conclude that there will not be any impact on the two listed buildings close to the site preserving their significance, setting and special architectural interest. As such the scheme accords with policy DM1.

H) Ecology and Habitat Mitigation

i) Ecology and Protected Species

Local Plan policy DM2 seeks to preserve or avoid impacts on features of nature

conservation interest, including international, national and local designations and species. The development should include features to incorporate features to encourage biodiversity and retain and where possible enhance features of nature conservation value within the site. Conditions could be used to minimise damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

The application is supported by sufficiently detailed ecological surveys of the site and an Ecological Impact Assessment, appraising the impact of the development and identifying appropriate mitigation measures. There are no habitats or species recorded as being present on site that prevent the principle of the scheme or dictate the arrangement of parameter plans or the location of the accesses for the development. However, alongside the requirements for dealing with site drainage, the existing trees, hedgerows and ditches have influenced the parameter plans and siting of accesses thereby minimising the overall impact of the development on existing ecology.

The NFDC Ecologist is content that it would be possible to mitigate for the impact of the development on the species identified as being present on site. Mitigation measures include a sensitive lighting strategy, bird and bat boxes installed in buildings, including swift bricks as requested by Hampshire Swifts and on trees, hedgehog routes through fences and relocation of slow worms.

Whilst not identified as present on site, protected Dormice have been identified in sufficient proximity to the site that re-survey of the site for their presence, prior to hedgerow removal, is advocated. A precautionary approach to hedgerow removal would then be undertaken in order to minimise the potential for harm to occur should Dormice be hidden from view.

The Ecologist raises concerns about the potential for access routes through the Bog Plantation causing harm to features of ecological interest. However, at this time with the fully detailed design for those routes not before the Council for consideration, detailed ecological surveys, to inform routes, have not been undertaken. Any proposals presenting these routes will need to be supported by additional survey work to demonstrate what impact might occur and any mitigation required. A woodland management plan is advocated in any event by the ecological impact appraisal as part of ensuring its ecological role is preserved but allow use for ANRG through the introduction of paths. Whilst the NFDC Ecologist accepts that details will follow concerns remain regarding the principle, as the benefits of providing those routes can not be weighed against the potential harm.

As the application is made in Outline and many of these mitigation measures are related to the Appearance of the buildings and site Landscape, details of which are subject to Reserved Matters applications, it would be appropriate to secure the general strategy by condition requiring a scheme to be presented in due course.

Whilst the scale of the scheme would meet the requirement to make the mandated 10% Biodiversity Net Gain improvement, the legislation is clear that applications submitted prior to spring 2024, when the legislation was published, are not required to achieve the 10% level; this application was received in 2022. However, biodiversity net gain is still a requirement in Local Plan policies STR1 and DM2, as such a condition will be used to secure details of the approach to deliver a biodiversity net gain and the monitoring and review mechanisms. Due to the scale of the development it is unlikely that sufficient enhancements can be delivered on site to demonstrate an overall gain, as such the applicant proposes to secure credits at a compensation scheme within the district.

ii) Recreational activity impact on New Forest and Solent Habitats

Policy ENV1 of the Local Plan requires developments proposing more than 50 dwellings to make provision for ANRG on site as part of the proposed scheme. The policy expects 8Ha of ANRG to be provided per 1000 residents.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites.

Such adverse impacts would be avoided by provision of Alternative Natural Recreational Greenspace (ANRG), on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 196 homes generate a need for at least 4.09ha of ANRG. The proposed scheme delivers 5.3ha of ANRG on site, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed in consideration of Landscape design. In principle the scheme provides sufficient quantity of ANRG to meet the policy requirements. Secured for delivery by a S.106 legal agreement, that will include requirements of managing and maintaining the space, as with the public open space that responsibility is expected to be via a management company.

Furthermore, the applicant will enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring.

The applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a Section 106 legal agreement.

iii) Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

These adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package addressing the additional nutrient load imposed on protected European Sites by the development, likely to take the form of purchasing nitrate offsetting credits in a mitigation scheme.

A Grampian style condition has been agreed with the applicant and is attached to this permission.

Air Quality Monitoring

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NOx, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other international designations.

Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

Subject to conditions and obligations secured by a S.106 agreement, the scheme would mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent. On site ecology can be preserved and enhanced. The scheme would comply with Policies ENV1 and DM2 contributing to the delivery of a sustainable development in accordance with policy STR1.

I) Other Matters

Education

The mix of uses proposed by site specific policy SS1 includes allocation of land for the provision of new school and contributions towards the provision of education. Local Plan policies STR6 and IMPL1 also seek to ensure developments mitigate their impacts on services and facilities in accordance with the Infrastructure Development Plan.

As part of the wider SS1 allocation, the scheme would give rise to a number of school age children that could not be accommodated in existing schools, despite the capacity identified across the wider network of schools in Totton. A proportionate financial contribution of £4,369.00 per dwelling (excluding 1-bed dwellings), to reflect the final number of dwellings may change, would be secured by a S.106 legal Agreement, to be used to provide additional primary age school places in accordance with a project identified by Hampshire County Council to enhance Calmore infant and junior schools. There is sufficient capacity in Secondary age schools, that no impact requiring mitigation would occur.

Minerals Safeguarding

Local Plan policy STR9 seeks to protect or avoid sterilisation of important mineral resources located in the District, in accordance with the Hampshire Minerals and Waste Local Plan. This may require prior extraction or encourage developers to retain the materials for use on site where there aren't viable quantities for commercial extraction.

The site is at the very edge of the safeguarded area protecting superficial sand and gravel. The application is supported by a Phase II minerals investigation. The bore holes dug and samples taken indicate an inconsistent presence of those aggregates, consistent with being at the edge of the safeguarded area. It is accepted that there are not economically viable quantities of aggregates on site to justify prior extraction, however the applicant may consider recovering materials excavated for use in the development, particularly in landscaping, ground raising or levelling. A condition is advocated by the Hampshire County Minerals consultation response, securing a strategy for extraction and re-use of minerals identified on the site. As excavations and either re-use or disposal of materials from site would occur in any event, it would not be an onerous requirement to invite the applicant to consider how they may be used or disposed of, which may have financial benefits.

Air Quality and Pollution

Local Plan policy CCC1 sets out the health and safety of communities should not be prejudiced by pollution or hazards, including air quality. The Council has also adopted an Air Quality in New Development SPD.

The scheme is supported by an Air Quality assessment. That report concludes the air quality in the area can safely support residential development without risk to human health, nor would the transport generated by the development and cumulatively with adjoining developments represent a risk in the future. The scheme will make provision to support sustainable forms of travel and installation of electric vehicle charging equipment to minimise any further impact on air quality.

A dust management plan as part of a Construction Management Plan would avoid excessive short term impacts during construction, a condition could be used to secure such a plan and is merited. Due to the size of the scheme it is likely to result in new residents being on site before all dust generating construction has been completed, it would also protect existing residents from such nuisance.

Infrastructure and Services.

Concerns raised by representations received regarding the increased pressure on existing infrastructure, services and facilities in the area is acknowledged. The scheme will make contributions towards improved highway infrastructure, improved recreational facilities, contribute towards education facilities locally. It will also be required to make a Community Infrastructure Levy payment.

There is no definitive evidence that the scheme needs to actively make provision of further facilities, or that existing facilities cannot accommodate the population increase.

The NPPF (Paragraph 30) sets out that development plans should set out the contributions expected from development including, amongst other things, health infrastructure. However, there is no Policy in the NFDC Local Plan which sets out an explicit expectation that a contribution should be made to local health facilities. Nonetheless, health service providers do have the option of bidding for Community Infrastructure Levy (CIL) funds where projects can be assessed against other proposed infrastructure projects for limited funds.

Renewable Energy and Climate Change SPD.

The Planning Statement supporting the application acknowledges that technology could be incorporated to minimise reliance on centralised sources of energy generation, such as solar PV, solar water heating or air source heat pumps. It also

advocates a fabric first approach to ensure the construction of the buildings themselves minimises the energy needs of the development from the outset. In the absence of adopted policies setting defined targets for energy from renewable sources and the outline nature of the application, it would not be possible to require further intervention. In any event the scheme would have to comply with the Governments current requirements for energy efficiency secured by the Building Regulations

During consideration of this application, the Council has adopted its Climate Change SPD. As this guidance document seeks to influence the design and layout of a scheme from its initial inception it does not applications already submitted. However, based on the outline nature of the application there are limited details to consider against its requirements. Any applications for the Reserved Matters of layout and design could undertake more detailed assessment against its guidance.
Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

Air Quality Monitoring:

Provision of £109 per dwelling based on final number of dwellings approved.

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation: Phased delivery of 4.12ha of publicly accessible ANRG, with arrangement for the future management and maintenance to be agreed.
- Provision of Non-Infrastructure Habitat Mitigation (Access Management and Monitoring) financial contribution appropriate to final housing mix. Currently:
£489.00 per 1 bed dwelling
£693.00 per 2 bed dwelling
£956.00 per 3 bed dwelling
£1,174.00 per 4 bed dwelling
- Provision of Bird Aware Solent financial contribution appropriate to final housing mix. Currently:
£465.00 per 1 bed dwelling
£671.00 per 2 bed dwelling
£875.00 per 3 bed dwelling
£1,029.00 per 4 bed dwelling

Highways:

- Provision of £1,500 per dwelling towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site WCHAR pedestrian paths and crossing improvements
- Provision of £315,811.00 towards pedestrian and cyclist improvements projects in Totton in accordance with HCC LCWIP.

Education:

- Provision of £4,369.00 per dwelling (excluding 1-bed dwellings) towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £24,356.00
- Biodiversity Net Gain on site monitoring: £10,450

- Public Open space on site monitoring: £13,726.00

Affordable Housing:

- Secure 35% (at least 69 dwellings) of the scheme as affordable housing in the adopted size and tenure mix.
- Secure phased provision.

Recreation

- Secure on site informal open space provision of 1.03ha
- Secure on site play area provision of 0.13ha
- Phased provision with arrangement for the future management and maintenance to be agreed.
- Provision of £398.00 per dwelling towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development;

As part of the development, subject to the final floorspace of the development and any relief being granted, 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			0	0	£80/sqm	£0.00 *

Subtotal:	£0.00
Relief:	£0.00
Total Payable:	£0.00

11 CONCLUSION / PLANNING BALANCE

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

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

As set out earlier in this report, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

The lack of a demonstrable five-year supply of land for housing development, consistent with the recent Orchard Gate appeal decision means, however, that the presumption in favour of sustainable development in NPPF paragraph 11(d) is

engaged for this application specifically the second limb which states permission should be granted unless:

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

As such this concluding part of the report will undertake the so called "tilted balance" required by paragraph 11d(ii) of the NPPF.

The adverse impacts identified are:

The principle of providing routes through and introducing residential activity could have a detrimental impact on ecological and arboricultural character and value of the Bog Plantation woodland and as such require ongoing active management to ensure safety of users.

However, these issues will be addressed in detail at the Reserved Matters Stage. Moreover, through the inclusion of the Bog Plantation in the Site Allocation it was always likely that these issues may arise given the closer proximity of new housing as out in the Local Plan Concept Masterplan.

These harms are to be weighed against the following benefits:

The scheme would have significant social benefits associated with it. The proposal is for new residential development of up to 196 dwellings which would make a very significant contribution to the housing land supply in the District of approximately six months supply.

Whilst the outline application does not present a final design strategy, the illustrative material does propose flats and houses, in a mix of sizes, creating a mixed and balanced community as well as giving a wide choice of housing options. Furthermore, it would provide a Policy HOU2 compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent

Successful implementation of the Local Plan, by ensuring allocated sites deliver suitable housing using land effectively, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

Although not in wealth generating or employment sectors prioritised by the development plan policies STR6 'Sustainable economic growth' and ECON1 'Employment land and development', the scheme would have short term significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home

The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It will also make provision of new sustainable travel infrastructure, both on and off site. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver new public open space close to existing residential areas, benefitting the wellbeing of existing residents as well as meeting the needs of occupiers of the development.

These extensive economic, environmental and social benefits contribute to the delivery of sustainable development as defined by NPPF paragraph 8 and will demonstrably outweigh the identified harms and the 'tilted balance' should further weigh in favour of approving this sustainable development.

Based on the parameter plans under consideration in this outline application the principle of the layout of the scheme would respect and retain the principal landscape setting including trees, preserve residential amenity, highway safety and designated heritage assets.

The proposal is considered to represent an optimal use of the site taking these and other material considerations into account. The proposal sets out a suitable range of built densities which reflects the need for effective use of land as a resource and the need for a wider range of residential typologies in light of the District's identified housing need.

Subject to conditions and S.106 obligations safe vehicular access to the site would be provided as well as multiple enhancements to improve options to travel by non-vehicular modes.

The proposal has received local objections that are not supported by the technical advice of consultees such as Hampshire County Council as Highway Authority and Lead Local Flood Risk Authority, Natural England and the Environment Agency. No substantive alternative evidence has been submitted to set aside the views of statutory consultees.

The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, this must be balanced against the allocation of the site in the Local Plan and the need to deliver new housing including an element of affordable housing and recognise that this application site is immediately adjacent to the existing edge of the urban area and is only one part of a larger site where significant change will occur.

The planning consideration undertaken at chapter 10, demonstrates that, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the scheme is in accordance with the development plan.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to offset such harm. Furthermore, an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. The scheme will protect important landscape features on and around the site, support ecology including protected species and deliver biodiversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. For the purposes of consideration of this application, the Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. In accordance with paragraph 11(d) of the NPPF the benefits of the proposal have been weighed against the identified harm.

There are no other material considerations or significant impacts that demonstrably outweigh the identified benefits and therefore this proposed development is recommended for permission.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure;

Air Quality Monitoring:

Provision of £109 per dwelling, total figure based on final number of dwellings approved.

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation: Phased delivery of 4.12ha of publicly accessible ANRG, with future transfer to a Management Company provision of a management plan including arrangements for the funding of the ANRG maintenance and a mechanism to ensure that the ANRGs maintained and managed in perpetuity should the management company fail to exist or fail to undertake the maintenance of the land in accordance with any management plan.
- Provision of Non-Infrastructure Habitat Mitigation (Access Management and Monitoring) financial contribution appropriate to final housing mix. Currently:
 - £489.00 per 1 bed dwelling
 - £693.00 per 2 bed dwelling
 - £956.00 per 3 bed dwelling
 - £1,174.00 per 4 bed dwelling
- Provision of Bird Aware Solent financial contribution appropriate to final housing mix. Currently:
 - £465.00 per 1 bed dwelling
 - £671.00 per 2 bed dwelling
 - £875.00 per 3 bed dwelling
 - £1,029.00 per 4 bed dwelling

Highways:

- Provision of £1,500 per dwelling towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site WCHAR pedestrian paths and crossing improvements
- Provision of £315,811.00 towards pedestrian and cyclist improvements projects in Totton in accordance with HCC LCWIP.
- Provision of residents travel plan.

Education:

- Provision of £4,369.00 per dwelling (excluding 1-bed dwellings) towards Primary age school infrastructure

Affordable Housing:

- Secure 35% (at least 69 dwellings) of the scheme as affordable housing in the adopted size and tenure mix.
- Secure phased provision.

Recreation

- Secure on site informal open space provision of 1.03ha
- Secure on site play area provision of 0.13ha
- Phased provision and transfer to management company, including arrangements for funding the maintenance and a mechanism to ensure that the POS is maintained in perpetuity should the management company fail to exist or fail to undertake the maintenance in accordance with any management plan.
- Provision of £398.00 per dwelling towards formal public open space towards the provision and maintenance of off site sports facilities to include one or more of the following:
MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development;

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £24,356.00
- Biodiversity Net Gain on site monitoring: £10,450
- Public Open space on site monitoring: £13,756.00

ii) the imposition of the conditions set out below.

Proposed Conditions:

1. Reserved matters timescales

The first application for the approval of Reserved Matters shall be made within a period of three years from the date of this permission. All subsequent Reserved Matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

2. Reserved Matters

Except for off site highway works secured to support this proposal, no development shall take place until approval of the details of the Appearance, Landscaping, Layout and Scale ("the reserved matters") has been obtained from the Local Planning Authority. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. Commencement time limits

The development shall be begun no later than two years from the final approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Approved Plans**

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

Site location plan DWG No.P001 rec'd 25/02/23
Cooks Lane Area 1 access ref:183744/G/005 rev C rec'd 03/08/23
Pauletts Lane Area 2 access ref:183744/G/006 rev D rec'd 03/08/23
Pauletts Lane Area 4 access ref:183744/G/008 rev D rec'd 03/08/23
Cooks Lane ped/cycle link ref:183744_G_009 rev A rec'd 15/12/23
Salisbury Road ped/cycle link ref:183744_G_010 rec'd 15/12/23

Reason: To ensure satisfactory provision of the development.

5. **Approved parameter plans.**

The Reserved Matters details to be submitted in accordance with conditions 1 & 2 shall be broadly in accordance with the Development Parameter Plans comprising:

Access Parameter Plan DWG No.P015 rev B rec'd 07/12/23
Built Framework Parameter Plan DWG No.P016 rev B rec'd 07/12/23
Landscape & Drainage Parameter Plan DWG No.P017 rev B rec'd
07/12/23

Indicative Proposed Site Sections DWG No.P005 rev C rec'd 07/12/23
Pauletts Lane Area 3 Indicative ped/cycle crossing ref:183744/SK06 rec'd
08/01/24

For the avoidance of doubt, the roads, footpaths and cycle routes shown on the Access parameter plan are for indicative illustrative purposes only and demonstrate the opportunities for connectivity.

Reason: To ensure satisfactory provision of the development.

6. **Phasing**

Prior to the commencement of development on site, a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG, POS and Foul Water Sewerage network upgrades will be provided to match the needs of occupation. The approved strategy shall then be implemented unless with prior written consent to any variation.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs and in accordance with Policies STR1, ENV1 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and CS7 of the New Forest District Core Strategy 2009.

7. **CMP**

Prior to the commencement of development on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures, site compound, delivery routes and storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.5 of this permission and in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

8. **CEMP**

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 plan shall include, but not be limited to, measures to provide:

- Protective fencing and buffering of the Bog Plantation and all retained hedgerows and trees;
- Dust control and minimisation
- Pollution prevention measures;
- Lighting control;
- Noise control and minimisation
- Vegetation removal under supervision / timing of works e.g. birds and dormice; and
- Methods to prevent badgers (and other mammals) getting trapped in excavations.

The agreed plan shall then be implemented and followed for the duration of

construction as appropriate to the nature of the works and impact.

Reason: In the interests of protecting sensitive features of nature conservation and in accordance with Policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM02 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

9. **Detailed drainage design.**

No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment and Surface Water Drainage Strategy V3, received 03/08/23, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- a. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- b. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events.
- c. The drainage features should have the same reference that the submitted drainage layout.
- d. Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The approved details shall then be implemented and no dwelling shall be occupied until such time as its surface water drainage is provided.

Reason: In order to ensure sufficient and appropriate surface water site drainage is provided to protect the site and surroundings from flood risk and in accordance with policies ENV3, CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

10. **Incidental mineral extraction**

Prior to commencement of the development hereby approved on site, the following details shall be submitted to and agreed in writing with the LPA, which may be included within a construction management plan or similar.

- g. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- a method to record the quantity of recovered mineral (re-use on site or off site) and to report this data to the MPA.

The development shall be carried out in accordance with the details so agreed.

Reason: In the interests of utilising any mineral deposits which could be used on the site as part of the construction works and in accordance with Local Plan Policies STR1 and STR9

11. **Archaeology**

Prior to the submission of any application for any matter reserved by condition no.2 a geophysical survey and associated interpretive report of the site marked for development by this Outline permission, shall be undertaken and submitted to and approved by the LPA.

In accordance with the findings of the geophysical survey a Written Scheme of Investigation for Trench Evaluation of the site marked for development shall be submitted to and approved by the LPA before trenched evaluation begins.

A Trench Evaluation report of the findings and any recommendations, including timetable for action to be taken, shall be submitted to and approved by the LPA and used to inform the design of any application submitted for the Reserved Matter of Layout and Landscape required by condition no.2 of this permission. The recommendations and timetable of the report shall then be implemented as approved.

Reason: In order to identify, document and assess the significance of any archaeological remains of features on the site and in accordance with DM1 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and NPPF.

12. **BNG**

Prior to the commencement of development, a strategy for the delivery of Biodiversity Net Gain and a Monitoring and Management Plan shall be submitted and approved in writing by the Local Planning Authority. It shall include:

- Methods for delivering an increase in existing site BNG in accordance with the most up to date Natural England bio-diversity metric;
- Responsibilities for delivering BNG
- Description of the habitats to be managed;
- Ecological trends and constraints on site that might influence management;
- Clear timed and measurable objectives in the short, medium and long-term for BNG - Detail objectives for all habitats (target condition) and define key indicators to measure success;
- Define appropriate management options and actions for achieving aims

- and objectives;
- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
- Preparation of a work schedule;
- Details for a formal review process when objectives are not fully reached;
- Key milestones for reviewing the monitoring;
- Establish a standard format for collection of monitoring data to make it repeatable and consistent;
- Identify and define set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.

The BNG monitoring report shall be produced by a suitably qualified and experienced ecologist and shall include the following for the target habitats:

- Credentials of the ecologist undertaking the monitoring
- Assessment of habitats against the objectives defined in the management plan;
- Any presence recorded of target species;
- Date stamped photos accompanied by detailed site notes on extent of growth and condition using indicators in the management plan with any other notes of interest;
- If the target species /habitat is not present, provide detailed site notes in factors that are / could hinder growth or establishment;
- Detailed specific recommendations (where appropriate) on management actions to promote growth /establishment of target species / habitats including timescales for undertaking actions and marked site plans to show the actions;
- Photographs from the fixed monitoring points detailed in the management plan using high quality images. The agreed methods of delivering BNG shall then be implemented in accordance with agreed timetable and thereafter managed and monitored as agreed.

Reason: In order to ensure appropriate delivery of bio-diversity net gain and in accordance with policies STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan part 2: Sites and DM policies 2014.

13. **Implement EclA.**

The recommendations and conclusions of the Environmental Impact Assessment received 14/07/22 shall be implemented and followed throughout implementation of the development hereby approved. No dwelling shall be occupied until a plan and schedule showing the location of the installation of the enhancement features proposed by chapter 7 of the EclA has been submitted and approved in writing. The plan and schedule shall then be implemented as agreed in advance of each respective dwelling being occupied. The installed features shall thereafter be retained.

Reason: In the interests of supporting ecology and mitigating the effect of development and in accordance with STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

14. **Ecological Enhancement Schedule**

Prior to the commencement of development above damp proof course, a monitoring schedule of the approved ecological enhancements measures, including their form and location, shall be submitted to the Local Planning Authority

Reason: In order to assist monitoring of the delivery of the approved ecological enhancements.

15. **Water Efficiency & Nitrate Neutrality**

The development hereby permitted shall not be occupied until:

A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

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

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

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

coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

16. Noise Assessment

Any application for the Reserved Matter of Layout shall be accompanied by a stage 2 Acoustic Design Statement, in accordance with ProPG Planning and Noise 2017, to demonstrate how internal and external noise levels for the development shall not exceed the designated minimum standards stated. The measures relied upon to achieve the standards shall thereafter be implemented alongside implementation of the development as approved.

Reason: In order to ensure sufficient amenity for residents in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

17. Ditch surveys

Prior to commencement of installation of the surface water drainage network as approved by condition No.8 of this decision, the condition of the ditch network, which will take surface water from the development site, should be investigated. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken in order to provide the drainage capacity included in the drainage design calculations and future resilience. Evidence of this, including photographs should be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved.

Reason: In the interests of ensuring the surface water drainage network on site is fit for purpose and minimise the risk of surface water flooding in the area and in accordance with policies ENV3 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

18. Drainage maintenance

Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;

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

The approved details shall then be implemented in accordance with the timescales included therein.

Reason: In order to ensure the surface water drainage infrastructure is maintained to minimise the risk of surface water flooding occurring and in accordance with policies ENV3 & CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

19. **Unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and work must cease on that phase of development. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in writing and submitted to and approved in writing by the Local Planning Authority before approved works can re-commence in that phase. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

20. **Housing Mix**

The open market dwellings to be delivered by the scheme shall accord with the following housing mix:

	<u>1&2 bed</u>	<u>3bed</u>	<u>4bed</u>
Open Market dwellings	30-35%	50-55%	5-15%

Reason: In order to ensure a variety of dwelling sizes to deliver a mixed and balanced community as required by policy HOU1 of the New Forest District Council Local Plan Part 1: Planning Strategy 2020

21. **Woodland Management**

Prior to first occupation of the development hereby approved, a woodland management plan for the Bog Plantation, as shown on the plans, shall be submitted to and approved in writing by the Local Planning Authority. It shall include a schedule of work for the protection and maintenance of the trees and timescales for those works and a program for renewal and replacement planting. The approved works shall then be implemented as approved in accordance with the timescales therein.

Reason: In order to ensure the long term management and protection of ecological and landscape value of the trees in accordance with policies ENV3 & ENV4 of the New Forest District Local Plan Part

22. Access completion

No dwelling hereby approved shall be occupied until the vehicular access serving its relevant 'Area' of development has been completed as shown in principle on the approved 'Access' plans.

Reason: To ensure safe access to the dwelling and in the interests of highway and pedestrian safety and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

23. Implementation of Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (by Vectos, version 3, ref 183744, received 03/08/2023) and the following mitigation measures it details in Section 5:

- Finished floor levels shall be set no lower than 150mm above the 1 in 100 year 40% climate change flood event or 150mm above ground level, whichever is higher.

Any reserved matters application required by condition 2 of this permission shall demonstrate that these finished floor levels have been incorporated in the detailed design of the scheme. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

24. Overland flow mitigation

Any submission of reserved matters applications as required by condition 2 of this permission shall include a scheme of mitigation measures to convey overland flood flows across the development without causing flood risk to property. This should also include the funding, management and future maintenance of these features for the life of the development.

The scheme shall be implemented in accordance with phasing arrangements to be submitted to and agreed in writing with the Local Planning Authority. The measures detailed shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons: To ensure the measures are integrated with the detailed design of the scheme and to reduce the risk of flooding to the proposed development and future occupants and to ensure that

there are no detrimental impacts to flood storage or flood flow routes

25. Pre-commencement site meeting

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V2.1 SGN 1: Monitoring tree protection.

Reason: In order to ensure tree protection measures secured by condition 7 are in place.

26. Sensitive lighting strategy

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
 - 1) Identify and take account dedicated bat roost features provided by the development; and
 - 2) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

27. Dormice re-survey

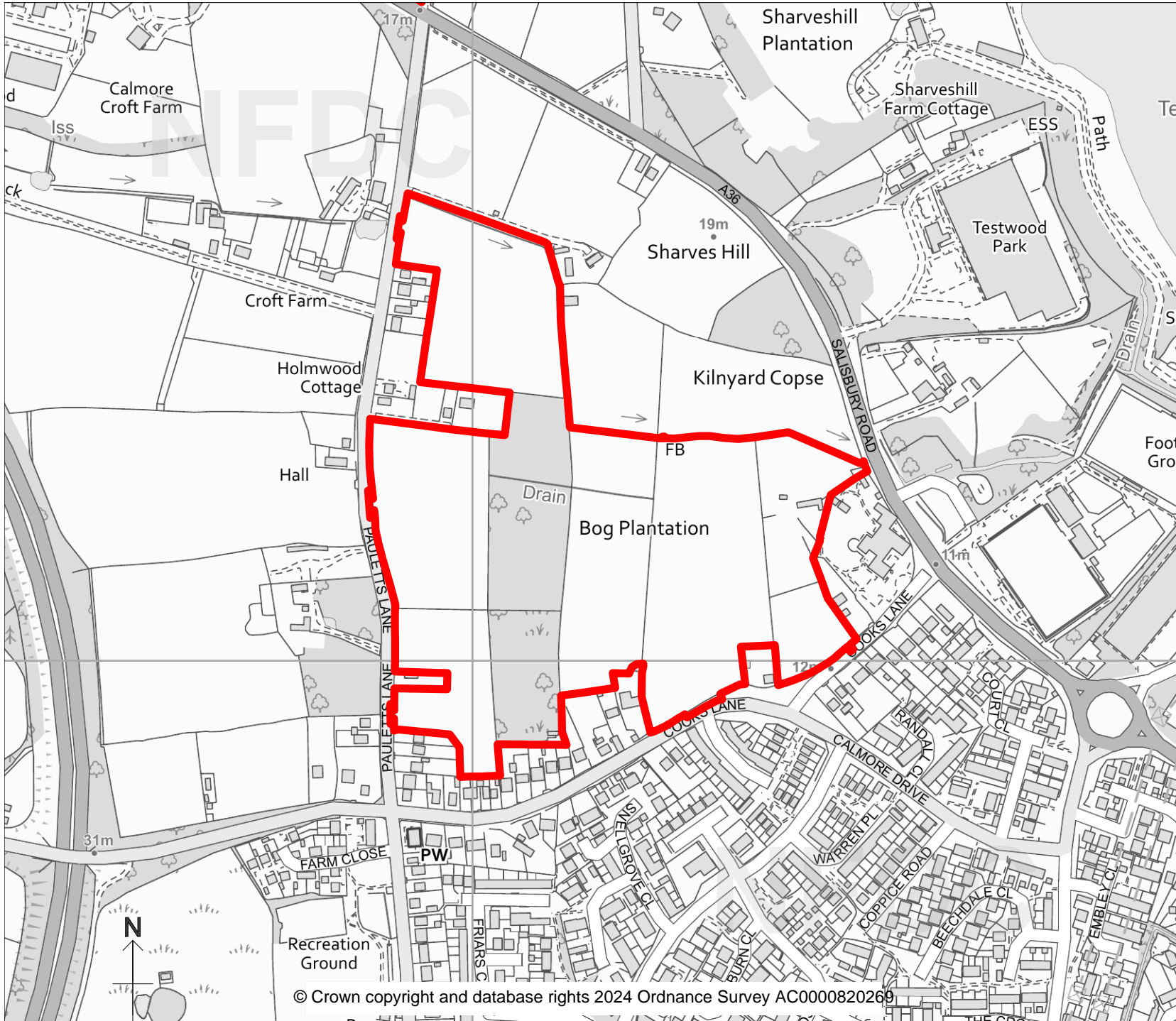
Prior to the commencement of any development hereby approved, including vegetation clearance on site, a revised survey of the site for the presence of Dormice shall be undertaken. The survey shall be undertaken by appropriately qualified personnel and the survey methodology, conclusions and any required mitigation shall be submitted to and approved in writing by the Local Planning Authority. The conclusion of the report and any agreed mitigation shall be carried out prior to vegetation removal and subsequent protection measures shall be incorporated in a CEMP required by condition 8 of this permission.

Reason: In the interests of preserving protected species. ,

Further Information:

James Gilfillan

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

November 2024

SS1 - Land North of
 Cooks Lane
 Totton
 22/10219

Scale 1:5000

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

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Planning Committee 13 November 2024

Application Number: 22/10854 Full Planning Permission
Site: LAND WEST OF HILL STREET, CALMORE, NETLEY
MARSH (PROPOSED LEGAL AGREEMENT)
Development: Construction of 60 dwellings; creation of two new accesses
from Hill Street, parking, landscaping, open space (including
ANRG) and associated works
Applicant: Bargate Homes Ltd and VIVID Housing Ltd
Agent: Pegasus Group
Target Date: 26/10/2022
Case Officer: James Gilfillan
Officer Recommendation: Service Manager - Grant
**Reason for Referral
to Committee:** Extension of time to complete S106 agreement

November 2024 Update to Planning Committee

1 Introduction

- 1.1 On the 8th November 2023 members of the Planning Committee resolved to support their officers recommendation to approve the proposed development, subject to securing a S.106 Legal Agreement and conditions.
- 1.2 The resolution proposed the S.106 would be completed by June 2024 and planning permission subsequently granted. It has not proved possible to meet that timescale, due to the time taken to resolve negotiations.
- 1.3 This update seeks the agreement of Planning Committee to extend the time period for completing the S.106 Legal Agreement and advise of other material matters that have arisen since the November 2023 planning committee resolution.
- 1.4 Updates relate to planning policies, consultations received, proposed plans and planning considerations.

2 Relevant Policies

- 2.1 In December 2023 a revised National Planning Policy Framework (NPPF) was published. The principal revision in that document was to remove the requirement for Councils to annually demonstrate their Housing Land Supply if their Local Plan was under 5 years old. The New Forest District Local Plan Part 1: Planning Strategy is under 5 years old, as such the inability of the Council to currently demonstrate a 5 year supply of land for housing does not trigger the presumption in favour of sustainable development. However, that only relates to applications received after the date this version of the NPPF was published. The application under consideration here was received in 2022, so the 'presumption in favour of sustainable development' continues to apply as set out in the report to members in November 2023.

- 2.2 More recently the new Government has issued a draft NPPF that would remove that scenario. Consultation on the draft has concluded, but the revised NPPF has not yet been published. In any event it reaffirms the importance of driving up the delivery of homes, the primacy of local decision making and a return to the importance of maintaining a 5 year supply of land for housing.
- 2.3 At a local level the Council has agreed to start preparation of a new Local Plan for the District, however this is currently only preparing initial evidence base scoping and has no substance to carry weight in decision making.

3 Consultation responses

- 3.1 Since the resolution to grant was taken, further Consultee responses have been received.
- 3.2 **Environment Agency.** No objection. In accordance with the recently published 2024 Strategic Flood Risk Assessment the site is not at risk of fluvial flooding.
- 3.3 **Southern Water.** No objection. A sufficient water supply is available to serve the development. Request a condition phasing delivery is imposed to allow foul water drainage to be enhanced in line with occupation of the development. They have also responded as owner of the adjacent Testwood Lakes Nature reserve, raising the same concerns about anti-social behaviour and recreational pressure being placed on the public open space as raised by the site operator, Hampshire and Isle of Wight Wildlife Trust.

4 Proposed Plans

- 4.1 Subsequent to the committee resolution to grant planning permission, the applicant has commenced preparation of technical construction drawings for the development. In doing so, they have identified a number of inconsistencies in their planning drawings and have submitted revised plans to rectify the errors. These changes are not material to the conclusions of the considerations presented below.

5 Planning considerations

- 5.1 Revisions to the NPPF do not materially alter the effect of its policies on consideration of this scheme, or the considerations and planning balance presented in November 2023.
- 5.2 Neither of the additional representations raise any issues not already considered by the report as presented in November 2023
- 5.3 The changes to the plans ensure accuracy across all plans and are not material to the conclusions of the considerations presented in November 2023.
- 5.4 The principal matter to be addressed via this update is to seek agreement of the Committee that the resolution still stands and they are content to delegate authority to the Head of Planning to grant permission subject to securing the S.106.

- 5.5 There have been no changes in Local Plan policy or circumstances since the application was originally considered by Planning Committee to require obligations to be added or removed from the S.106 Heads of Terms presented to Committee in November 2023. The following obligations all remain relevant to the proposed development and Planning, and are necessary to make the scheme acceptable. The financial contributions identified as subject to Retail Price Index increases have been amended.

6 Recommendation.

Delegated Authority be given to the Service Manager Development Management to **Grant Planning Permission** subject to:

- i. the completion of a planning obligation entered into by way of a Section 106 Agreement to secure:

Air Quality Monitoring contribution: £6,540

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.
Phased delivery of ANRG
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £51,024
- Bird Aware Solent: £47,354

Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

Education:

- Provision of £247,571 towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £847.00
- Affordable Housing Monitoring: £847.00
- Recreational Habitat Mitigation on site monitoring: £12,178
- Biodiversity Net Gain on site monitoring: £5,225
- Public Open space on site monitoring: £6,863

Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.
Secure phased provision.

Recreation

- Secure informal open space provision of 0.32ha
- Secure on site play area provision of 0.03ha
- Phased provision prior to occupation of penultimate dwelling and transfer to management company
- Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:

MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development.

and

ii. Conditions as set out in the November 2023 resolution below.

Original Report presented to November 2023 Planning Committee.

THE MAIN ISSUES

The issues are:

- A. The Principle of the Development
- B. Housing Mix and Affordable Housing
- C. Environmental Matters
 - i) Ecology and Protected Species
 - ii) Recreational Activity Impact on New Forest and Solent Habitats
 - iii) Nitrate Neutrality and Impact on the Solent Special Protection Area (SPA) and Special Area of Conservation (SAC).
 - iv) Recreational Activity Impact on Sites of Importance for Nature Conservation (SINC)
- D. Highways, Access, Vehicular Parking and Storage
- E. Built Design and Density, Landscape, Trees and Design of the ANRG
- F. Flood Risk and Drainage
- G. Heritage Assets
- H. Residential Amenity
- I. Public Open Space and Recreation
- J. Other Matters

2 SITE DESCRIPTION

The application site is made up of agricultural fields located to the north of Salisbury Road to the north of Totton, close to the north east edge of the District, in Netley Marsh Parish. It is a small portion of the Strategic Allocation SS1 'Land to the North of Totton', that covers a much larger area of land either side of the A36 Salisbury Road which extends south to the existing built-up areas of Calmore.

The site is enclosed by the roads of Salisbury Road and Hill Street to the south and east, a private residential property, The Hollies, to the north, Green Lane Farm and Bridleway to the west. It is grassed and used for animal grazing. There is a small barn structure close to Hill Street, approximately halfway along the length of the sites frontage to that road, where vehicle access is currently possible from Hill Street.

The land slopes gradually up to the north. There are mature trees and hedgerows along boundaries, many of the trees are protected by Preservation orders. A drainage ditch crosses the site flowing from west to east and is predicted to flood an area of the site eitherside of its route.

There are residential properties located sporadically along Hill Street. There is a Listed building, The Thatched Cottage, close to the north edge of the application site.

Beyond Hill Street to the east are fields and Testwood Lakes, an area of public open space, providing areas for nature conservation and recreation. A portion of the Testwood Lakes site is designated as a Site of Interest for Nature Conservation (SINC) and there is a gated pedestrian access from Hill Street, opposite the existing vehicle access to the application site, linking to paths throughout the Testwood Lakes site.

The area has a rural character owing to the dominance of agricultural uses, mature trees and very low density of the existing built form. However, the site falls within the defined built up area, as defined in the Local Plan which extended to accommodate the allocated strategic mixed-use site.

3 PROPOSED DEVELOPMENT

"Construction of 60 dwellings; creation of two new accesses from Hill Street, parking, landscaping, open space (including ANRG) and associated works."

The full application proposes to demolish existing agricultural buildings and structures and erect 60 dwellings on the site, laid out in two distinct parcels on the north and south side of the site. Two new vehicular accesses from Hill Street would serve the parcels respectively. An area of green infrastructure, comprising open space, play space and drainage attenuation pond would be located between the two development parcels. Paths for pedestrians and cyclists would cross this space, linking the two development parcels to routes off site.

The scheme consists of a mix of house types and sizes, comprising terraced, semi-detached and detached houses, flats and maisonettes.

2x1-bed flats
 13x2-bed flats
 11x2-bed houses
 25x3-bed house
 9x4-bed houses

An electricity substation and water pumping station have also been included in the design and layout of the scheme. Off site highway works are also proposed.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/10379 80 residential dwellings with associated alternative natural recreational greenspace (ANRG), public open space, landscaping, means of access and ancillary infrastructure (Screening Opinion) Strategic Site SS1	04/06/2021	EIA not required	Decided
Land North of the Hollies, Hill Street.			
22/10747. Development of 9 dwellings; open car ports, access, hard and soft landscaping and associated works			Under Consideration
Land North of Salisbury Road. (Bloor Homes)			
23/10268 Reserved Matters Application for the approval of appearance, landscaping, layout, and scale for 271 dwellings.			Under consideration

20/10997 Outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements, for the demolition of existing buildings and the residential (C3) development of the site with up to 280 dwellings.

16/01/23 Grant subject Decided. to S.106 and Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Strategic Site 1: Land to the north of Totton
Policy STR1: Achieving Sustainable Development
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR3: The strategy for locating new development
Policy STR4: The settlement hierarchy
Policy STR5: Meeting our housing needs
Policy STR8: Community services, Infrastructure and facilities
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy HOU1: Housing type, size, tenure and choice
Policy HOU2: Affordable housing
Policy IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy CCC1: Safe and healthy communities
Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM9: Green Infrastructure linkages

Local Plan Part 1: Core Strategy 2009 (Saved Policy)

CS7: Open spaces, sport and recreation

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Design of Waste Management Facilities in New Development
SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
Section 66 General duty as respects listed buildings in exercise of planning functions.

Relevant Advice

NPPF 2023
Planning Practice Guidance (website based resource)

Tree Preservation Order: 38/03/T 9

6 PARISH / TOWN COUNCIL COMMENTS

Netley Marsh Parish Council: Object due to the impact of the proposed accesses on the character and appearance of Hill Street, access should be via adjoining land from Salisbury Road and Hill Street is inappropriate for construction traffic. Also raise concern regarding the impact on Testwood Lakes a well used and valuable nature and recreation area.

Totton and Eling Town Council: Object to the impact of traffic generated by the development on highway safety along Hill Street and the demand on services and facilities in the local area.

7 COUNCILLOR COMMENTS

Cllr Tim Cook (Netley Marsh PC): Objects to the proposal due to the harmful impact on the character of Hill Street by construction vehicles and alterations proposed.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest District Council.

Conservation Officer: The scheme would erode the rural setting of two designated heritage assets, The Thatched Cottage and its Granary on Hill Street, amounting to Less than Substantial Harm. The preservation of heritage assets is a statutory requirement and great weight should be given to their preservation. The Less than Substantial Harm should be weighed against the public benefits of the scheme. The scheme would also have an impact on Non-designated heritage assets at Myrtle Cottage, Broadclyst Cottage and an old agricultural building at the Laurels, that harm should be considered in the planning balance. **Objection.**

Ecologist: The site is close to sensitive protected sites in the New Forest and Solent, the scheme would give rise to likely significant effects arising from recreational activities and the erosion of air and water quality with the potential to have an adverse impact on their integrity. Mitigation is available and should be secured. The scheme has identified an acceptable approach to delivering 10% BNG on site. An Environmental Mitigation and Management Plan has been provided. Conditions advocated. **No Objection.**

Environmental Health (Pollution): Noise - Accept conclusion of noise assessment that properties at the edge adjacent to Salisbury Road would require acoustic mitigation measures. CEMP condition advocated. Lighting condition advocated. **No Objection**

Environmental Health Contaminated Land: The site is not identified as being contaminated however advocates a condition is imposed should unexpected contamination be identified. **No Objection.**

Open Space Officer: Raises comments about the design and layout of the open spaces, the overlap between Public Open Space, Play and ANRG. Also comments on detailed aspects of the landscape design future management and integration with drainage scheme.

Strategic Housing: Support the scheme for delivering 35% affordable housing in an appropriate tenure mix but seeks a higher proportion of the provision to be 1-bed units.

Tree Officer: Two arboricultural reports support the application, one for on site trees and one for off site trees. Both fairly assess the quality of existing trees. The scheme proposes adequate replacement planting to offset the small number of trees to be removed. Specialist construction has been advocated for two sections of path that would avoid impact on rootzones. The layout and arrangement of the development would preserve the trees around the site and would not introduce any unsustainable building-tree relationships. Conditions are suggested. **No Objection.**

Urban Design: Whilst not meeting the low density intention of the local plan concept masterplan evolution, the proposed layout with large central greenspace is supported, however concerns are raised regarding the response of the proposed scheme to its context and failure to achieve a transition to the rural edges of the site. Building forms and elevations are not satisfactory, especially blocks of flats in the southern parcel, landscape design is not detailed enough to rely on a condition. **Objection** (this pre-dates amended plans).

Hampshire County Council.

Archaeologist: The scheme is supported by a desk based assessment, a geophysical survey and a trenched evaluation. The evaluation report captures the outcomes of this assessment and no further action is required. **No Objection**

Countryside Services: Identifies the development would lead to increased use and pressure on the Green Lane Bridleway adjoining the site, the lane needs improvement to be able to accommodate this demand and the proportionate financial contribution offered should be secured. **No Objection**

Education: As part of the strategic site the scheme would contribute to the cumulative impact of the entire allocation on the provision of education services locally. A proportionate financial contribution towards the provision of additional school places for primary years has been agreed and should be secured. **No Objection**

Highways: Safe and sufficient access has been provided to the application site. Alterations to Hill Street will improve passing opportunities and the safety of the lane satisfactorily for the vehicle movements generated by the development. Off site highway improvements to support sustainable forms of travel have been identified and should be secured. The scheme would not give rise to a material impact on the operation of the junction between Hill Street and the A36. The scheme would contribute to the cumulative harm caused by the entire allocation to the capacity of the junction of the A36/A326 southbound slip road, a proportionate financial contribution should be secured. Access for adjoining land to be serviced from Hill Street should be preserved by way of appropriate S.106 obligation. **No Objection.**

Lead Local Flood Risk Authority: Sufficient survey assessment and modelling of the identified flood risk has been undertaken and sufficient drainage attenuation and flood resilience secured to ensure the site and the development is safe. Conditions are proposed. **No Objection.**

Minerals and Waste Planning: No Objection

Others

Natural England: The scheme is likely to give rise to significant effects on designated sites in the New Forest and Solent, arising from recreational activity, degradation of air and water quality. Mitigation can avoid adverse impacts and should be secured. BNG and Environmental Mitigation should be secured, including details of a lighting strategy. The impact of additional use of Testwood Lakes nature reserve is recognised, but adequate solutions are identified by the supporting Ecological Appraisal. A condition seeking to ensure the surface water drainage scheme protects from a deterioration in water quality is requested. **No Objection**

Hampshire & Isle of Wight Wildlife Trust: Raise concerns that the supporting ecological appraisal has not fully assessed the potential impact on locally designated sites of interest for nature conservation and in particular the scheme will cause harm to nature conservation on their Testwood Lakes site. **Objection**

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Impact on the character and appearance of the area, especially creating new accesses
- Impact on highway and pedestrian safety, including cyclists and horse riders, especially as Hill Street does not have pavements
- Period of construction would compromise wildlife and nature conservation
- Not enough new planting being included in the scheme
- Loss of privacy
- Impact of additional visits to Testwood Lakes

- New housing is required
- Access to Testwood Lakes should be facilitated to reduce vehicle trips

For: 0

Against: 9

10 PLANNING ASSESSMENT

A. Principle of Development

The site falls within the built up area as defined by the proposals map. It is part of a larger site allocated for residential led development by Strategic Site policy SS1 (Land North of Totton), set out in full below:

Strategic Site 1: Land to the north of Totton

- iii. Land to the north of Totton, as shown on the Policies Map is allocated for residential-led mixed use development and open space and will comprise the following:
- At least 1,000 homes, dependent on the form, size and mix of housing provided.
 - A commercial core west of Pauletts Lane including around five hectares of land for business and employment uses.
 - A community focal point in a prominent location including ground floor premises suitable for community use.
 - Contributions to educational provision to include two hectares of land to be reserved for a primary school.
 - On-site provision of formal public open space.

- iv. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street and Pauletts Lane and a countryside edge to the New Forest National Park. Development will be required to:
- a. Create an integrated network of natural green spaces to frame development, using and enhancing important tree belts, hedgerows and woodland blocks (including Bog Plantation, Hatton's Plantation and Kilnyard Copse), and by making a positive feature of water courses, to connect new greenspace to existing footpaths and rights of way to Loperwood, Sharveshill Plantation, Wade Hill Drove and Testwood Lakes.
 - b. Set development behind the ridgeline on the northern and northwestern edges to maintain an open landscape and an appropriate westbound transition from urban Southampton to the countryside edge of the New Forest National Park.
 - c. Provide traffic calming and crossing points for the A36 (Salisbury Road) and creating a choice of vehicular routes including an alternative route west of Pauletts Lane between the A36 and Loperwood suitable for two-way traffic including buses, and an eastwest pedestrian and cycle route across Pauletts Lane.
- iii. Site-specific Considerations to be addressed include:
- a. The need for an agreed comprehensive development framework for the whole allocation to ensure the effective coordination between multiple land interests to deliver an integrated, whole-site approach to the provision of access, community facilities, open space and natural recreational greenspace for habitat mitigation.
 - b. Design and other appropriate measures to mitigate potential noise and air quality impacts from the M27/A31, A36 and the A326.
 - c. To assess the need for, and to provide where necessary, enhancements to the A326 and A36 junctions to provide safe vehicular access for the development.
 - d. The Grade II listed building Broadmoor Cottage, Pauletts Lane should be retained within an appropriate setting so that its significance can be appreciated.
 - e. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which would demonstrate that there will be no inappropriate development within Flood Zone 3b.

The application site is a relatively small part of the overall area subject to this policy. The concept masterplan supporting the policy in the Local Plan presents a very broad approach to the layout of development and open space across the wider site. That masterplan does not place the commercial core, employment land, community uses and land for education services on the land subject to this application. The lack of provision of such other uses by this application does not weigh against it.

When prepared the policy (criterion iii (a)) recognised a need for the multiple land ownership interests to come together and prepare a comprehensive development framework for the entire allocation in order to ensure delivery of an integrated, whole

site, approach to the provision of routes across it, the mix of uses and facilities and spread of green space. It has not been possible to secure such a development framework, however this should not and can not preclude consideration of applications, assessment on their merits and discharge of the duty of the Local Planning Authority to determine planning applications made to it.

In this case, the site is somewhat isolated from the wider strategic site due to its position on the eastern edge of the allocation and the presence of Salisbury Road, but has the benefit of principles established by the outline permission granted on the land to the north and west (Bloor Homes 20/10997).

The provision of 60 homes on this site contributes positively to the target of delivering at least 1000 homes from the entire allocation. Being within the defined built up area and on land allocated for housing led development, the principle of the development is acceptable and accords with policies STR3, STR4 and STR5, making a positive contribution to the successful implementation of the development plans approach to meeting its identified housing needs.

Principle of development benefits

The scheme would have significant benefits associated with it. The Council can not currently demonstrate it has a 5year supply of housing land available, it is therefore imperative that the sites allocated for housing are brought forward in order to ensure the supply of housing meets identified need in terms of annual delivery rates and overall supply.

In such circumstances, the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be afforded in the overall planning balance to the provision of new market and affordable housing. The proposal is for a new residential development of 60 dwellings which would make a significant contribution to the housing land supply in the District of approximately two months supply. For reference, detailed consideration of the proposed Housing Mix and Affordable Housing offer is set out in the next section of the Planning Assessment.

Furthermore successful implementation of the Local Plan, by ensuring allocated sites deliver, significantly reduces the pressure to accept less desirable and less sustainable countryside locations and windfall sites subject to non-residential designations that are not planned for. Significant weight is afforded to this benefit.

The scheme would have significant economic benefits during construction, involving extensive employment in a wide range of sectors across the construction industry. Construction workers bring spend into local shops and services, as in due course would residents of the scheme, as well as their use of services at home such as hairdressers, gardeners and decorators.

The scheme would have environmental benefits of delivering development on an allocated site in a sustainable location where local services and facilities can be accessed by modes of transport other than the private car. It would deliver modern housing built to the most up to date building regulations, providing energy efficiency and high levels of insulation.

The scheme would deliver social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as giving a wide choice. Furthermore it would provide a policy compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent.

These benefits contribute positively to the delivery of a sustainable development as required by the NPPF and towards complying with policy STR1 of the development plan. Further consideration of details below will assess compliance with relevant policies and other material considerations.

Environmental Impact Assessment (EIA)

The proposed scheme was subject to a request from the applicant for the Council to adopt a Screening Opinion of the EIA regulations 2017. In concluding that the scheme was not EIA development it was considered that the scheme is a schedule 2 (10) Infrastructure Project. However, it does not cross any of the thresholds for such a form of development. It is not in a sensitive area, but is close to habitats in the New Forest and Solent.

The proposed scheme is a small element of a much larger allocation of approximately 1000 homes. As such, the in-combination effects require consideration. At that time, based on the location of the site subject to the screening request and other permissions and applications before the Local Planning Authority, it is considered that the scheme would not give rise to such impacts alone or in combination to constitute EIA development. Identified and predictable impacts can be mitigated through existing district wide mitigation strategies secured by S.106 and CIL contributions, site specific solutions secured by conditions and the design and layout of the scheme.

B Housing mix and provision of affordable housing.

Local Plan Policies HOU1 and HOU2 seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A supporting table within the Local Plan (Figure 6.1 - below) sets out the need for different house types within the District.

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

Figure 6.1: Indicitive need for different sizes and tenures of home

The scheme makes provision for a mix of house sizes and types that would follow the range advocated by local plan figure 6.1 supporting policy HOU1. Positively it provides for a mix of house types, terraced, semi-detached, detached, flats and maisonettes. This supports a wide range of choices and costs within the market and housing needs.

Adopted policy HOU2 sets the targets for delivery of affordable housing Totton. In accordance with HOU2 i) the scheme is required to deliver 35% affordable housing, which the scheme does, by making 21 units available for affordable tenures. The provision is split 70:30 between 'affordable' (affordable rent and social rent) rent and affordable home ownership. The affordable rental properties would be split 50:50 between affordable and social rent in accordance with HOU2 criterion iii) and that provision is split 70:30 between rent and affordable ownership. This would be secured by a S.106 legal agreement.

Figure 6.1 supporting HOU1 also seeks to set out the combination of tenure and unit size. Whilst the Council's Strategic Housing team would prefer to see a higher number of 1 bed units, the table included in the development plan combines need for 1 and 2 bed units as a single category, therefore it would not be possible to require a higher percentage of 1-bed units specifically

The following table sets out the proposed housing mix.

Tenure	1-bed	2-bed	3-bed	4-bed
Affordable Rent	2	5	0	1
Social Rent	0	7	0	0
Affordable Home Ownership	0	4	2	0
Market	0	12	19	8

The tenure and size mix is sufficiently close to the broad principles of the identified housing needs that it would not undermine the benefit of providing affordable housing, nor would it result in the scheme being unacceptable.

As such, the scheme would deliver social benefits of providing housing, in a mix of housing types and sizes, creating a mixed and balanced community as well as giving a wide choice. Furthermore, it would provide a policy compliant level of 35% of the housing as affordable housing, with the appropriate mix of Shared Ownership, Affordable and Social Rent.

Therefore, subject to a s106 planning obligation securing the proposed affordable housing in perpetuity, the proposal accords with Local Plan Policies HOU1 and HOU2.

C. Environmental Issues

Ecology and Protected Species

There are no protected or sensitive habitats on the site, which is predominately improved and semi-improved grassland. There are areas of dense scrub, species poor hedgerows and mature trees. There is also a slow flowing drainage ditch crossing the southern portion of the site.

Based on records of the presence of species within 2km of the site and the nature of the habitats identified on the site, the supporting Ecological Appraisal indicates that the site has the potential to support Newts, Reptiles, Dormice, breeding birds and bats. The Councils Ecologist accepts that the survey and analysis captures all necessary ecological designations close to the site with the potential for to be effected.

There are no species present on site that would restrict the design, layout or principle of the development, but further surveys and implementation of mitigation measures identified in an Environmental Mitigation and Management Plan are required. This plan includes proposals to add bat tubes and bricks, log piles, dormice nest boxes, integrated swift bricks, insect hotels and hedgehog highways between gardens and open spaces. A suitably worded condition is imposed to ensure these measures are delivered.

Concerns are raised that bats inhabiting the area could be disturbed by inappropriate lighting, a detailed lighting strategy to minimise night time glare is secured by condition.

As described in the assessment of Landscape, all of the important mature trees would be retained, the existing ditch across the site and the majority of hedgerows around the boundaries would be retained, preserving their contribution to supporting biodiversity and the ecological baseline. A landscape strategy has been provided in support of the scheme, revised to address comments from the Environment Design Officer. The Environmental Mitigation and Management Plan also identifies a range of species to reinforce the hedgerows, water tolerant species to take advantage of SUDS features and wildflowers to enhance semi-improved grasslands on the site, that will need to be incorporated by the final landscape design. The NFDC Ecologist is content with these proposals and reliance on conditions to ensure delivery. A condition securing a schedule of provision to assist with monitoring is also included.

Biodiversity Net Gain

The application is supported by a Biodiversity Metric Assessment'. The report sets out that the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures.

The Council's Ecologist is satisfied that there is sufficient BNG within the site to address its own policy requirements seeking a 10% gain. This will be subject to further monitoring and management of the BNG over a 30-year period. A set of ecological conditions are suggested to deal with BNG matters including a landscape and ecological management plan (LEMP) setting out exactly how ecology will be managed over a minimum 30-year period. This will be a linked document taking in all landscaped areas outside gardens and including all existing and new trees.

A financial contribution towards monitoring long term performance of BNG will be included in the S106 legal agreement. Long-term management of the BNG is a matter likely to be addressed by a management company which will need to be set up for the management of this aspect as well as public open spaces and drainage infrastructure.

The NFDC Ecologist is satisfied that the BNG metric reasonably reflects what is achievable on site. However, as the final landscape scheme will be subject to agreement by way of a condition, a further condition demonstrating that 10% BNG is still achieved would be reasonable.

Recreational activity impact on New Forest and Solent Habitats

Policy ENV1 of the Local Plan requires developments proposing more than 50 dwellings to make provision for ANRG on site as part of the proposed scheme. The policy expects 8Ha of ANRG to be provided per 1000 residents.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other

developments, have an adverse effect due to the recreational impacts on the European sites.

Such adverse impacts would be avoided by provision of 1.3ha of Alternative Natural Recreational Greenspace (ANRG) on the site as part of the design and layout of the scheme, in accordance with ENV1 and the design requirements of the Mitigation Strategy SPD.

Based on the Housing Mix (see Section B of the Planning Assessment), the proposed 60 homes generate a need for at least 1.3ha of ANRG. The proposed scheme delivers on-site ANRG, compliant with the policy requirements. There is a qualitative aspect to the design of the ANRG, this is discussed below in consideration of Landscape design. In principle the scheme can provide a sufficient quantity of ANRG to meet the policy requirements.

Furthermore, the applicant will enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy towards the costs of providing Access Management and Monitoring.

The applicant will also agree to provide the financial contribution towards protecting Solent sites from recreational pressure, in accordance with the Bird Aware Solent strategy which will also be secured through a Section 106 legal agreement.

Nitrate neutrality and impact on the Solent SPA and SACs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied.

These adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development.

A Grampian style condition has been agreed with the applicant and is attached to this consent.

Recreational Activity on Sites of Interest for Nature Conservation (SINC)

The site is close to the SINC at Testwood Lakes, a local nature conservation designation. This area of habitat does not share the same protection as the European Designated sites across the New Forest National Park and Solent. The operator of the open space at Testwood Lakes, Hampshire and Isle of Wight Wildlife Trust (HIWWT) and members of the public have raised concerns about the potential for impact on nature conservation. The site at Testwood Lakes provides two roles, providing for a range of recreational activities, formal and informal on lakes and walks throughout the open space, as well as improved ecological habitats and nature conservation education.

As a result of increased use over recent years, additional pressure has been placed on management of the site and greater occurrence of anti-social behaviour and damage has been reported. The HIWWT are concerned that residential development on the application site will result in increased trips to Testwood Lakes due to the presence of an existing footpath access from Hill Street opposite the application site.

Those existing paths pass through areas of the site where the priority is supporting Nature Conservation and recreation activities are not encouraged.

The ecological appraisal supporting the application assesses the potential for impacts to occur, identifying that the recreation opportunities are limited and visitors are directed to the southern part of the site, with the north area restricted for school education and bird watching. The appraisal concludes the ANRG and Public Open Space provided by the application scheme would provide an attractive source of informal recreation for residents of the scheme, which would also become a network of spaces with that provided on adjoining development sites in due course.

It is likely that the unacceptable behaviour of the minority of visitors to Testwood Lakes causes the damage raised in representations received, such behaviour and damage is difficult to plan for, mitigate or allege would occur as a result of this development.

There is nothing about the proposed development that would place unreasonable restrictions on the operation of Testwood Lakes Nature Reserve, nor have a significant adverse effect that in accordance with the 'agent of change' mitigation would be required before the development has been completed.

As an area of Public Open Space it would be inappropriate to prevent access from the application site to Testwood Lakes via the existing footpath from Hill Street, this would result in additional vehicle trips to the main entrance from Brunel Road and would be counter to the concept master plan for SS1 actively promoting the opportunity.

The experience of problems has not been surveyed, or analysed for consideration of mitigation and renewed management of the Testwood site to demonstrate that the scheme would give rise to unacceptable impacts to nature conservation to justify departing from the approach captured by the development plan and ensuring a network of green infrastructure to support the wellbeing of residents making use of designated open space.

Subject to conditions and obligations secured by a S.106 agreement, the scheme would mitigate impacts on sensitive protected habitats off-site in the New Forest and Solent. On site ecology can be preserved and enhanced. The scheme would comply with Policies ENV1 and DM2 contributing to the delivery of a sustainable development in accordance with policy STR1.

D. Highway Design, Access, Vehicular Parking and Storage

Access to the site is currently restricted to a single point along Hill Street and a gate in the north boundary from The Hollies which is a private residential property adjoining the site. Both would be blocked to vehicle traffic by the proposed scheme.

The site has frontage to both Hill Street and Salisbury Road. The frontage to Salisbury Road is relatively short and any attempts to form a vehicular access directly from it could likely conflict with the bus stop and the existing Hill Street, Green Lane and Pauletts Lane junctions.

The concept masterplan suggests several development parcels along Hill Street, that could only take access from Hill Street. Furthermore, an access from Salisbury Road could likely only be able to serve the southern development parcel. The principle of the approach to taking access to the site from Hill Street is entirely appropriate. For reference, the Concept Masterplan does not set out any indicative primary access points for the residential land parcels north of the A36 Salisbury Road.

The scheme proposes to form two new vehicular accesses from Hill Street to serve the two proposed development parcels. Both accesses can be formed with minimal impact on the hedgeline and trees along Hill Street, whilst providing adequate visibility in both directions along Hill Street. Highway safety would be maintained as the hedgeline is set sufficiently far back from the edge of the existing carriageway that it would not need removal to achieve the required visibility.

Recognising that Hill Street is narrow and does not readily allow larger vehicles to pass, the scheme proposes works within the adopted highway to improve carriageway width as far as the southern access and form three passing positions further up the road to the north as far as the north access. This can be achieved within the extent of the adopted highway. This is considered to be a benefit to existing users and meets the needs of the development whilst ensuring the rural landscape character is preserved.

Within the site, it has been demonstrated to the satisfaction of Hampshire County Council Highways Officers that sufficient visibility and manoeuvring space is achieved to preserve highway and pedestrian safety. Swept path tracking plans for a variety of larger vehicles such as emergency vehicles, refuse wagons and home shopping vans have been provided demonstrating these vehicles can safely navigate the layout of the site, turn on site and enter and exit in a forward gear. Tracking plans demonstrate that a refuse vehicle can pass a van on Hill Street have also been provided. A condition can be used to ensure these enhancements are delivered in a timely manner.

In supporting the scheme the Hampshire County Council Officer has accepted that Road Safety Audits have been undertaken for internal and additional highway works satisfactorily addressing their comments at this stage. All works subject to a S.278 'Works in the Highway' assessment would require a stage 2 Road Safety Audit, securing the safety of the detailed design.

The additional vehicle movements that the scheme would generate would not have a detrimental impact on the capacity or safety of the junction between Hill Street and Salisbury Road. Trip distribution and growth scenarios have been modelled and accepted by Hampshire County Council Highway Officers and demonstrate sufficient capacity in the surrounding roads and junctions to accommodate flows.

The scheme is predicted to give rise to an increase of 33 two way AM peak hour trips and 34 two way PM peak hour trips. Based on the design of the scheme with its two accesses, the majority of these trips would be on the southern section of Hill Street only, where the improvements in carriageway width and passing would be secured

It should also be noted that the consented Bloor Homes scheme (20/10997) introduces a roundabout junction on Salisbury Road and proposes to change the speed limit along Salisbury Road. Coupled with pedestrian refuges and crossings of Salisbury Road the perception of Salisbury Road as a high-speed road could be reduced. All of which could reduce speeds past the junction between Hill Street and Salisbury Road, potentially improving highway accessibility and safety in the area.

The scheme would contribute to the overall growth in vehicle movements generated by the wider allocation, to the extent that harm would be caused to the free flow of traffic and safety of the junction between the A326 and A36. A proportionate financial contribution of £90,000 is proposed to be secured to contribute to a project designed to signalise the junction to preserve safety and efficient flow of vehicles through this junction.

The scheme proposes a north-south route through the green space on site for pedestrians and cyclists that would minimise the need for residents and visitors to walk along Hill Street, this would also be available to existing residents and their visitors, and will in time connect to off-site routes through the remainder of the strategic site allocation that will provide safe routes to Totton and facilities in Calmore local centre, as well as safe and attractive routes for informal recreation and dog walking.

Off-site works to improve facilities for pedestrians and cyclists in the area and to support access to bus facilities have been proposed. A shared pedestrian and cycleway would exit the southern corner of the site and extend alongside Salisbury Road to access the existing eastbound bus stop. An uncontrolled crossing with a refuge would provide improved access to the west bound bus stop and link to an improved pedestrian cycleway following Salisbury Road towards the Calmore roundabout, the link to the new ALDI and the football club. The works on the south side of Salisbury Road and the access to the bus stop match those already secured by the 'Bloor Homes' scheme (20/10997).

However these improvements are required to make this scheme acceptable in planning terms so will be secured appropriately through a S.106 planning obligation. These offsite improvements will contribute positively to supporting active travel and sustainable modes of travel.

The Hampshire Highways Officer advocates an obligation is secured by the S.106 legal agreement ensuring vehicular and pedestrian access for development of the adjoining land to the west of the site is made available.

In addition the scheme is required to make a proportionate financial contribution of £27,000.00 towards making improvements to the surface treatment of Green Lane bridleway that lies immediately adjacent to the west edge of the site and extends around the north of The Hollies to the north. This improvement is required due to the additional pressure placed on it by the new residents living on this and adjoining sites. It would make the route more accessible to existing users and residents of this and adjoining developments within the strategic allocation site. A direct link on to the bridleway would be provided that would allow pedestrians and cyclists to access new open space on adjoining developments

Representations received have raised concerns regarding the impact of construction vehicles on the safety and character of Hill Street. A suitable condition securing a Construction Management Plan is therefore attached in order to ensure the impact of delivery and construction vehicles on highway safety along Hill Street is minimised. The applicant has already shared initial details with Officers, proposing that all construction vehicles should enter the southern access and service a compound in the centre of the site. That access point would benefit from the increase width of Hill Street from its junction with Salisbury Road. Suitable conditions could secure these opening up works to be an early phase of implementation.

Due to the size of the two development parcels, the layout has not resulted in long sections of straight roads, or roads that aren't fronted by residential properties, as

such motorists would not be encouraged to speed. Shared surface designs would be included at the end of cul-de-sacs where the volume of traffic and speeds would be very low.

Vehicular Parking

A mix of on plot and courtyard parking would be provided to meet the parking needs of the development.

The scheme requires 133 spaces to be in accordance with the adopted parking standards SPD Table 1 (Residential Car Parking Standards) , recognising the combination of on plot, allocated spaces and unallocated courtyard spaces. The scheme provides those 133 spaces, however the on site provision and distribution does not accurately meet the ratios required by the SPD. There being a combined shortfall of 7.5 spaces for 15 of the 3bed houses. Those 3bed houses being provided with 2 parking spaces in contrast to the 2.5 spaces required by the SPD.

Sufficient communal parking spaces are provided in the two proposed parking courtyards for the number and size of the properties they will serve. However in order to provide each property with access to an Electric Vehicle Charging point it is intended to allocate one space to each property. The nine x 2-bed flats on the southern edge of the site would have access to 14 parking spaces. Nine of which would be allocated for EV charging, leaving five communal spaces. Similarly the six houses and two flats in the north east corner, would have use of 13 parking spaces. Eight would be allocated with EV charging leaving five shared spaces.

Ten visitor parking spaces have been provided on street and in parking courtyards throughout the site.

Notwithstanding the parking shortfall on the 3-bed dwelling element the overall arrangement is considered to be acceptable and is a consequence of the 2.5 space per dwelling average provision for 3-bed units and a desire to support more sustainable forms of travel.

Storage

All houses have been provided with a bike store or garage large enough to store bikes. The flatted blocks have communal stores incorporated into their design, thereby ensuring support for active sustainable travel and reducing reliance on the private car.

Bin storage is shown on the proposed plans. The houses would have storage space in rear gardens, where access to the gardens is across driveways. A service strip between parking spaces in which to move a wheeled bin has also been included, thereby minimising potential conflict between neighbours.

The flats have communal storage built in to the design and layout of the buildings, ensuring the larger sized bins required for the volume of waste generated from the combined flats do not dominate the public realm or conflict with parking and manoeuvring space. Tracking plans demonstrate refuse wagons can service those bins stores.

The scheme has carefully balanced the need to provide appropriate and safe access whilst preserving the character and appearance of Hill Street. Being able to widen the road and provide passing bays, without significant impact on the landscape verges is a significant benefit to highway safety of all users. Similarly whilst the vehicular access points will require the loss of some hedgerow, that is limited to the

openings themselves and the distinctive landscape edge to the road would not be lost to provide visibility splays. Subject to suitable conditions and a legal agreement, the scheme would preserve highway safety and secure benefits for cyclists and pedestrians and would contribute to delivering safe and sustainable travel in accordance with policy CCC2 and the accessibility expectations of SS1.

E. Built Design and Density, Landscape, Trees and Design of the ANRG

The site is currently open fields largely used as paddock grazing. There are some small stable like stores and structures proposed for demolition to facilitate the proposed development. They are not of any historic or visual significance to justify retention or to resist their loss.

Local Plan Policy Strategic Site 1 (Land to the north of Totton) sets out the aim of the policy is:

"to create a well-designed and integrated extension to Totton whilst maintaining the rural character of Hill Street".

Local Plan Policy ENV3 (Design quality and local distinctiveness) sets out that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to address specific design criteria (i) to (vii).

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

At this time the site is visually slightly dislocated from Totton as intervening parcels of SS1 have not brought forward or secured planning permission.

However, as the site forms part of the wider allocation there is no fundamental reason to resist its development on this basis, nor is it expected to be dislocated in the long term.

Site Layout and Housing Design.

The Concept Masterplan in the Local Plan for SS1 indicatively identifies this parcel as being appropriate for built form development. That plan assumed a wide degree of comprehensiveness between different parcels, and indicatively considered a greater extent of built form could be delivered on the application site.

The scheme proposes to contain the built form in two distinct development parcels separated by a large area of greenspace between them. This results in a notably less imposing impact on the character of Hill Street compared to the indicative approach of the Concept Masterplan. The principle of this is supported by the Councils Environment Design Officer.

In order to maintain the landscape edge of Hill Street and its rural character, the development does not front any built form or individual driveways directly onto Hill Street. A terrace of four houses and a pair of maisonettes are positioned close to Hill Street in the north east corner of the site. These will be behind the existing hedgerow so retain that strong landscape character along Hill Street.

Houses would be orientated to engage with the roads on entering the site ensuring the appropriate arrangement of interaction, enclosure and surveillance of the streets, without impacting on the character of Hill Street.

Due to the size of the site, the roads through it are relatively short, and as such the layout is quite organic.

There is a variety of dwelling types; flats, terraces, semi-detached and detached houses and this ensures a variety in plot form and appearance.

Where appropriate views along roads are terminated by built form, to enclose the vista. However, those roads that approach the central greenspace allow the green space to fill the vista to give a sense of openness within the scheme.

Detached houses are arranged around the edge of the greenspace, on both its north and south side, presenting a low-density townscape, with individual plots, framed and fronted by landscape setting. This would ensure an appropriate interaction with the open space for passive surveillance, but without dominating the character of the open space and achieve transition to increased built densities beyond.

In a similar fashion, the development along the north-west edge of the site, where it engages with the treed corridor along Green Lane, would reduce in the scale and intensity of built form, with detached houses, wider gaps between properties and landscape setting.

In the southern parcel the density would be higher due to the inclusion of three storey blocks of flats and pairs of maisonettes. The buildings have been successfully redesigned in response to consultation responses to incorporate the additional accommodation within the roof forms and a vertical emphasis and design hierarchy. The single flat plan depth ensures those buildings are attractive and in scale with the houses making up the majority of the site and would not present a bulky built form that would be out of character with the setting.

In all cases, properties have front gardens and whilst cars will be visible in streetscenes, they are very much obscured on drives between properties and do not sit prominently between the footway and front elevations. These front gardens are large enough to make a positive contribution to the character and appearance of the site, but too small to be used for parking.

Garages and carports are used throughout to create enclosure to link some buildings to maintain frontage to streets. Similarly walls enclose rear gardens and parking areas to provide a more attractive and robust edge to the development.

Whilst there is a suite of house types repeated throughout the layout, many of the houses have been specifically amended to incorporate features to ensure they are visually attractive within their setting. Most notable are those houses at corners, where additional bay windows or the position of front doors and articulation on building footprints, has been specifically designed to engage with and enhance streetscenes and the public realm, responding to criticism raised by the NFDC Environment Design Officer. These changes will ensure delivery of an attractive place to be and positive environment for residents and their visitors.

There is a consistency in the architectural style and materials throughout the site. The elevational designs for the affordable units are considered to be indistinguishable in the wider streetscene and within the site.

The design of many of the proposed houses respond positively to the Forest Cottage style houses that are characteristic of Hill Street. The proposal incorporates similar roof forms, with chimneys materials, detailing and proportions.

Whilst the principle of a terrace of houses, as designed in the north east corner, plots 5-8 and the two maisonettes, units 9 and 10, could be acceptable, concerns of the Environment Design Officer have not been readily addressed by revised plans. Addition of chimneys to this terrace adds a positive detail, but it is the plan depth and size of the gable that compromises the design. The block of maisonettes has smaller scale roof form, with rear gable, and shallower side gables, in part obscuring the deeper gable of the adjoining terrace. This outstanding matter is not considered to fundamentally undermine the acceptability of the design and layout of the scheme.

Three of the detached properties facing on to the central greenspace replicate a barn like form, with low eaves, cropped gables, timber materials and pseudo barn doors. These houses are detached and positioned where they are more prominent from the open space and would be an acceptable alternative reflecting the largely rural setting of the area.

The layout retains sufficient space for tree planting in streets, parking courtyards and rear gardens. Due to the extent of tree coverage around the edges of the site and opportunity throughout the central greenspace for additional trees to bolster existing setting, there does not need to be rows of new trees planted in rear gardens that could conflict with residential amenity and compromise retention.

The electricity substation proposed for the southern plot would reflect the design and appearance of the garages proposed, so as to sit comfortably in the streetscene. The sewage pump station would be contained within a wall enclosure and positioned close to the west edge of the site, where it would contribute to limiting the extent of built form that would be readily visible from Salisbury Road across the adjoining land, dominating the boundary.

Built Density

The Local Plan Strategic Site 1 Policy states the site shall deliver a minimum of 1000 dwellings. Whilst the Local Plan sets out a concept masterplan there is no policy impediment to any strategic site delivering more than the minimum provided other policies particularly in relation to design and development quality are fulfilled as required by ENV3.

Set alongside Local Plan policies there is Government advice as set out in the National Planning Policy Framework (2023). In particular alongside other requirements such as Section 12 (achieving well designed places), there is the advice in section 5 and section 11 on delivering a sufficient supply of homes and making effective use of land including appropriate densities.

The Government urges Planning Authorities to ensure that developments make optimal use of land and avoid homes being built at low densities (NPPF, Paragraph 125) particularly given that such land constitutes a finite resource, and where there is a stated shortfall in available housing land. NFDC has such a shortfall – 3.07 years against a target of 5 years supply. The NPPF seeks to significantly boost the supply of new homes and encourages Councils, at para.124, to make efficient use of land available for development, taking in to account need for different types of housing, local market conditions and viability, the desirability of maintaining an area's prevailing character and the importance of securing well designed, attractive and healthy places.

In this case the density of the developable site when excluding open space, non-residential land and roads equates to around 22 dwellings per hectare (dph) overall. This built density is below what government policy aspires to as making best use of land but is considered justified here where the application site is located on the edge of the allocation site and alongside Hill Street which, as outlined, has a notable sylvan character.

This scheme should be considered to provide a well designed and attractive and healthy place to live, that would preserve the character of Hill Street, carefully manage the change desired by allocation of the site for development, deliver a viable development that secures policy compliant level of affordable housing and a wide choice of housing. It would therefore make efficient use of the site. This weighs significantly in favour of the scheme.

The layout, design and appearance of the scheme has evolved as far as the applicant is willing in response to criticisms of the original design, improving streetscenes, the design of individual corner houses, the flats and landscape setting. The character of Hill Street would be retained and the scheme would deliver a well designed attractive place to live all of which would outweigh the remaining minor concerns about plots 5-8. Overall the scheme would comply with design criteria of policy SS1, ENV3 and contribute to a sustainable development in accordance with STR1.

Landscape impact and Trees

Due to the historic use as grazing paddocks the notable landscape features are around the edge of the site, predominately along Hill Street and Green Lane bridleway. The centre of the site is open improved grassland paddocks and there is no evidence of hedgerows being present on site historically defining field boundaries. There is a ditch crossing the southern part of the site, falling in an eastern direction towards the ditch along Hill Street.

A Tree Preservation Order protects a number of these trees. All of the important mature trees around the site would be retained and preserved by the development, maintaining sufficient space to preserve their contribution to the landscape quality and rural character of the area.

The scheme is supported by an Arboricultural appraisal. The NFDC Arboricultural Officer agrees with the classification and assessment of the quality and status of the trees on site. That appraisal identifies that 2 of the 40 identified trees on site would need to be removed to facilitate the improved pedestrian access to the bus stop. Categorized as 'C' the Arboricultural Officer accepts their removal and recognises that the new tree planting shown would significantly outweigh the loss.

The appraisal also considers the potential impact of works proposed along Hill Street and Salisbury Road on trees off the site. One category C Hazel tree is proposed for removal where works to provide a pedestrian crossing of Hill Street is proposed. Whilst noting works in the highway could be undertaken by the Highway Authority without recourse to the considerations of the Planning Authority, the Arboricultural Officer is content that subject to securing appropriate construction techniques by condition, where works fall within rootzones, no unacceptable harm would be caused to the trees by those works.

The soft edge to Hill Street consisting of trees and hedgerows would be largely preserved. The two new accesses would require removal of sections of hedgerow and a low quality group of trees. However sporadic access drives and field gates are a feature of the area and the extent of hedgerow removal would not fundamentally

undermine the character of Hill Street.

The approach taken to the layout of the development with the large central greenspace materially minimises the erosion of the rural character. Rather than viewing built form along the length of Hill Street, the size of the gap between the two development parcels preserves the far reaching views across much of the site to Hattons Plantation and the line of trees following Green Lane bridleway and the perception of spaciousness and depth to the site

It is acknowledged that whilst the new access points would open views of new built form, rather than open fields or the minimal existing built form, a balance has to be struck between meeting the expectations of allocating the land for housing, the benefits of delivering that housing and the positive consequences of laying the development out as described above.

A further benefit of the proposed site layout is the contribution to the character of Hill Street that new trees planted in the greenspace would have. Rather than being obscured by the new built form, they would be visible from Hill Street and present an attractive setting for the development.

The ANRG allows the opportunity for large growing tree specimens to be planted, including Oak, Beech, Lime and Pine trees. Trees throughout the built form, street trees and garden trees would include Acer, Alder, Birch, Rowan. These would enhance the site and setting of the development. Two trees are proposed for removal and the scheme proposes 112 new trees throughout the greenspace, streets and rear gardens.

The larger three storey blocks of flats are proposed adjacent to Salisbury Road, this would have a greater impact on views of the site and the existing landscape setting of the road, that the finer grain and smaller sized of properties along Hill Street. It would still be possible to retain the boundary and off site landscape, along with the trees on the opposite side of Salisbury Road would limit the impact of the change.

It is an inevitable consequence of the allocation of the site and surrounding land that the character of Salisbury Road will change, most notably as a result of the roundabout access proposed to the adjacent site. It is considered that the position of the flats would not unduly urbanise the road, and the dominance of landscape along the roadside would remain a predominant feature.

The ditch across the southern part of the site, is a relatively minor part of the site's landscape appearance, however it would be enhanced by being restored and brought in to use as part of the drainage strategy and would be an attractive feature of the proposed landscape.

ANRG Design

Sufficient space is provided for provision of the quantitative aspect of ANRG. It does however have a qualitative requirement.

Whilst new trees would be planted within the ANRG, the principal appearance would be of an open field, with a variety of path options. The layout of the site with the central greenspace provides the dimension requirements of a main space with a radius of 60m. Adjoining openspace on either side of the site, the ANRG would not be enclosed by built form on all sides, enhancing the sense of openness. Footpaths would provide opportunities for a circular walk on site, with direct links into the residential areas, as well as off site paths, most notably Green Lane Bridleway that would be enhanced as a result of this application and provide links to open space on

adjoining developments, enhancing the length of circular walks, key to diverting pressure from sensitive new forest habitats.

Due to the comparatively modest size of the scheme, it is not required to form any secondary ANRG spaces. However as described it would be possible in time to link to other ANRG that is expected to come forward on other development parcels north of Salisbury Road within Strategic Site 1 without crossing any roads.

The detailed design and future maintenance and management of the ANRG would be subject to a S.106 obligation requiring details and arrangements for a management company to be formed, an approach taken to all strategic Sites and would resolve comments of the NFDC Open Space Officer.

Subject to conditions the scheme preserves the health and wellbeing of existing important landscape features and due to its layout would strike a successful balance between implementing the local plan whilst maintaining the rural character of Hill Street. It would provide sufficient ANRG space, laid out and landscaped to positively integrate with the scheme and surrounding landscape to the benefit of residents and the protection of sensitive habitats in the New Forest. The scheme complies with requirements of policy STR1, ENV1, ENV3 and ENV4.

F. Flood Risk and Drainage

There is a ditch crossing the southern portion of the site, this provides drainage from the site, flowing in an eastern direction off site towards Testwood Lake and the river Test beyond. The site is not included in the Environment Agency's existing flood risk areas, taking into account climate change there is an risk of fluvial flooding to occur on site over the lifetime of the development.

The ditch is also a source for surface water flooding during high rainfall events. That flood risk follows the route of the ditch, crossing the site towards Green Lane Farm. There is also a pipe across the southern portion of the site taking highway storm water. That pipe has collapsed and requires replacement as that degraded state contributes to the surface water flood experienced on site.

In order to support the drainage needs of the development, the existing ditches, culverts and highway pipe would be cleaned and replaced, enhancing flood resilience of the area, secured as part of a condition relating to the overall site drainage strategy.

On site ground conditions have not been fully analysed for percolation rates, however high water tables have been identified during geological surveys, and as such designing a scheme of soakaway tanks have not been pursued.

Instead the surface water drainage solution proposes to make use of the existing drainage ditch to dispose of surface water, considered to be an equally viable sustainable solution to drainage. In order to maintain existing greenfield run off rates, surface water would be captured and stored in an attenuation lagoon in the central greenspace, or held back by interceptors. Water flows out of this lagoon and the drainage network would be controlled to avoid inundation of the existing watercourse. The calculations that have been provided to demonstrate that the capacity of the lagoon will be sufficient has been made to the satisfaction of the Hampshire County Council Flood Risk Officers.

Due to the existing risk of fluvial flood risk, a small area of the existing ground levels on the southern side of the ditch would be raised to protect the houses from flood risk. This ground raising has been compensated for by an equivalent area of land

being available to flood on the north side of the ditch. This is entirely reasonable and would direct any flood events away from the residential properties, a more vulnerable use, and preserve natural flooding to occur. Conditions will be imposed to ensure works are complete and finished floor levels achieved to maintain flood resilience.

Whilst surface water run-off from residential roofs and roads has low pollution risks, in accordance with the concerns raised by Natural England, the drainage scheme would include pollution control measures as a result of percolation through gravel and geo-textile sub-base and natural settlement and absorption by vegetation in the attenuation lagoon, thereby ensuring water quality is preserved in accordance with guidance.

A scheme of management and maintenance of the drainage network on site would be secured as part of the S.106 legal agreement obligation securing operation of a management company for all of the open spaces and infrastructure on the site.

The measures described would adequately manage on site drainage and flood risk, minimising the likelihood of any impacts down stream and by way of improvements to the existing highway drain crossing the site from the Salisbury Road, would reduce flood risks. This could contribute to the delivery of a sustainable development and accord with Local Plan policy CCC1 and sustainable drainage expectations of the NPPF.

G. Heritage Assets

There are no designated or non-designated Heritage Assets on the site. Nor does it fall within, adjacent to or the setting of a Conservation Area. The consultation response from the NFDC Conservation Officer considered that less than substantial harm would be caused to designated heritage assets.

The Listed Buildings and Conservation Area Act 1990 requires Local Planning Authorities (LPA's) to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. The NPPF para.199 requires LPA's to place great weight on the conservation of heritage assets. Local Plan Policy DM1 places a similar onus on the preservation of all heritage assets, i.e. should harm be identified, the more important the asset, the greater the weight against the development should be.

There are designated and non-designated heritage assets in the area that are potentially affected by the Policy SS1 specifically identifies presence of a listed building within the allocation, to the south of this site on Pauletts Lane. However this and others in the wider area are too far away to be related to the site or affected by its development.

The heritage assets that are close enough to the application site to be considered in line with local and national guidance are outside the allocated site on the eastern side of Hill Street.

The designated heritage assets are Grade II listed buildings at:

- The Thatch, a residential property,
- The Granary, an outbuilding at the same property; and
- Little Testwood House an office building to the south east of the site on Salisbury Road.

It is considered that the integrity, fabric, special qualities and setting of the latter would not be affected by the proposals due to the separation distance, intervening

open space and mature landscape therein.

The Thatch and Granary reside on the same plot, in excess of 75m from the application site, set back from Hill Street in mature grounds and beyond several existing properties along Hill Street. The application is supported by a Heritage Asset Statement that assesses its significance, evolution of its relationship with the surroundings and the application site.

The integrity of the built form and fabric of the Thatch and Granary listed buildings would not be affected by the proposals, as would their existing plot and relationship together. The relationship of the proposals with the Listed Buildings would be limited to the introduction of built form along Hill Street and the minor change in the experience of passing along that road to arrive at the Listed Buildings. .

The relationship of the Listed Building to the agricultural activities in the area has long since been separated and there is no visual connection between the Listed Building and the proposed houses, in which they would be viewed together. The minor increase in built form visible from Hill Street in front of the Listed Buildings would it is considered not unduly dominate the street scene to harm its setting thereby preserving its significance.

In contrast with the conclusion of the NFDC Conservation Officer, it is presented here that there would be no harm to designated heritage assets and the scheme would preserve their significance.

The Heritage Asset Statement considers other buildings along Hill Street to be non-designated heritage assets (NDHA). Those with a direct relationship to the application site are:

Myrtle cottage;
Agricultural outbuilding at the Laurels
Broadclyst Cottage.

These buildings are much closer to the development site, located opposite the site and the houses proposed for the north corner. Their relationship with the site is much as that of the Listed Building, benefiting from the rural setting, the change to which would be more readily perceived due to the proximity and visual relationship.

However, that impact would it is considered be minor harm and has more relevance to the change in character of the area in principle than their heritage value. There would be no change to the landscape edge of the road north of the proposed northern access, the important trees at the front of The Hollies would be unaffected and the design of the proposed houses opposite would respect that of these NDHA's

One further property along Hill Street close to the application site, Pippins, is also considered to be a NDHA. However, it is located almost 200m east of Hill Street, in its own setting of fields and mature trees. As with those further along Hill Street the impact would be to the overall character of the area, rather than the significance of the heritage asset.

There is high desirability for preserving the setting, special architectural features and historic interest of the listed buildings close to the site. By avoiding any impact on those features the significance of the designated heritage assets close to the site would be preserved as required by S.66 of the Listed Building Act, the NPPF and DM1. In accordance with para 203 of the NPPF the very minor impact on the significance of the NDHA's should be taken into account. However a balanced judgement should have suitable regard to the scale of the harm and the significance

of the asset. In this case the harm is very minor so should only make a very minor contribution against the scheme.

The potential for the site to contain archaeological features or remains has been extensively considered by desk top surveys, site samples and trenched investigations, all undertaken to the satisfaction of the Council's Archaeologist. The conclusions of which do not require any further intervention.

H. Residential Amenity

There are few residential properties in the area, mainly located sporadically on the opposite side of Hill Street. In addition there are two properties within the wider SS1 allocation that neighbour the site at Green Farm to the west and The Hollies to the north.

There would be no direct shading, dominance or loss of outlook of the existing residential properties along Hill Street due to the separation distances and layout of the scheme in relation to those properties.

The privacy of residents of Hill Street would be preserved except for Pippins Lodge, that would be visible from houses within the north development parcel. Plots 29 and 30 would have views towards the roadside garden, however the angle of the views and distance of 22 and 30m to the boundary would largely preserve their privacy, however the scheme provides space for a scale of new trees that would further minimise the potential impact.

The amenity of the occupiers of Green Farm, to the west, would be preserved, as none of the proposed houses would be located close enough to have an impact.

The house to the north known as The Hollies has its principal elevation facing the application site. The scheme proposes five houses backing on to this boundary, however only 3 are likely to have an impact on the amenity of the neighbour. The houses are set far enough from the boundary to avoid any shading or dominance detrimental to residential amenity. Rear gardens in excess of 10m, coupled with additional planting along the boundary and the size and layout of the rear garden for The Hollies would ensure privacy of the occupiers is preserved.

Within the site, the layout secures sufficient sized gardens and back-to-back distances to preserve the amenity between residents and a normal arrangement of mutual overlooking would occur between neighbouring properties.

The houses would all be provided with gardens capable of meeting their private amenity needs. Some of the flats would be provided with their own gardens. The two blocks of flats would not be readily served by shared grounds but would have Juliet balconies making a very positive contribution to the internal amenity of the flats and close access to the open space on site.

The properties on the southern parcel, have the potential to suffer disturbance from the noise of vehicles travelling along the A36 Salisbury Road. The blocks of flats have been located in that position to provide a degree of screening for the rest of the houses. A noise assessment has been provided to support the scheme which indicates the properties in the flats should have acoustic mitigation incorporated into the fabric of the building and especially the windows. The Council's Environmental Health Officer has considered this impact and accepts the findings and suggests a condition to ensure mitigation is secured to ensure appropriate internal amenity.

The Environmental Health Officer requests a condition is imposed securing details of external lighting to ensure it would not undermine the amenity of residents. Such a condition is not merited for this residential scheme that does not require intense or extensive lighting, out of the ordinary for such a scheme.

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

I. Public Open Space and Recreation

The scheme is required to make provision of public open space to meet the needs of the future site residents in line with Local Plan requirements. In addition to the ANRG, provision is made for on-site provision of informal open space, play provision and off-site formal recreation.

The housing mix requires a total of 0.56ha of public open space. Based on the requirements of saved Local Plan Policy CS7 "Open spaces, sport and recreation" the need consists of:

- Play Space - 0.03ha
- Informal Open Space - 0.32ha
- Formal Open Space - 0.2ha

The scheme accommodates the quantitative requirements for play and informal open space on site. The informal open space is distributed throughout the site, not just part of the central greenspace, thereby contributing to an attractive setting and routes through the residential areas. Two areas of play have been identified within the central greenspace. These should be suitably equipped to cater for the needs of different age groups and managed slightly differently with respect to their interaction with the wider ANRG space. A condition would be imposed seeking play strategy details and will overcome comments raised by the NFDC Open Spaces Officer.

These open spaces would be accessible to the wider public, who would benefit from the network of paths through this and adjoining sites, the open space and play provision on provided in the area that will result in an attractive place for informal recreation on the doorstep of residents positively enhancing the residential environment and minimise the desire for regular trips to the sensitive habitats in the New Forest.

The central greenspace includes a drainage attenuation lagoon. This is not expected to have water in it all the time and the banks around the edge would not be so severe to prevent access and use as informal recreation space, however it is not relied upon to achieve the quantitative requirements of open space. It could provide an attractive feature within the landscape and an opportunity for a diverse mix of wildlife and plant due to the wetter ground conditions it is likely to give rise to.

The concept masterplan encourages development of this site to make provision to allow residents access to Testwood Lakes Nature Reserve, an area of public open space to the east of the site. The proposed scheme does not rely on that site to meet its open space needs. There is an access for pedestrians to Testwood Lakes from Hill Street opposite the existing vehicular access to the application site. That access from the application site would be narrowed for pedestrian use and would allow residents to access the paths and facilities in Testwood Lakes on foot. Designated as an area of Public Open Space by the development plan it is entirely appropriate to support use of this existing facility for informal recreation uses by all residents.

Concerns raised by representations received regarding the impact of anti-social behaviour on the nature conservation and recreation objectives of Testwood Lakes are acknowledged but are an existing social problem and there is no evidence to suggest residents of the scheme would specifically give rise to increases in their occurrence.

Whilst the operator, Hampshire & Isle of Wight Wildlife Trust, would prefer to manage visits through the existing vehicle access and car park off Brunel Road, it would be somewhat perverse to prevent pedestrian access from the scheme to an existing pedestrian route and direct residents to drive to an access 1 mile away.

The scheme is required to provide 0.2ha of formal open space. In this case policy SS1 requires provision of formal facilities within the allocated site. Whilst this site is not large enough on its own to be able to make comprehensive provision, it can make a proportionate financial contribution towards the provision of a multi-use games area and a cricket pitch, identified as appropriate by para.9.47 of the Local Plan and Infrastructure Delivery Plan, this would be secured by a S.106 legal agreement.

Along with the contribution towards improving the adjacent Green Lane bridleway, the recreation and amenity needs of residents would be met by the design and layout of the scheme. Conditions and legal agreement obligations can ensure appropriate quality of landscape, path construction and play equipment is secured, maintained and monitored. The combination of the spaces and facilities provided will contribute to the delivery of an attractive place to live and recreate that meets the policy requirements, the amenity and wellbeing of residents, preserves sensitive New Forest habitats and delivery of a sustainable development.

As such, subject to suitable conditions and a planning obligation, the proposal provides suitable on-site public open space and makes suitable off-site contributions towards off-site formal provision in line with the requirements of Local Plan Policy SS1 criterion (i) fourth bullet point and Local Plan Policy CS7.

J. Other matters

New Forest Habitats Air Quality

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations.

Given the uncertainties in present data, a contribution to be secured through a S.106 agreement 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.

Land Contamination

Due to the historic use of the site for agriculture there is a small risk of the ground being contaminated. A precautionary condition managing identification of unexpected contamination during construction has been proposed by the NFDC Environmental Health Officer and is attached accordingly.

Education

As part of the wider SS1 allocation, the scheme would give rise to numbers of school age children that could not be accommodated in existing schools, despite the capacity identified across the wider Totton network of schools. A proportionate financial contribution of £247,571.00 would be secured by a S.106 legal Agreement, to be used to provide additional primary age school places. There is sufficient capacity in Secondary age schools, that no impact requiring mitigation would occur.

Minerals Safeguarding

Hampshire County Council as Minerals Planning Authority do not believe the site to be underlain by viable mineral resources and therefore have no objection.

Air Quality and Pollution

The scheme is supported by an Air Quality assessment. That report concludes the air quality in the area can safely support residential development without risk to human health, nor would the transport generated by the development and cumulatively with adjoining developments represent a risk in the future. The scheme will make provision to support sustainable forms of travel and installation of electric vehicle charging equipment to minimise any further impact on air quality.

A dust management plan as part of a Construction Management Plan would avoid excessive short term impacts during construction, a condition could be used to secure such a plan and is merited due to the size of the scheme likely to result in new residents being on site before all dust generating construction has been completed, it would also protect existing residents from such nuisance.

Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

Heads of terms

Air Quality Monitoring contribution: £6,180

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.
Phased delivery of ANRG
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £49,678
- Bird Aware Solent: £45,892

Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.

- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

Education:

- Provision of £247,571 towards Primary age school infrastructure

Monitoring Charges:

- Recreational Habitat Mitigation Commencement Checks: £808.00
- Affordable Housing Monitoring: £808.00
- Recreational Habitat Mitigation on site monitoring: £11,608
- Biodiversity Net Gain on site monitoring: £4,980
- Public Open space on site monitoring: £6,542

Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.
Secure phased provision.

Recreation

- Secure informal open space provision of 0.32ha
- Secure on site play area provision of 0.03ha
- Phased provision prior to occupation of penultimate dwelling and transfer to management company
- Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:
MUGA Sports pitches in wider SS1;
Cricket pitch within locality of Totton;
Other off site sports facilities within the vicinity of the development;

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	4574.9	0	4574.9	4574.9	£80/sqm	£499,719.65 *
Social Housing	1792	0	1792	1792	£80/sqm	£195,741.46 *
			0	0		£0.00 *

Subtotal:	£695,461.11
Relief:	£183,059.69
Total Payable:	£499,719.65

11 CONCLUSION / PLANNING BALANCE

The site is allocated for mixed use development by Policy SS1 of the Local Plan Part 1: Planning Strategy. The principle of development is therefore in accordance with strategic policies STR3, STR4 and STR5.

The proposal has received local objections that are not supported by the technical advice of consultees such as the Highway Authority, Natural England and Lead Local Flood Risk Authority. No substantive alternative evidence has been submitted to set aside the views of statutory consultees. The development of part of this allocated site will undoubtedly change and have an urbanising impact on the local character, but this must be balanced against the allocation of the site and the need to deliver new housing including an element of affordable housing.

It would make a positive contribution towards successful implementation of the development plan and meeting the housing needs of the District. The mix of house types, styles and especially the policy compliant 35% provision of affordable housing, accords with Local Plan policies HOU1 and HOU2, is a significant benefit and should be given great weight in favour of the scheme.

The design, layout and appearance of the scheme would positively integrate with the landscape setting, preserve residential amenity, highway safety and designated heritage assets.

Minor harm would arise to two non-designated heritage assets, however such a minor impact should attract very little weight against the scheme in the overall planning balance.

The Council has carried out an Appropriate Assessment under the Habitat Regulations (as amended) at this stage and concluded that the impact of additional Nitrogen entering the Solent will cause harm but that a scheme of mitigation can be brought forward to neutralise such harm. Furthermore an Appropriate Assessment of the recreational impacts demonstrates harm would occur to protected habitats in the New Forest and Solent, but that mitigation is delivered on site and by obligations in the S.106 legal agreement. Protect important landscape features on and around the site, support ecology and deliver bio-diversity net gain.

The scheme has economic, environmental and social benefits that, along with compliance with the development plan, would secure a sustainable development. The Council cannot demonstrate it has a 5 year supply of land for housing therefore the NPPF directs a presumption in favour of sustainable development. There are no significant impacts that demonstrably outweigh the identified benefits and therefore this sustainable development is recommended for approval.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion, by June 2024 of a planning obligation entered into by way of a Section 106 Agreement to secure:

Air Quality Monitoring contribution: £6,180

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation Provision of 1.3ha of publicly accessible ANRG, with future transfer to Management Co. provision of management plan.
- Phased delivery of ANRG
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £49,678
- Bird Aware Solent: £45,892

Highways:

- Provision of £90,000 towards A326/A31 southbound off slip junction capacity improvement project.
- Provision of off site highway, bus stop and crossing improvements
- Provision of £27,000 towards Green Lane Bridleway improvement project
- Ensure vehicular access to adjoining land for development is not prevented

Education:

- Provision of £247,571 towards Primary age school infrastructure

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Affordable Housing:

- Secure 21 units in the proposed housing and tenure mix.
- Secure phased provision.

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- Secure informal open space provision of 0.32ha
- Secure on site play area provision of 0.03ha
- Phased provision prior to occupation of penultimate dwelling and transfer to management company
- Provision of £23,880 towards formal public open space towards the provision and maintenance of offsite sports facilities to include one or more of the following:
 - MUGA Sports pitches in wider SS1;
 - Cricket pitch within locality of Totton;
- Other off site sports facilities within the vicinity of the development;

the imposition of the conditions set out below.

Proposed Conditions:

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

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

2. **Approved Plans**

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

Site Location Plan	Ref: 21.014.001 P2 rec'd 27/06/23
Topographical Survey	HGP 21.014.002 P1 rec'd 20/07/22
Proposed Layout – Roof	Ref:21.014.100 P8 rec'd 29/02/24
Proposed Ground Layout	Ref: 21.014.101 P11 rec'd 29/02/24
Proposed Boundary Finishes	Ref: 21.014.105 P6 rec'd 29/02/24
North Parcel – Block Plan	Ref: 21.014.110 P6 rec'd 29/02/24
North Parcel – Streetscenes A-B	Ref: 21.014.111 P3 rec'd 27/06/23
North Parcel – Streetscenes C-E	Ref: 21.014.112 P4 rec'd 29/02/24
South Parcel - Block Plan	Ref: 21.014.113 P6 rec'd 29/02/24
South Parcel – Streetscenes F-G	Ref: 21.014.114 P4 rec'd 27/06/23
South Parcel – Streetscenes H-K	Ref: 21.014.115 P4 rec'd 27/06/23
Maisonette Block 1 Affordable	Ref: 21.014.500 P2 rec'd 27/06/23
Apartment Block 1 Affordable	Ref: 21.014.501 P8 rec'd 27/06/23
Apartment Block 2 Affordable	Ref: 21.014.502 P8 rec'd 27/06/23
House Type 1 Affordable	Ref: 21.014.503 P2 rec'd 27/06/23
House Type 1 Affordable Handed	Ref: 21.014.504 P2 rec'd 27/06/23
House Type 2 Affordable	Ref: 21.014.505 P2 rec'd 27/06/23
House Type 2 Affordable Handed	Ref: 21.014.506 P1 rec'd 27/06/23
House Type 3 Affordable	Ref: 21.014.507 P4 rec'd 27/06/23
Maisonette Block 2 Private	Ref: 21.014.508 P7 rec'd 27/06/23
Maisonette Block 2 Private Handed	Ref: 21.014.509 P7 rec'd 27/06/23
House Type 1 Private	Ref: 21.014.510 P4 rec'd 27/06/23
House Type 1 Private Handed	21.014.511 P4 rec'd 27/06/23
House Type 2 Private	21.014.512 P4 rec'd 27/06/23
House Type 2 Private Handed	Ref: 21.014.513 P5 rec'd 28/07/23
House Type 2 Private Bay Variation	Ref: 21.014.514 P4 rec'd 27/06/23

House Type 2 Private Bay Variation Handed	Ref: 21.014.515 P4 rec'd 27/06/23
House Type 3 Private	Ref: 21.014.516 P4 rec'd 27/06/23
House Type 3 Private Handed	Ref: 21.014.517 P4 rec'd 27/06/23
House Type 3 Private Bay Variation	Ref: 21.014.518 P4 rec'd 27/06/23
House Type 3 Private Bay Variation Handed	Ref: 21.014.519 P4 rec'd 27/06/23
House Type 3 Private Side Garden	Ref: 21.014.520 P4 rec'd 27/06/23
House Type 3 Private Side Garden Handed	Ref: 21.014.521 P4 rec'd 27/06/23
House Type 4 Private	Ref: 21.014.522 P4 rec'd 27/06/23
House Type 4 Private Handed	Ref: 21.014.523 P4 rec'd 27/06/23
House Type 5 Private	Ref: 21.014.524 P4 rec'd 27/06/23
House Type 5 Private Handed	Ref: 21.014.525 P4 rec'd 27/06/23
House Type 6 Private	Ref: 21.014.526 P4 rec'd 27/06/23
House Type 6 Private Handed	Ref: 21.014.527 P4 rec'd 27/06/23
House Type 7 Private	Ref: 21.014.528 P5 rec'd 27/06/23
Garages	Ref: 21.014.215 P6 rec'd 28/07/23
Outbuildings and Garages	Ref: 21.014.216 P5 rec'd 28/07/23
Materials Palette Character Area 1	Ref: 21.014.250 P4 rec'd 29/02/24
Materials Palette Character Area 2	Ref: 21.014.251 P5 rec'd 29/02/24
Materials Palette Character Area 3	Ref: 21.014.252 P4 rec'd 29/02/24
Engineering Layout, Road Dimensions, Visibility Splays	Ref: 6717-MJA-SWXX-DR-C-001 P8 rec'd 29/02/24
Proposed Road & House FFLs	Ref:6717-MJA-SW-XX-DR-C-002 P8 rec'd 29/02/24
Drainage Strategy Layout	Ref :6717-MJA-SW-XX-DR-C-003 P15 rec'd 29/02/24
Internal Visibility Splays	Ref: 6717-MJA-SW-XX-DR-C-510 P5 rec'd 29/02/24

Tree Protection Plan	Ref: 21042-11 rec'd 27/06/23
Landscape Strategy Plan	Ref: DD481L01 G rec'd 27/06/23
ANRG-POS Plan	Ref: DD481L02 I rec'd 27/06/23
Pond Section	Ref: DD481L04 A rec'd 03/08/23

Reason: To ensure satisfactory provision of the development.

3. Phasing

Prior to the commencement of development on site a plan and strategy for the phased delivery of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. It shall demonstrate how the scheme will be delivered and proportionate delivery of ANRG and POS will be provided to match the needs of occupation. The approved strategy shall then be implemented unless with prior written consent to any variation.

Reason: In order to ensure timely and appropriate delivery of the development and to ensure it meets the recreation and habitat mitigation needs and in accordance with Policies STR1 & ENV1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and CS7 of the New Forest District Core Strategy 2009.

4. CMP

Prior to the commencement of development on site a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include, but not limited to, the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures, site compound, delivery routes and storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control

The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction. The development shall only be carried out in accordance with the CMP so approved.

Reason: In the interests of highway, pedestrian safety and residents amenity and to reflect the phased requirements of condition No.3 of this permission and in accordance with CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

5. Southern access and Hill St widening first works.

The first works to be undertaken pursuant to this planning permission shall be to form the southern access from the adopted highway as shown on the plans hereby approved. No foundation excavations shall be undertaken on site until the carriageway widening on Hill Street, up to the junction with the southern access, shown in principle on MJA Consulting plan 'Hill Street General Arrangement' ref:617-MJA-SW-XX-DR-C-602 rev P3 received 03/07/23 has been completed.

Reason. In order to ensure safe access for construction vehicles and avoid conflict with existing users of Hill Street in the interests of highway safety and amenity and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2023.

6. Pre commencement tree meeting

Prior to the commencement of works (including site clearance, demolition and construction works related to S.278 offsite highway works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites V3.0 SGN 1: Monitoring tree protection

Reason: To safeguard trees and natural features which are important to the visual amenities and ecological value of the area and in accordance with policies ENV3, ENV4 of the New Forest District Local Plan Part 1: Planning Strategy and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

7. Details of noise mitigation prior to commencement of construction of flats

Prior to the commencement of construction of the first block of flats (plots 35-47) details of the measures to achieve appropriate internal sound and ventilation amenity in accordance with the Noise assessment ref:R8915-1 rev 4 received 29/06/23 shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall then be implemented during construction of the relevant building and complete before first occupation of the relevant flat. Where necessary the measures shall be maintained and retained.

Reason: In the interests of achieving appropriate internal amenity for residents and in accordance with policy CCC1 of the New forest District Local Plan Part 1: Planning Strategy 2020.

8. **Secure details of play equipment before DPC**

Prior to the commencement of development above damp proof course, the details and layout of the play equipment, street furniture and surface treatment of the areas shown for play on the plans hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate compliance with EN1176, include a schedule of maintenance and timetable of delivery. The approved details shall then be implemented in accordance with the agreed time table and thereafter retained for public use and maintained in accordance with the maintenance schedule.

Reason: In order to provide appropriate play opportunities and in accordance with policy CS7 of the New Forest District Core Strategy 2009 and ENV3 of the New Forest District Local Plan Part 1: planning strategy 2020.

9. **Scheme of on site lighting for ecology and character**

Prior to the commencement of development above damp proof course, a "site wide sensitive lighting design strategy for biodiversity" in line with BCT / ILP Guidance Note 08/18 'Bats and artificial lighting in the UK' for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- 1) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging;
- 2) Identify and take account dedicated bat roost features provided by the development; and
- 3) show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be retained and maintained thereafter to preserve the strategy.

Reason: In the interests of visual amenity and supporting ecology in the area in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

10. **Water Efficiency and Nutrient Neutrality.**

The development hereby permitted shall not be occupied until:

A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water

per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

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

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

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

11. **Unexpected contamination**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the [Local] Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the [Local] Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the

land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

12. **Detailed Landscape**

Secure detailed landscape scheme, implementation, management and maintenance

Before development commences above damp proof course a scheme for landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be in broad accordance with the Landscape Strategy shown on plan ref:DD418 rev G received 27/06/23 and incorporate the ecological mitigation and enhancement measures proposed by the Environmental Mitigation and Management Plan Ref:784-B026661 received 04/09/23 and 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, construction details and the materials to be used;
- (d) other means of enclosure, street furniture, bins, bollards, benches, the design of the bridge across the drainage ditch and drainage basin in/outlet headwalls;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

Occupation shall not occur until the scheme has been approved, which shall then be implemented in accordance with the implementation scheme and shall thereafter be retained and maintained in accordance with the approved maintenance schedule.

Reason: To ensure appropriate and timely provision of hard and soft landscape and in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

13. **EV Charging**

Before first occupation of the dwelling(s) hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be provided before the approved dwellings has been occupied and shall thereafter be retained in accordance with the approved details.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

14. Details of road, path, cycleway design/junctions

Prior to the commencement of development on site, details, including cross-sections, of the construction, design and junctions between routes, of all roads, driveways, cycleways and footways, including any traffic calming measures, signage and surface line painting on the site shall be submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented in accordance with the phasing schedule agreed by condition No.3 of this planning permission.

Reason: In the interests of ensuring an appropriate design, ensure appropriate connectivity and future maintenance and in accordance with policies ENV3 and CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

15. North access prior to first occupation.

No property in the north parcel as shown on the approved plans shall be occupied until the vehicular access serving that parcel from Hill Street has been completed in accordance with the approved plans.

Reason: In order to ensure sufficient and safe vehicular access is provided.

16. Parking, drives, garages, carports.

No dwelling shall be occupied until its respective access, driveway, garage, carport or courtyard parking has been provided as shown on the approved plans. Garages shall be retained for the parking of vehicles and no doors shall be added to carports.

Reason: In the interests of ensuring sufficient parking in accordance with CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the Parking Standards SPD 2022.

17. Bike stores, rear garden access and communal bike storage.

No dwelling shall be occupied until its respective bike store and access to that store, as shown on the approved plans, has been provided. The communal bike stores for the flats, as shown on the approved plans shall install 'Sheffield style' racks to the required number of spaces, prior to first occupation of respective block of flats. The communal stores shall thereafter be retained.

Reason: In the interests of supporting sustainable forms of travel and in accordance with CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

18. Bin stores for flats prior to occupation.

No flat in plot numbers 39-47 as shown on the approved plans shall be occupied until the communal bin store shown in Apartment block 2 is available for use. The store shall be retained for the storage of waste thereafter.

Reason: In the interests of efficient waste collection, appearance of the site and pedestrian safety in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

19. Surface water drainage.

Prior to the commencement of development, a revised drainage strategy that complies with the principles of the MJA Consulting Flood Risk Assessment and Development Drainage Strategy ref:CP/22/0223/6717 received 22nd Aug 2023, and the Pluvial Modelling Report received 11th May 2023, shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall include details of the construction of the attenuation basin, the flood compensation area, the enhancements of the drainage ditch, route of the replacement culverted drain, design of permeable surfaces and the network of drains across the site, as illustrated in the report and plans.

That part of the approved scheme serving the north parcel shall then be implemented prior to first occupation of any dwelling in the north parcel.

The entire approved scheme shall then be implemented prior to first occupation of any dwelling in the south parcel.

A maintenance and management schedule for the approved drainage strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and thereafter implemented, in accordance with the timetable enclosed therein.

Reason: In order to ensure sufficient and appropriate sustainable drainage for the site and area, to protect important and protected landscape features and in accordance with policies STR1, ENV3, ENV4 and CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

20. Ensure minimum finished floor levels

The finished floor levels of the dwellings hereby approved shall be in accordance with that shown on the MJA Consulting Drainage Strategy Layout plan ref:6717-MJA-SW-XX-DR-003-C rev P12 received 01/11/23.

Reason: In order to protect the properties from the risk of flooding over the life of the development and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

21. Implement EMMP.

The recommendations and conclusions of the Environmental Mitigation and Management Plan ref:784-B026661 received 04/09/23 shall be implemented and followed throughout implementation of the development hereby approved. No dwelling shall be occupied until a plan and schedule showing the location of the installation of the enhancement features proposed by chapter 7 of the EMMP has been submitted and approved in writing. The plan and schedule shall then be implemented as agreed in advance of each respective dwelling being occupied. The installed features shall thereafter be retained.

Reason: In the interests of supporting ecology and mitigating the effect of development and in accordance with STR1 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014.

22. Boundaries as per approved plans.

Boundary enclosure of individual plots shall be completed as indicated on the approved plans prior to occupation of the relevant dwelling.

Reason: In the interest of visual amenities and residential privacy and in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

23. Materials and details as per materials palette character area plans.

Prior to the commencement of construction of a dwelling in each character area, precise details of the proposed external facing materials to be used in the construction of the dwellings in the character area shall be submitted to and approved in writing. The approved materials shall then be used in accordance with the details shown on the respective Material Palette Character Area plans.

Reason: In the interests of ensuring delivery of important design details and the appearance of the scheme and area and in accordance with policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

24. Arboricultural method statement

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Barrell Tree Consultancy Arboricultural assessment & method statement received 27th June 2023 ref: 21042-AA6-PB and Tree Protection Plan Ref: 21042-11.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with policies ENV3 and ENV4 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

25. On site visibility splays.

Prior to occupation of the penultimate dwelling on the north parcel of development hereby approved, the on site visibility splays in the north parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 P3 received 27/06/23 shall be provided.

Prior to occupation of the penultimate dwelling on the south parcel of development hereby approved, the on site visibility splays in the south parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 P3 received 27/06/23 shall be provided.

Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land within the splays as shown.

Reason: In the interest of on site highway and pedestrian safety and in accordance with policy CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

26. Provide pedestrian cycleway links.

Prior to occupation of the penultimate dwelling hereby approved, the pedestrian and cycleway links to the boundaries with Green Lane bridleway, Salisbury Road and Hill Street, as shown on the approved plans, shall be provided. The paths shall remain open for public use (except in case of maintenance).

Reason: In the interests of permeability, good design, active travel and safe access to public open space and in accordance with policies ENV1, ENV3, CCC2 and SS1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

27. Biodiversity Net Gain.

Prior to commencement of development above slab level a revised Biodiversity Net Gain scheme and metric calculation, and a Monitoring and Management Plan covering a period of 30 years from commencement of development has been submitted for approval to the local planning authority. The Biodiversity Net Gain Monitoring and Management Plan shall include:

- Methods for delivering BNG;
- Responsibilities for delivering BNG – during and after construction;
- Description of the habitats to be managed;
- Ecological trends and constraints on site that might influence management;
- Clear timed and measurable objectives in the short, medium and long-term for BNG - Detail objectives for all habitats (target condition) and define key indicators to measure success;
- Define appropriate management options and actions for achieving aims and objectives;

- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes;
- Preparation of a work schedule;
- Details for a formal review process when objectives are not fully reached;
- Key milestones for reviewing the monitoring;
- Establish a standard format for collection of monitoring data to make it repeatable and consistent;
- Identify and define set monitoring points (representing the key habitats on site) where photographs can be taken as part of monitoring to record the status of habitats on site.

The monitoring and associated reports shall be undertaken and provided to the LPA as a minimum in years 2, 5, 10, 20 and 30 from commencement of each separate development phase.

No occupancy of any dwelling shall take place until the Plan has been agreed in writing by the LPA.

Reason: In order to ensure the detailed landscape scheme ensures the development delivers and maintains a minimum 10% uplift in the site's biodiversity value in accordance with the policies STR1, of the New Forest District Local Plan Part 1: Planning Strategy 2020, DM2 of the New Forest District Local Plan Part 2: Sites and DM policies 2014 and the Interim Ecology and biodiversity Net Gain advice note 2022.

28. **Access routes maintenance**

Prior to first residential occupation of the scheme hereby approved a schedule of maintenance, including details of roles and responsibilities, of all of the roads, footways and cycleways, to maintain the details secured by condition No.14 of this permission, shall be submitted and approved in writing by the Local Planning Authority.

The approved schedule shall thereafter be implemented in accordance with the time scales included therein.

Reason: In order to ensure the quality, safety and retention of the routes throughout the site, to support active travel and preserve the appearance of the area, in accordance with policies STR1, ENV3 and CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

29. **On site visibility splays.**

Prior to occupation of the penultimate dwelling on the north parcel of development hereby approved, the on site visibility splays in the north parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 P3 received 27/06/23 shall be provided.

Prior to occupation of the penultimate dwelling on the south parcel of development hereby approved, the on site visibility splays in the south parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 P3 received 27/06/23 shall be provided.

Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land within the splays as shown.

Reason: In the interest of on site highway and pedestrian safety and in accordance with policy CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

Further Information:

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New Forest DISTRICT COUNCIL

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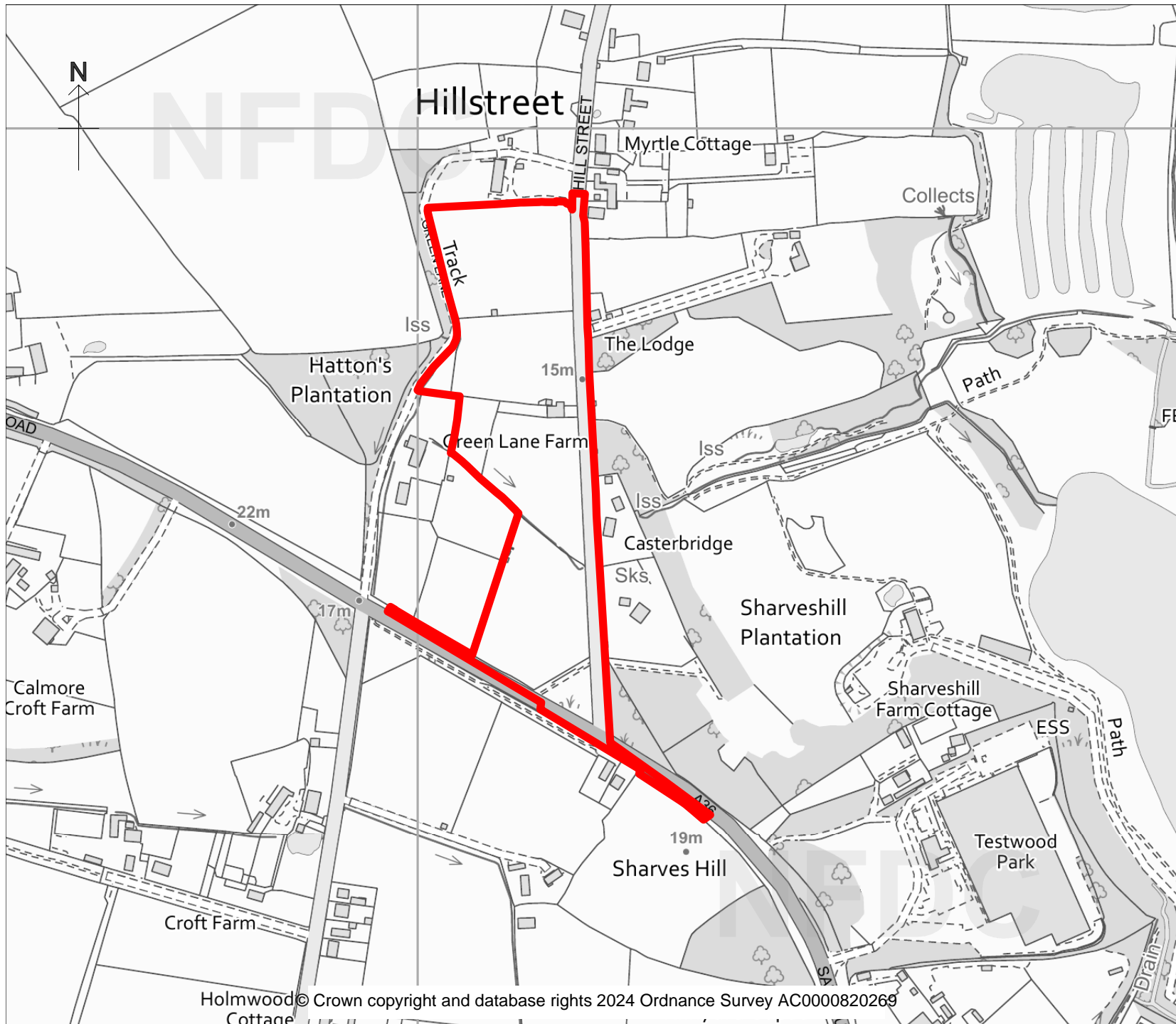
PLANNING COMMITTEE

November 2024

Land West of
Hill Street
Calmore
22/10854

Scale 1:4500

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



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Planning Committee 13 November 2024

Application Number: 24/10630 Full Planning Permission
Site: Land adjacent to 15 LUCERNE ROAD, MILFORD-ON-SEA
SO41 0PL
Development: Demolition of existing garage and erect new detached
dwelling with associated parking.
Applicant: Mr and Mrs Milner
Agent: Pure Town Planning
Target Date: 07/10/2024
Case Officer: Vivienne Baxter
Officer Recommendation: Refuse
Reason for Referral to Committee: Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the area
- 3) Highway matters including parking
- 4) Impact on the residential amenities of the area
- 5) Ecology

2 SITE DESCRIPTION

The site lies within the built-up area of Milford-on-Sea and is formed from the side garden to no.15 Lucerne Road, a two-storey dwelling currently undergoing refurbishment including a two-storey extension. To the front of the site are two small replacement pine trees planted following the felling of 2 mature pines under application TPO/20/0574. Behind these is a single garage and wall separating the frontage from the rear garden. The rear boundary comprises a brick wall with espalier trees in front.

The site and host dwelling form part of a wider 1970s estate which is quite spacious in nature with a mix of single and two-storey properties, many of which have large green frontages through mature boundary hedges or lawned spaces.

3 PROPOSED DEVELOPMENT

The proposal entails the demolition of the garage and internal boundary feature and the provision of a two-storey detached dwelling with attached garage, comprising living room, utility room, WC and open plan kitchen/dining/sitting room at ground floor level with three bedrooms (one ensuite) and a family bathroom at first floor level.

The frontage would accommodate two parking spaces, retaining the existing access. It should be noted that the proposals approved for the host dwelling included the provision of a new access point and, as such, the proposal to utilise the existing access would not impact on the host dwelling. The whole of the frontage would be hard surfaced.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
24/10334 External facade, fenestration and roof alterations, demolition of single storey side extension and erection of 2 storey side extension and single storey rear extension with new porch and formation of new entrance to create in - out driveway with associated landscaping.	25/06/2024	Granted Subject to Conditions
90/NFDC/46615 Addition of replacement utility room	29/01/1991	Granted
76/NFDC/05631 Alterations and extension to lounge	11/08/1976	Granted
XX/LYB/12172/4 House and garage. (In accordance with amended plan dated 25.5.71).	10/06/1971	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

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 IMPL1: Developer Contributions
 Policy STR3: The strategy for locating new development

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Design of Waste Management Facilities in New Development
 SPD - Housing Design, Density and Character
 SPD - Mitigation Strategy for European Sites
 SPG - Milford-on-Sea Village Design Statement
 SPD - Parking Standards

Neighbourhood Plan

National Planning Policy Framework

NPPF Ch.11 - Making effective use of land
 NPPF Ch.12 - Achieving well-designed places

National Planning Policy Guidance

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council: Recommend PERMISSION

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Ecologist

There are several errors in the submitted biodiversity and ecology documents

HCC Highways

Standing advice applies

Trees

No objection subject to condition.

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

Principle of Development

The site lies within the built-up area of Milford-on-Sea where there are no objections to the principle of new residential development. However, consideration should be given to the impact of such development on the character and appearance of the area, residential amenity, highway matters and in this instance, protected trees.

The current NPPF (December 2023), notes that planning applications registered before 19 December 2023, remain subject to the policies of the previous NPPF in relation to the requirement to demonstrate a 5 year housing land supply.

However, in this case, the application was registered after the 19th December 2023 and, as such, footnote 8 and Paragraph 76 of the NPPF also apply. Specifically, paragraph 76 of the NPPF outlines that a local authority will be considered to be complying with their strategic delivery of new dwellings, provided they have an adopted local plan that is less than 5 years old which identified a 5 year supply for specific, deliverable sites at the time that its examination concluded.

The Council's Local Plan 2016-2036 Part 1: Planning Strategy was adopted in July 2020 and at the time of adoption was able to demonstrate a 5-year housing land supply. Therefore, even though the Council cannot currently demonstrate a 5-year housing land supply, given the date of registration of the application, in this case the so called 'tilted balance' is not engaged and the application is to be considered against the policies of the development plan as per Section 38(6) of the Planning & Compulsory Purchase Act unless material considerations indicate otherwise; the 'straight balance'.

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

Policy ENV3 requires development to be sympathetic to its environment and context and respectful of local distinctiveness. New buildings should be sympathetic in terms of their relationship to adjoining buildings, spaces, scale and appearance.

Lucerne Road is a spacious development dating back to the 1970s and characterised by a variety of detached and terraced houses, bungalows and chalet

style properties. There is a mix of open frontages and mature boundary hedges along its length, with the site, together with the host dwelling currently being extended/refurbished, having an open frontage. Many of the two-storey houses within the original Lucerne Road estate have relatively shallow pitched roofs (and therefore a lower ridge) and the host dwelling is no exception to this. The spacing between dwellings is generous, often up to 7m.

The proposal would replace a single flat-roofed garage and boundary wall, which separates the front and rear parts of the side (and main area of) garden to the host dwelling, with a two-storey dwelling. This garden area would be lost - with the insertion of an additional dwelling resulting in two dwellings with limited rear garden space and frontage areas dominated by hard surfacing. The original garden depth to the host dwelling was in excess of 8m. This has been reduced to 6.4m with the approved rear addition, and the proposed dwelling would also reflect this reduced depth, as well as taking away the side garden space for the host dwelling. This arrangement significantly reduces the level of space around the host and proposed dwellings, which is out of context in this particular setting. It is further noted that the site is on slightly higher ground than 1 Danestream Close, and the proposal would be quite dominant from that property. The extensive hard surfacing across both plots, separated by a close-boarded fence, offers a harsh frontage to no.15 and this is at odds with the front lawns and hedgerows elsewhere in Lucerne Road.

Having regard to the spacious character of the area, where the two-storey elements of neighbouring properties are very often 5m-7m apart, it is considered what is proposed would constitute a cramped form of development, with just 2.4m between the two dwellings. The resulting two plots would appear harsh in the street scene as a result of the reduced level of vegetation and increase in built form and hard surfacing. The cramped nature of the dwelling would be further compounded by the dwelling's close proximity to 1 Danestream Close, whereby the rear of the proposed dwelling would be less than 8 metres away from the side elevation of 1 Danestream Close. Visually, this would be an uncomfortable relationship that would not reflect the more spacious context. It is therefore considered that the proposal would be contrary to policy ENV3 of the Local Plan Part 1.

The additional supporting information provided by the agent indicates that there are some smaller plots in the area, including nos.7-9 Lucerne Road. However, it is noted that these dwellings still have a greater degree of separation than that proposed and as a result, development elsewhere is not considered to justify the cramped development which is proposed.

The harmful spacing would be further compounded by the fact that the proposed dwelling has been designed to have a large front gable feature with a ridge height of 8.2m. This would be in contrast to the host dwelling, which has a lower ridge (approximately 7m) parallel to the road and a smaller gable feature lower than this. This front gable would also be closer to the road than the host dwelling and would be a dominant feature in the street scene. Whilst it is noted that no.11 to the south also has a gable fronting this part of Lucerne Road, this is a side gable and is recessed from the building line of the proposed dwelling. Again, this aspect of the proposal would conflict with policy ENV3, as it would not be sympathetic to its environment and would not enhance the sense of place.

Typical materials in the area are brick at ground floor level with tile hanging above and grey or brown concrete tiles, although there are examples of individual properties in the estate having had different elevational treatment in recent years. The approved works to the host dwelling include black cedar cladding and profiled zinc roofing, which adds a further dimension to the local material palette. The proposal includes slate effect tiles and black cedar cladding to the garage element

of the dwelling, with the majority of the dwelling comprising brickwork. Given other properties in the area, there are no objections to these materials.

Whilst there are no particular concerns with regard to the proposed materials given the existing palette of materials locally, they would not help to minimise the intrusive form of the proposal in terms of its bulk and massing and its cramped nature which results in the proposal being contrary to policy ENV3 of the Local Plan Part 1.

Highway safety, access and parking

Policy CCC2 requires adequate parking provision to be made in line with the recommendations in the Parking Standards SPD. Proposals should also create spaces which are safe and easy to navigate.

Since the submission of the application, the proposed access provisions for the new dwelling have been amended to address issues raised by the Highway Authority. As the existing access is now proposed to be utilised for the new dwelling only, the Highway Authority standing advice applies. This requires any gates to be set back 6m from the highway. There are no requirements for on-site turning to be provided.

The proposal generates a recommended parking provision of 2.5 spaces. The submitted site plan indicates two parking spaces and a single garage, which would comply with this provision. Whilst it is noted that the parking spaces are both in front of the garage, in view of there being no requirement for on-site turning to be provided, it is not considered that this would justify a reason for refusal, although it does compound the overall concern.

On balance, it is considered that there are no objections to the proposal from a highways point of view. The proposal is considered to comply with the safety provisions of Policy CCC2 of the Local Plan.

Residential amenity

Policy ENV3 requires new development to avoid unacceptable impacts on residential amenity. This can take the form of overlooking, overbearing impact, shading and noise and light pollution.

The proposal would result in both the host 4-bed family dwelling and proposed 3-bed dwelling having rear gardens less than 6.5m deep, which is not ideal for family homes. Whilst the gardens would have a width of around 14m, which could partially compensate for their lack of depth, they are west facing and the proposed garden would be substantially enclosed by the rear projection to 1, Danestream Close, the proposed dwelling and the neighbouring double garage to the south. This would result in a garden which has limited sunlight throughout the day. On balance, therefore, it is considered that the resultant garden would not provide an acceptable level of amenity for the proposed dwelling. The resultant garden for the host dwelling would be less enclosed being partially adjacent to the front drive of 1, Danestream Close.

It is not considered the development would harm the amenities of 11 Lucerne Road to the south due to its degree of separation from the development and because only high level windows are proposed at first floor level on the south side elevation of the proposed dwelling.

Whilst the proposed dwelling has been designed so as to only have one rear facing first floor window, this would give oblique, angled views into the private rear garden of 1 Danestream Close at a distance of around 10m. Combined with the difference

in levels and dominance of the proposed dwelling on this rear garden, this relationship is considered unacceptable and would harm the level of amenity currently enjoyed by the occupants of this neighbouring property. This harm would be contrary to policy ENV3 of the Local Plan Part 1.

Trees and ecology

Policy ENV3 of the Local Plan Part 1 requires development to provide appropriately designed green spaces and sufficient planting. Policy DM2 of the Local Plan Part 2 requires development to incorporate features to encourage biodiversity and enhance features of nature conservation.

The front of the site is covered by a TPO, although the 2 pines included within that order were felled under consent and two replacement pines are now located close to the side boundary with no.11. These young trees are establishing well and will grow in amenity value as they mature.

The proposed site plan shows a landscape strip on the southern boundary of the site, within which the 2 trees would be sited. As such, there are no objections to the proposal from an arboricultural perspective subject to the protection of these trees during construction.

Habitat Mitigation and off-site recreational impact

Policy ENV1 of the Local Plan Part 1 requires development to mitigate or secure monitoring measures in relation to the impact of proposals on International Nature Conservation Sites. For small development such as this, this can be achieved through the completion of a legal agreement to secure the measures detailed within the Mitigation Strategy for European Sites SPD.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of 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. 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 and is therefore contrary to policy ENV1.

Nitrate neutrality and impact on Solent SAC and SPAs

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of those sites' conservation objectives, having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with

the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. Were permission to be recommended, a Grampian style condition would need to be agreed with the applicant and attached to any consent.

Air Quality

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. Were permission to be recommended, an Air Quality Monitoring financial contribution would be sought and secured in a legal agreement under S.106. Without this, it is not possible, in respect of air quality impacts, to reach a conclusion that adverse effects on European sites would be avoided and the proposal is therefore contrary to policy ENV1.

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be the provision of cycle parking, the installation of an electric car charging point and green infrastructure.

Developer Contributions

As part of the development, had the proposal been recommended favourably, the following would need to be secured via a Section 106 agreement:

- Habitat Mitigation (£7,539)
- Air Quality Monitoring (£109)

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	160	15	145	145	£80/sqm	£16,998.46 *

Subtotal:	£16,998.46
Relief:	£0.00
Total Payable:	£16,998.46

11 CONCLUSION / PLANNING BALANCE

The Council does not currently have a 5-year housing land supply but does have an up to date Local Plan, meaning that the tilted balance in paragraph 11d of the NPPF is not engaged for the purposes of this application.

The proposal is considered to have an adverse impact on the street scene and would be at odds with the general pattern of development in Lucerne Road. This is due to the size of the proposed building in relation to existing built form and the restricted spacing around it. In addition to this, the remaining space would result in a significant loss of greenery across no.15 which would have an adverse impact on the character and appearance of the area. It is also considered the proposal would be detrimental to the amenities of the neighbouring dwelling at 1 Danestream Close. This harm would be compounded by the poor level of amenity offered by the small garden size. Additionally, the proposal fails to secure habitat and air quality mitigation contributions.

The proposal is therefore considered to be contrary to policies ENV1 and ENV3 of the Local Plan Part 1. As the presumption in favour of sustainable development does not affect the status of the development plan, it is recommended that the proposal be refused in accordance with the development plan.

12 RECOMMENDATION

Refuse

Reason(s) for Refusal:

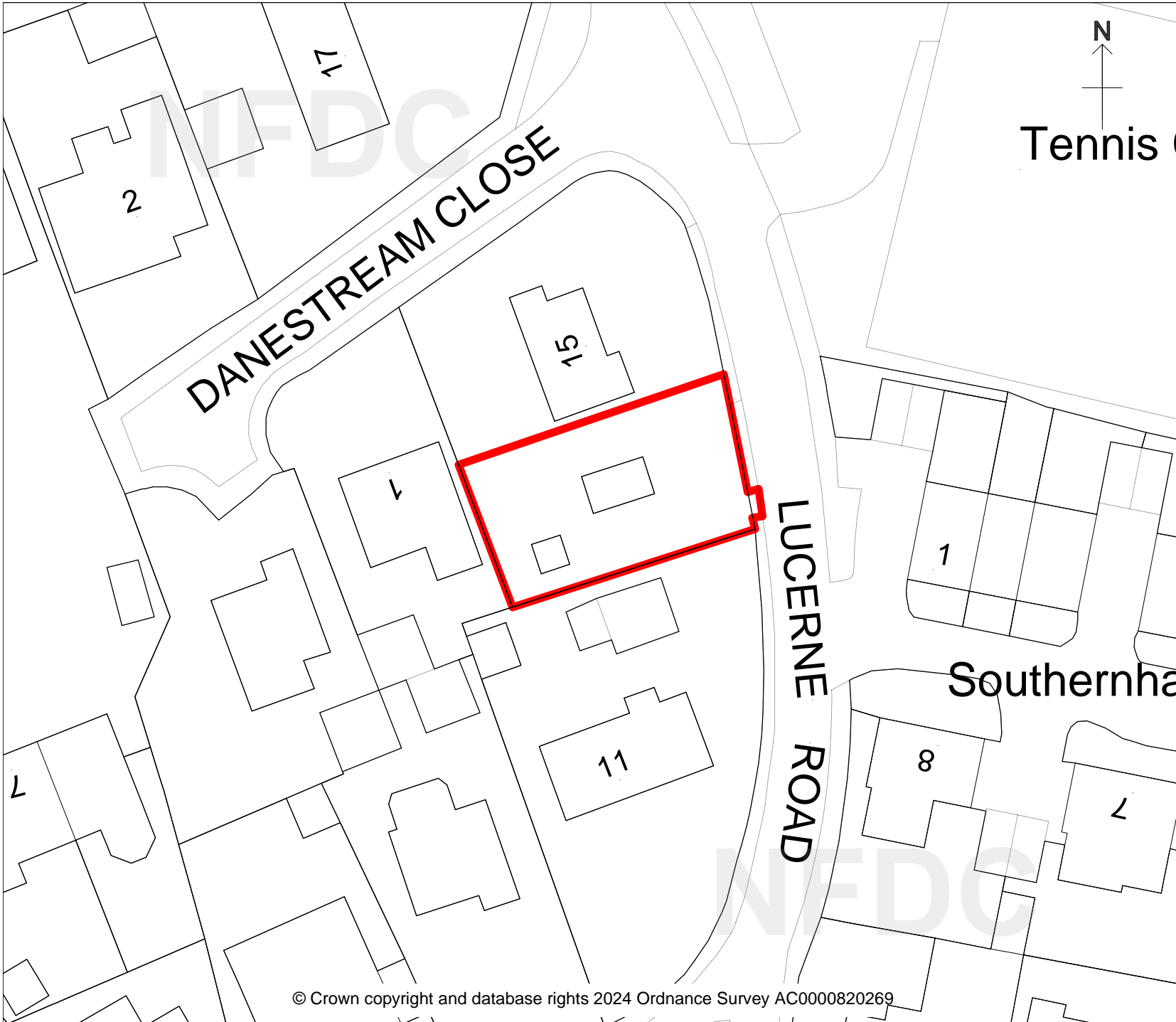
1. The proposal constitutes inappropriate development in that it would be an unsympathetic addition to the street that would be visually harmful in this relatively spacious context. This is due to the size of the proposed dwelling in relation to the plot size, its close relationship and proximity to adjoining dwellings, and also due to the dominant nature and massing of the proposed dwelling in the street scene where greenery would be replaced by hard surfacing, all of which would combine to result in a cramped, intrusive and harsh form of development, detrimental to landscape character and contrary to policy ENV3 of the Local Plan Part 1.
2. The proposal would result in a loss of privacy for the occupiers of 1 Danestream Close through overlooking from the proposed rear bedroom window, which would be detrimental to the amenities enjoyed by the occupants of this neighbouring property. This harm is compounded by the limited level of amenity available to the proposed dwelling through the size and orientation of the proposed rear garden which would have limited sunlight throughout the day in view of its enclosed nature. It is therefore considered that the proposal would be contrary to policy ENV3 of the Local Plan Part 1, as it would have an adverse impact on residential amenity.

3. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the Solent and Southampton Water Special Protection Area, the Solent and Southampton Water Ramsar site, the Solent Maritime Special Area of Conservation, and the Solent and Dorset Coast Special Protection Area would not be adequately mitigated and the proposed development would therefore be likely to unacceptably increase recreational and air quality 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 Documents "Mitigation for Recreational Impacts on New Forest European Sites" and "Air Quality Assessments in New Developments".

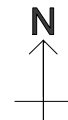
Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



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Tennis C



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

November 2024

Land adj to
15 Lucerne Road
Milford on Sea
24/10630

Southernha

Scale 1:500

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

Planning Committee 13 November 2024

Application Number: 23/10887 Full Planning Permission
Site: Land adjacent to ASPEN COTTAGE, HYTHE ROAD,
MARCHWOOD SO40 4WU
(PROPOSED LEGAL AGREEMENT)
Development: 1 no. 3-bed dwelling
Applicant: Mr Langdale
Agent: Edward Heron MRICS Limited
Target Date: 08/11/2023
Case Officer: Sophie Tagg
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: Contrary Parish Council 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) Residential amenity
- 4) Highway safety, access and parking
- 5) Ecology and habitat mitigation

2 SITE DESCRIPTION

The site comprises a level parcel of land measuring approximately 18m front to back, by 15m wide, located within the built-up area of Marchwood. The site fronts onto the public highway. Hythe Road is a main route through Marchwood but is defined as an unclassified road. The site was formerly used as garden land for the adjoining property known as Aspen Cottage to the north-west. The site has one point of access onto the road. There was previously a high conifer hedgerow planted on highway land limiting visibility from the site access, but this has now been removed.

There is a ribbon of development extending both sides along the highway and to the north and south of the road in this part of Marchwood at the edge of the settlement. Most properties are detached apart from a newer estate which lies to the south-east, which includes more dense terraced forms of development. The neighbouring properties immediately to the north-west and the south-east are detached and varied in appearance in terms of materials and design. Aspen Cottage to the north-west is rendered with a slate tiled roof, and No.1 The Aveburys is brick and timber clad with a clay tiled roof and solar panels. The plot sits adjacent to the rear garden areas of No.16 Spindlewood Way and No.18 Willow Drive.

3 PROPOSED DEVELOPMENT

The proposal seeks to construct a 3-bedroom detached dwelling. A kitchen, living area and wc would be provided on the ground floor and 3 bedrooms (one with

en-suite) and a bathroom would be provided at first floor. A cycle store and refuse store are proposed to the rear of the property.

In January 2020, planning permission was granted for a 3-bedroom detached dwelling on the site. That permission was not implemented and has lapsed. This new planning application has similarities to the previous lapsed permission, but it proposes a dwelling with a different footprint location and design, it does not include a car port, and it proposes a different parking layout. The red line boundary is also different, removing land outside the ownership of the Applicant within Aspen Cottage because the land has now been severed and is in separate ownership. The access arrangements remains the same, with the access being shared by Aspen Cottage and the proposed dwelling.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
18/10888 House; detached garage	22/01/2020	Granted Subject to Conditions	Decided
18/10651 House; detached garage	25/06/2018	Withdrawn by Applicant	Withdrawn
18/10636 Two-storey side extension; roof alterations; front porch; outbuilding	05/07/2018	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

National Planning Policy Framework (NPPF)

NPPF Para.131: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF Para.135: "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

NPPF Ch. 5 - Delivering a sufficient supply of homes

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The strategy for locating new development

Policy STR5: Meeting our housing needs

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

Policy ENV3: Design quality and local distinctiveness

Policy HOU1: Housing type, size, tenure and choice

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Parking Standards

SPD - Air Quality in new development

SPD - Planning for Climate Change

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Marchwood Parish Council:

September 2024 (in response to amended plans)

Objection - The committee considered the entry/exit from and to the property would be detrimental as sight lines would not be clear and onsite inadequate passing and turning was proposed. The proposed development was cramped and not in keeping with the street scene.

October 2023 (in response to the application as initially submitted)

Recommend Permission - No objection subject to conditions relating to previous applications 18/10651 that an open fronted carport instead of a garage serve the dwelling and always be available as car parking. It was felt this would maintain highway safety and prevent the proposed garage being utilised as an additional dwelling.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Ecologist

No objection :

There is a likely cumulative impact on the New Forest European Sites from recreational disturbance, so recreational habitat mitigation should be provided in line with the adopted mitigation strategy.

The proposal will need to mitigate its effects to become nutrient-neutral.

The site falls within 5.6km of Solent and Southampton Water SPA at the closest point. As such, it would be necessary to contribute towards recreational habitat mitigation in line with the adopted mitigation strategy. An appropriate assessment considering these points is required.

HCC Highways

No comment - follow HCC Standing Advice

9 REPRESENTATIONS RECEIVED

1 letter of objection received from nearby resident:

- Concern regarding use of garage and impact on turning circle
- Need for a construction & traffic management plan

(Officer Note: A garage does not form part of the proposals and the car port previously approved has been removed from the plans. See Officer Planning Assessment regarding the need for a construction and traffic management plan.)

10 PLANNING ASSESSMENT

Principle of Development

The site comprises an infill plot within the built-up area of Marchwood, lying within the settlement boundary. The overall principle and details of a new 3-bedroom two-storey dwelling on the site have already been agreed in 2020 under application reference 18/10888. This planning history is a material consideration in this case.

The application site lies within the built-up area, where in accordance with policy STR1 and STR3 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.

It needs to be noted that the Council cannot currently demonstrate a five-year supply of deliverable housing land. In such circumstances (and given the application was registered before the latest version of the NPPF was published on 19th December 2023), those policies which are most important for determining the application are considered to be out of date as per the NPPF footnote 8 to paragraph 11.

Paragraph 11(d) states where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Taking the first limb of paragraph 11(d), there are specific policies in the NPPF which protect areas or assets of particular importance referred to within footnote 7 of the NPPF. Therefore, a judgement will need to be reached as to whether policies in the Framework in respect of these areas of importance (in this case, habitat mitigation sites) provide a clear reason for refusing the development.

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

The remainder of this report will assess the application against the relevant policies of the development plan and relevant material considerations. The report concludes with a balancing exercise as per the requirements of paragraph 11d, limb 2 in the NPPF.

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.

It is recognised that the introduction of an additional dwelling would result in a reduction in the existing spatial gap between Aspen Cottage and 1 The Aveburys. However, it would be reflective of the existing pattern of development where the dwellings are closely spaced with the adjacent boundaries. Due to the size of this gap and the length of the plot, and having regard to the siting of the dwelling, it is considered that the plot is large enough to be able to accommodate an additional dwelling without harming the character of the surrounding area. This conclusion is entirely consistent with the Council's previous decision to approve a dwelling on this site in 2020.

The proposed dwelling measures 9.2m in width by 5.9m deep and would be set back off the road by 6m (which is 0.5m further back than the previously approved dwelling), which respects the general building line along the road. The height of the new dwelling would be set at just over 7m, which would be lower than 1 The Aveburys but about 1m higher than the extended Aspen Cottage, which is similar to the height previously found acceptable.

The immediate vicinity is characterised by varying designs, with brick, render and cladding all used. The new dwelling would be faced in brickwork and timber cladding, with a tiled roof and uPVC windows. These materials would be in line with other properties in the immediate area and, subject to agreeing the exact materials by condition, are considered acceptable.

Overall, the development of this infill plot would not have a materially detrimental impact on the street scene and local character, and would have no greater impact on the character and appearance of the area than what was previously approved in 2020. The plot size is reflected in other properties in the immediate area. As such, it is considered the proposal complies with the design criteria of Policy ENV3 of the Local Plan. It is considered that the concerns raised by the Parish Council on grounds of being a cramped form of development could not be substantiated and do not warrant a refusal recommendation.

Residential amenity

Policy ENV3 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 relationship of the development to neighbouring properties would be acceptable in respect of loss of privacy, loss of light and overbearing impacts.

The proposed first floor bedrooms would face the road, with obscurely glazed windows serving a landing and bathrooms situated to the rear. Given the level of separation between the properties, the additional massing of the proposed dwelling is not considered to result in loss of light or have an overbearing impact upon the occupiers of neighbouring properties either side. Additionally, with the proposed obscure glazing, it is not considered the proposal would result in harmful overlooking of neighbouring properties to the rear, in line with what has been

previously approved. As such, it is considered the proposal complies with the amenity related provisions of Policy ENV3 of the Local Plan.

To ensure an acceptable relationship to neighbouring properties is maintained, it is felt that permitted development rights for extensions and outbuildings and side facing first floor windows should be removed.

Highway safety, access and parking

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.

The site benefits from a vehicular access onto Hythe Road, an unclassified road, which is not proposed to be altered. The access would be shared with Aspen Cottage. Three off-street parking spaces to serve the new dwelling are proposed, which meets the requirements of the parking standards SPD in conjunction with the parking provision serving Aspen Cottage. The suitable surfacing of the driveway can be controlled by the proposed landscaping condition. In addition, secure cycle storage is proposed to the rear of the property.

The plans show a visibility splay which extends along the whole frontage. The large conifer hedgerow which previously caused highway safety concerns in the 2018 application has now been removed. A condition is proposed requiring there to be no planting, structure or other obstruction greater than 600mm in height placed within the visibility splay. It is considered that this addresses the concerns of the Parish Council regarding visibility.

A condition is proposed requiring a construction environment management plan to be submitted prior to works commencing to ensure that the works are effectively managed.

The amount of additional movements generated by 1 x 3-bed dwelling is not considered to be significant as was previously found to be acceptable. It is considered that the access would be appropriate to serve the proposed development. The plans show that cars would be able to enter and exit the site in forward gear by being able to turn within the site. In this case, it is considered reasonable to remove permitted development for outbuildings and fences within the curtilage to ensure that sufficient turning space is 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. Officers are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network. Overall, it is considered that the proposal would not result in severe harm to public highway safety, and sufficient car parking would be provided to serve the development. The proposal is considered to comply with Policy CCC2 of the Local Plan.

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. This is now dealt with through the Building Regulations and, as such, a condition is no longer required.

Ecology

The Council's Ecologist raises no objection to the works. The proposal seeks to provide 1no. swift box on the rear elevation and 1no. bee brick on the west elevation as per the proposed plans. It should be noted that the application was registered prior to the mandatory Biodiversity Net Gain requirement being introduced, meaning the proposal would not be subject to these requirements.

Air Quality

In line with the Air Quality SPD for new development, the Applicant has provided a completed Air Quality Statement which details 3 appropriate mitigation measures.

Climate Change

In line with the Planning for Climate Change SPD, the proposal seeks to provide solar PV panels to the front facing roof of the dwelling, and includes the installation of an electric vehicle charging point and cycle storage.

Habitat Mitigation and off-site recreational impact

Policy ENV1 of the Local Plan considers the impact of development on Habitat Sites. There a number of impacts that need consideration:

a) Recreational Impacts

The site lies in close proximity to the New Forest SAC, SPA and Ramsar site and the Solent and Southampton Water SPA, Ramsar site and Solent Maritime SAC. The proposals would result in an additional residential dwelling. 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 via a S106 Legal Agreement.

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 NOx, 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. The Agent has confirmed that

the contributions towards the Council's mitigation package will be paid via a S106 Legal Agreement.

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 be secured via a Section 106 agreement:

- Air quality monitoring contribution of £109
- The Habitat Mitigation (Access Management and Monitoring) Contribution of £956
- The Habitat Mitigation (Bird Aware Solent) Contribution of £875
- The Habitat Mitigation (Infrastructure) Contribution of £6583

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	100.28	0	100.28	100.28	£80/sqm	£11,755.90 *

Subtotal:	£11,755.90
Relief:	£0.00
Total Payable:	£11,755.90

11 CONCLUSION / PLANNING BALANCE

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

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

As set out earlier in this report, NPPF paragraph 11 clarifies the presumption in favour of sustainable development.

Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.

The lack of a demonstrable five-year supply of land for housing development, however, means that the presumption in favour of sustainable development in NPPF paragraph 11(d) is engaged for this application, specifically the second limb which states permission should be granted unless:

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'.

As such, this concluding part of the report will undertake the so called "titled balance" required by paragraph 11d(ii) of the NPPF.

The planning assessment sets out that the site is located in the built-up area and the proposal would make an additional contribution to the district's housing supply, whilst ensuring residential amenity, highway safety and the character of the area are not harmed as a result. The proposal is considered acceptable with regard to adopted local and national planning policy, supplementary planning documents and other material planning considerations. In this case, it is also important to note that an additional dwelling has previously been accepted on the plot, and notwithstanding the differences between the two proposals, the development's impact is still considered acceptable.

In terms of Policy ENV3, the proposal would be well-designed to respect the character, identity and context of the area, and would be sympathetic to the environment and its context in terms of layout, landscape, scale, height, appearance and density. Additionally, the proposal would be acceptable in its relationship to adjoining buildings in terms of the amenity of existing and future occupiers. Having regard to Policy CCC2 of the Local Plan, the proposal is not considered to result in a harmful impact upon highway safety, and the proposal provides sufficient car and cycle parking and the provision of infrastructure to support the use of electric car charging.

Any identified demonstrable harm is considered to be adequately mitigated from by the imposition of appropriately drafted conditions or planning obligations. As such, the adverse impacts of the proposal are not considered to significantly and demonstrably outweigh the benefits.

It is on this basis that the application is recommended for approval with delegated authority given to the Service Manager Development Management for the completion of a Section 106 Agreement to secure contributions to mitigate the

development's recreational and air quality impacts on designated European sites, and subject to relevant conditions set out below.

12 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a Section 106 Agreement to secure contributions to mitigate the development's recreational and air quality impacts on designated European sites
- ii) the imposition of the conditions set out below.

Proposed Conditions:

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

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

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

KA 2023 J33 A100 REV B
KA 2023 J33 A101 REV B
KA 2023 J33 A102 REV C
KA 2023 J33 A103
KA 2023 J33 A200
KA 2023 J33 A201.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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

4. The first floor windows on the north (rear) elevation of the approved dwelling shall at all times be glazed with obscure glass as shown on the approved plan. The landing window shall additionally be fixed shut at all times, whilst the en-suite and bathroom windows shall only be operable if the windows are permanently fitted with opening restrictors, the details of which shall be submitted to and approved in writing by the Local Planning Authority before the approved dwelling is first occupied.

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

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order), no other first floor windows other than those hereby approved shall be inserted into the building unless express planning permission has first been granted.

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

7. 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.

All new trees and shrubs shall be planted in the first available planting season prior to or immediately following the dwelling hereby approved being occupied.

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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out 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.

9. There shall be no planting or other obstructions to the visibility splays shown on the approved plan drawing number KA/2023/J33/A102/REV C that is greater than 600mm in height. The visibility splay shown shall be maintained in perpetuity to serve the new dwelling and Aspen Cottage.

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

10. No development or related construction works shall take place on the site until a Construction Environmental Management Plan (CEMP) has been 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.
- Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust and the spillage of mud onto the road.
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of contractor parking and traffic management measures.
- Details of site set up, construction compounds and materials / plant storage areas.
- Measures to control light spill and glare from any floodlighting and security lighting installed.
- Pest control.

The approved details shall be implemented before the development hereby permitted is commenced and shall be retained throughout the duration of construction. The development shall only be carried out in accordance with the CEMP so approved.

Reason: In order that the Local Planning Authority can properly consider the effect of the works on residential amenity [and highway safety] and in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy.

11. The development hereby permitted shall not be occupied until the parking spaces and cycle store shown on approved plan have been provided. The spaces shall be retained and kept available for the parking of vehicles and storage of cycles for the dwelling hereby approved at all times.

Reason: To ensure adequate parking provision is made and in the interest of highway safety and in accordance with Policy CCC2 of the Local Plan Part 1 Strategy for the New Forest outside of the National Park.

12. The ecological enhancements shown on the approved plans (comprising 1 Swift Bird Box and 1 Bee Brick) shall be installed prior to occupation of the dwelling hereby approved and shall be retained thereafter.

Reason: To deliver ecological enhancements in accordance with Policies STR1 and DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

13. 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.

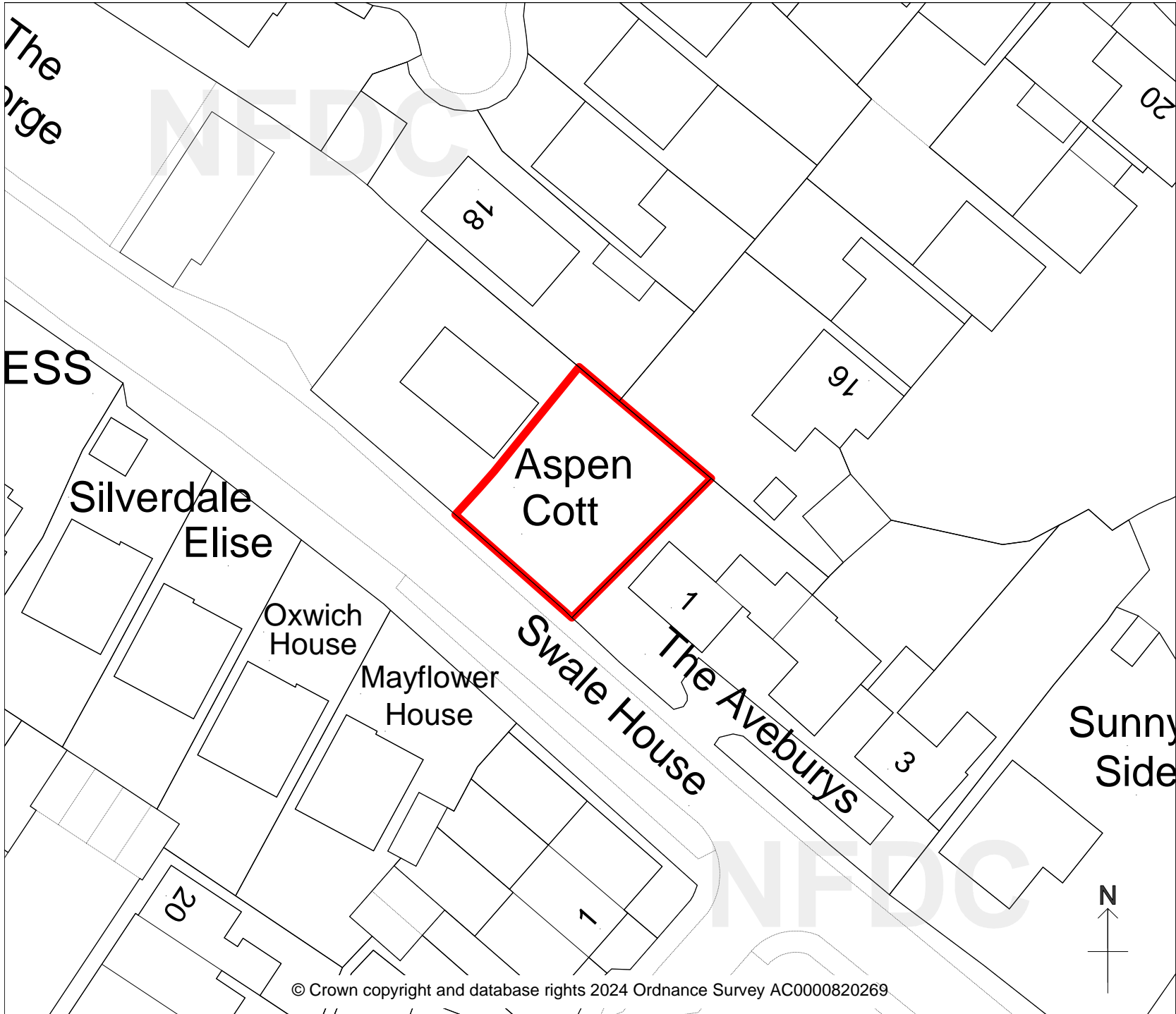
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as 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.

Further Information:

Sophie Tagg

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Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

November 2024

Land adj to Aspen Cottage
Hythe Road
Marchwood
23/10887

Scale 1:500

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

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Planning Committee 13 November 2024

Application Number: 24/10429 Full Planning Permission
Site: WOODBURY, 2 VINEY ROAD, LYMINGTON SO41 8FF
Development: Replacement dwelling with a detached garage; detached outbuilding in the rear garden.

Applicant: Mr and Mrs Vokes and Thorne
Agent: Morgan Building Design Ltd
Target Date: 10/07/2024
Case Officer: Jessica Cooke
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Town Council Contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on the character and appearance of the area
- 3) Impact on residential amenities
- 4) Matters relevant to parking, access and highway safety
- 5) Air quality
- 6) Ecology

This application is to be heard at Planning Committee due to a Town Council contrary view.

2 SITE DESCRIPTION

The application site relates to an existing 7.7m high two-storey dwelling with a single-storey attached garage, located within the built-up area of Lymington. The dwelling is set well back from the road and is fairly well screened from the section of Viney Road to the north of the site. It is more visible from Viney Road when approaching from the south, but it is not prominent in a streetscene that has an attractive semi-rural character.

There is a mature oak tree which is subject to a Tree Preservation Order sited adjacent to the shared driveway with the neighbouring properties. The site additionally lies opposite the New Forest National Park.

The spatial characteristics of Viney Road comprise large detached dwellings which are generally set well back from the road and which have generous spatial gaps between each property. There is a mixed character of development with no single architectural style or house type dominating. A couple of other nearby houses within Viney Road have been replaced in the past 10 years, whilst other properties remain relatively unaltered from the time they were built.

3 PROPOSED DEVELOPMENT

The proposal seeks planning permission to demolish the existing two-storey dwelling and construct a new two-storey dwelling with a detached garage and a separate detached outbuilding.

4 PLANNING HISTORY

No relevant planning history.

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

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

Policy HOU1: Housing type, size, tenure and choice

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Supplementary Planning Guidance And Documents

SPD - Lymington Local Distinctiveness

SPD - Parking Standards

SPD - Air Quality in New Development

SPD - Climate Change

National Planning Policy

NPPF 2023

NPPG

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: Recommend refusal. Concerns for the proposed garden building becoming an independent dwelling in the future which is inappropriate for this site. Concerns regarding the large mass of the proposal, the size of the property, and its design which is out of keeping aesthetically. The design is out of context considering the surrounding properties and obtrusive. It is contrary to **ENV3**. There is a lack of the required supplementary documentation supplied to support this application.

7 COUNCILLOR COMMENTS

No comments received.

8 CONSULTEE COMMENTS

Ecologist

No Objection.

NFDC Tree Team

No Objection Subject to Condition(s)

9 REPRESENTATIONS RECEIVED

14 letters of support received:

- Proposal is well-proportioned build. Appropriate, sympathetic and enhancing of the area.
- The new design sits nicely on the plot and the design has taken into account of overlooking.
- Carefully considered all materials and it will be an improvement and more in keeping with the area
- The existing house looks out of place and replacing it with a lovely family home makes sense.
- Proposal will improve the quality of the current building and surrounding area.
- The proposal is set well back from Vinery Road, on a large plot and has a very acceptable design with no impact on surrounding properties.
- The road will benefit from improved and more modern/energy efficient properties.
- Many other properties in the road have either been replaced, modernised and improved; the area has a nice range of interesting properties, this will add to the variety.

27 letters of objection received:

- Lack of consideration for the surrounding neighbours. The outbuildings will adversely affect the tropical plant garden next door.
- Concern that there are inaccuracies in the Design & Access Statement.
- Badger sighting on the shared driveway jointly owned by the applicants
- Reference to an application (10/06533) at no.6 that was refused and, on this basis, permission for this application can't be given.
- Objection to the proposal with reference to Policies CS1, CS2, CS10 of the 2009 Core Strategy and Lymington SPD.
- Concern the outbuilding is an attempt to build a second dwelling on the plot.
- Objection to the proposal because it does not comply with the regulations of Permitted Development Rights.
- Concern the house and outbuildings are too high, wide and long with excessive glass; concern with impacts on wildlife in the area.
- The outbuildings are out of character and they should respect and preserve amenity of neighbouring properties; garden buildings are smaller and further away from the boundaries.
- Concern the outbuilding could result in an increase in traffic on the rural lanes.
- Concern the development at the neighbouring property is not shown correctly on the plans.
- Objection to building over the sewer, advise not legal. Concern the build-over agreement from Southern Water contains errors
- Concern an arboricultural report was not submitted.
- Concern with residential amenity impacts to no. 1; the garage would prevent light to the lounge and conservatory; the bifold doors to the gym/office would impact privacy due to potential noise and smells and overlooking the existing seating area.
- Light pollution from the windows; the amount of glass is excessive and a danger to birds and bats.
- The proposal contravenes Articles 1 and 8 of the European Convention of Human Rights.

- Request for the rooflight over the stairs to be opaque and fixed closed to provide privacy to properties to the rear.
- 3 storeys is out of character
- The size of the house is large and would spoil the view from a neighbouring property and drainage ditches will be affected.
- Mass, height, depth and scale appears overly large by comparison to neighbours. Out of character with a number of chalet bungalows without outbuildings. Overdevelopment.
- Streetscene is misleading as it does not show no. 1.
- Concern the lack of trees, hedged and vegetation will impact on wildlife and the buildings will not be obscured from the street.
- The outbuilding having a shower, toilet and wash basin constitutes a separate dwelling.
- Tree survey should be prepared and the stream running under the access drive hasn't been identified on the plans.
- Objection to the floor area being larger than the existing building.
- No consideration given to landscaping; does not comply with Lymington Distinctiveness SPD.
- Other development in Viney Road at chalet bungalows were not allowed to increase the height of the dwellings above the roof line of other dwellings in the road.

Hampshire Ornithological Society

Hampshire Ornithological Society (HOS) has been informed by HBIC that the above planning application is within 100m of a protected area as detailed in the Solent Wader and Brent Goose Strategy and, as such, may impact on the notable and protected bird species using this area.

HOS believe the applicant must address these impacts as detailed in the Guidance on Mitigation and Off-setting 2018 before planning approval is given.

10 PLANNING ASSESSMENT

Principle of Development

The proposal is located within the built up area of Lymington where there is a presumption in favour of sustainable development, subject to material considerations. In this case, there is a particular need to assess the proposal against the design and amenity related provisions of Policy ENV3 of the Local Plan Part 1.

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

Local Plan Policy ENV3 (Design quality and local distinctiveness) is relevant to this application and requires that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. In particular, development should be:

- Functional: well connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces;
- Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and
- Attractive: visually appealing and enjoyable to be in.

Viney Road is a linear road which lies adjacent to the New Forest National Park. There are a variety of house types, architectural styles and materials on Viney Road, including chalet bungalows and two-storey houses, and Viney Road has a resultant mixed character. Development of a more modern and contemporary appearance has taken place at a number of dwellings on Viney Road, particularly at Sandpipers (no. 3 Viney Road) which lies adjacent to the site to the south and no. 7 Viney Road, as well as a number of contemporary dwellings on Woodside Lane, which lies to the rear of Viney Road.

The existing building is a two-storey, large detached property sited within a large plot which widens to the rear. The dwelling is a c.1970s dwelling and is not of a notable appearance or of architectural merit. The access from Viney Road is shared with no. 1 Viney Road and no. 3 Viney Road, and a Tree Preservation Order is sited within the driveway and adjacent to the road.

The proposal is for the demolition of the existing two-storey dwelling and the construction of a replacement two-storey dwelling (with attic accommodation) predominantly on the same footprint as the existing property. A single-storey element would crank from the main part of the dwelling and would extend towards the rear of the site. A detached single-storey garage is proposed to the north of the dwelling and a separate detached garden building is proposed within the rear garden. There is a protruding double-height bay window with a flat roof to the front of the dwelling which serves the stairwell, and there is a protruding gable to the front elevation which comprises the snug at ground floor level and master bedroom at first floor level. At second storey level, the proposal includes high level rooflights on the front elevation which serve an attic bedroom.

The proposed dwelling is considered to be well-designed and well-proportioned. Whilst being of a two-storey nature, the proposal references other dwellings within the street in its design, with front gables being a strong feature within the streetscene. It is considered that the proposed dwelling is attractive, and it is not considered to be of an inappropriate appearance for its location.

The proposed dwelling would have a relatively contemporary character with linear features and a mixture of materials, including buff brick, timber cladding, zinc cladding, painted render, slate roof and aluminium bargeboards with galvanised rainwater goods. As already noted, there is a mixture of architectural styles and materials along Viney Road, including buff brick, render and timber cladding, and it is considered that the proposed materials would be acceptable in this context. A planning condition is recommended for the submission of the specific material details to ensure the quality of the development is appropriate. Given the mixed character of other dwellings within the streetscene, the proposed dwelling would not appear out of keeping.

The proposed dwelling would be sited in a similar position to the existing dwelling, but it would be slightly deeper, extending slightly further back into the plot. The single-storey side extension element would extend in a north-westerly direction from the two-storey part of the dwelling, running parallel with the boundary between the application site and no. 1 Viney Road. Adjacent to the single-storey side extension, a detached garage is proposed, which would be 4.28m in height. Within the rear garden, a garden building with a home office/gym is proposed. This too would be 4.28m in height. The plot is generous in size with a deep rear garden which tapers outwards towards the north-east corner. It is considered the plot is sufficiently sized to accommodate the proposed development, including the garage and outbuilding. Whilst the footprint of the dwelling would be larger than that of the existing dwelling, it would be entirely appropriate for the context of the site.

Objections have been raised to the size, scale and height of the proposed dwelling. However, there is already a two-storey dwelling on the site. Elsewhere along Viney Road, there are both 2-storey dwellings, such as the adjacent dwelling 'Sandpipers' (no. 3 Viney Road), and lower chalet bungalows.

Given this context, there can be no objection to the principle of a replacement 2-storey dwelling. It is recognised that the replacement dwelling would be higher than the existing dwelling: the existing dwelling is 7.7m in height and the proposed dwelling is 8.7m in height, representing an increase of 1m. However, this limited increase in height is not considered to be visually harmful or inappropriate in this spacious context. As such, the proposed dwelling would remain of an appropriate scale and height of development in this context and in relation to the streetscene.

A number of objections relate to the proposed dwelling being a three-storey dwelling. However, whilst the roof would be increased in height by 1m, the second floor only comprises an attic room within the roofscape, with 2no. rooflights serving this room. Therefore, the proposed dwelling would still read as a two-storey dwelling from the key viewpoints to the front of the site and from within the public realm. Ultimately, given the accommodation would be provided within the roofscape, it would not be an unacceptably intrusive or dominant feature within the streetscene, and therefore the proposal is considered to be acceptable in this respect.

Overall, the proposed replacement dwelling is of an acceptable appearance in respect of its design and materials. By reason of its appropriate design, scale and appearance within the streetscene, it is not considered to harm the character of the area or the special qualities of the adjacent New Forest National Park. As such, it is considered to comply with Policy ENV3 of the Local Plan Part One.

Landscape impact and trees

There is a veteran Oak tree sited to the east of the plot which lies outside of the red line boundary of the application site, but lies within a shared access between the application site and the neighbouring property at no. 1. The tree is protected by a Tree Preservation Order (32/15). The Council's Tree Officer was consulted on the proposal and stated that the proposed replacement dwelling is in a similar location and has a similar relationship with the tree as the current dwelling and is far enough from the tree as not to have a direct detrimental impact. Therefore, they have raised no objection to the proposal but have recommended a planning condition to protect the tree from construction vehicles, plant and storage/delivery of materials.

Subject to the inclusion of the aforementioned planning conditions, the proposal is considered to be acceptable and would not result in adverse impacts upon the tree, or upon the adjoining New Forest National Park. The proposal is therefore considered to comply with Policies ENV4 and STR2 of the Local Plan Part One.

Highway safety, access and parking

Viney Road is a residential road with no parking restrictions and the proposal would be served by the existing access, which is off a private track abutting Viney Road.

The proposed dwelling would have 5no. bedrooms. In accordance with NFDC Parking Standards SPD (April 2022), the requisite parking spaces for a 4+ bedroom dwelling is 3 spaces. The front driveway is sufficiently large to accommodate 3no. vehicles and an additional parking space is provided in the detached garage.

One cycle parking space must be provided per bedroom in accordance with the Parking Standards SPD. A store is shown on the proposed garage floor plan which is sufficiently large enough to store 5no. bicycles. As such, the proposal complies with NFDC Parking Standards SPD in relation to cycle storage.

Policy IMPL2 relates to development standards and places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles. Whilst this was previously secured by planning condition, recent changes to the Building Regulations require the provision of electric charging points and therefore such a condition is not considered necessary.

The proposal meets the requirements of NFDC Parking Standards SPD and retains the existing access. As such, the proposal is not considered to result in adverse impacts upon highway safety, and is considered to comply with Policy CCC2 of the Local Plan Part One and the NFDC Parking Standards SPD.

Residential amenity

Policy ENV3 of the NFDC Local Plan Part 1 requires the impact on the residential amenity of existing and future occupiers to be taken into consideration in making planning decisions. NPPF Para. 135, subparagraph (f) states development should promote health and wellbeing, with a high standard of amenity for existing and future users.

As initially submitted, the proposal included a long detached building, accommodating a garage, store and home office/gym. A number of objections were raised by neighbours and the Town Council regarding the outbuilding, including concerns about its height and proximity to the neighbouring boundary and its potential to be used as a separate dwelling. Whilst the single outbuilding was not considered to be an issue by officers, amended plans were submitted by the applicant to address the neighbour and Town Council concerns. The amended plans have resulted in the outbuilding being split into a single-storey detached garage and a single-storey detached garden building proposed to be used as a home office/gym with a separation distance of 10.2m between the outbuildings.

The use of the garden building as a separate dwelling would require planning permission in its own right. This application is simply for its use in association with the dwellinghouse, which does not raise any concerns.

The proposed detached garage would have a modestly sized footprint and its height would be 4.28m, with the building proposed to be sited 1m from the boundary of the neighbouring property. The garden room would be 12.8m in length and 4.7m in width, and its height would be 4.28m. It would be sited 1.3m from the shared boundary.

Objections have been raised in respect of overshadowing to the neighbouring property, no.1 Viney Road. However, the separation distance between the two-storey element of the proposed dwelling and no. 1 Viney Road is 16.7m, which is a sufficient distance as not to result in adverse impacts. The greater height of the proposed replacement dwelling would be relatively minimal in this context, in any case, and so would not result in material harm to the neighbour's light and outlook. With regard to the proposed outbuildings, there is a separation distance of 4.8m between the proposed detached garage and the closest elevation of no. 1 Viney Road. The roofs of both buildings are pitched away from the shared boundary, with the highest point of the detached garage being 3.35m from the shared boundary and the highest point of the detached garden building being 3.7m from the shared boundary. Whilst some overshadowing impacts would arise to the western boundary

of the neighbouring property, this would mainly be in the evening and the shadow would only just reach the south-western corner of the neighbouring property. Therefore, the shadowing of this neighbour's side garden would not be to such an extent as to be unacceptably harmful.

The height of the proposed outbuildings is acceptable and given they are both single-storey, there are no concerns relating to visual intrusion, loss of privacy or overlooking.

The proposal does not have any rear windows at second floor level and therefore no impacts of overlooking, loss of privacy or visual intrusion would arise to the rear gardens of the neighbouring properties. The proposal includes rooflights to the front of the dwelling, though these look out towards Viney Road and the adjacent National Park, and no development would be overlooked. Whilst the proposed dwelling would have rear windows at first floor level, the existing property also has rear windows at first floor level, and this relationship with neighbouring properties would remain similar to the existing situation. As such, there are no concerns relating to overlooking, visual intrusion and loss of privacy. A planning condition is recommended for the removal of Permitted Development Rights under Class B of Part 1 of the General Permitted Development Order to restrict additions to the roof without express planning permission.

Overall, by reason of the layout, orientation and positioning of the proposed dwelling on the site relative to its neighbours, the size of the plot and its relationship to the boundaries, it is not considered that the proposal would cause unacceptable impacts upon residential amenity, and the proposal therefore complies with Policy ENV3 of the Local Plan Part One.

Ecology On Site Biodiversity and protected species

As of 2nd April 2024, developers must deliver achievement of Biodiversity Net Gain (BNG) on 'smaller' sites such as this as a requirement of planning permission. However, an exemption applies with regard to self-build development. Self-build refers to a development of a home on a piece of land owned by persons to be lived in by those persons. In this instance, a self-build exemption has been claimed with regard to Community Infrastructure Levy (CIL) and therefore the national BNG requirement is not applicable to this proposal.

The Council's Ecologist was consulted on the application and requested an ecological survey be undertaken, given the demolition of the existing dwelling. A bat survey was undertaken and evidence of bats were found in the roof and emergence and re-entry surveys were subsequently required. These surveys were undertaken and a report was subsequently submitted, with no emergence or re-entries observed. The ecologist was reconsulted and advised they were satisfied with the findings and recommendations in relation to bats.

The Council is required to consider the likelihood of a licence being granted by Natural England in respect of the demolition a building whereby there is evidence of bats. The three derogation tests are:

- The activity to be licensed must be for imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment or for public health and safety;
- There must be no satisfactory alternative; and
- Favourable conservation status of the species must be maintained.

In relation to the first two derogation points, the overriding public benefits of the proposal relate to the social and economic benefit of the construction of the building which would provide a visual improvement to the existing dwelling and would provide jobs, thus benefiting the economy. In addition, the proposed dwelling would provide an uplift in building standards and sustainability, and there is not considered to be a satisfactory alternative to enable these works as the existing dwelling must be removed to provide the proposed dwelling. In respect of the third test, Natural England will be required to issue a licence and the Council's Ecologist is satisfied that the favourable conservation status of the bat species will be maintained.

In relation to birds, the ecologist provided advice regarding the provisions of the Wildlife and Countryside Act 1981. The Council's ecologist requested the Preliminary Appraisal be updated to contain a precautionary working method for Great Crested Newts. The Appraisal was duly updated, addressing the concerns raised.

The Hampshire Ornithological Society (HOS) raised comment on the application in relation to the application being within 100m of a protected area for Solent Wader and Brent Geese. The Council's ecologist did not raise concerns in respect of this matter and verbally advised the proposal would present an acceptably low risk in this respect.

A number of concerns were raised in respect of the use of glazing in the property and its impact upon local wildlife. The level of glazing proposed is not considered to be particularly unusual. The Council's ecologist has not raised an objection to the proposal in this respect, and the proposal is therefore considered to comply with Policy DM2 of the Local Plan Part One. A planning condition is recommended to secure the submission of ecological enhancement details.

Habitats Mitigation, Nitrate neutrality and impact on Solent SAC and SPAs

The scheme proposes a replacement residential dwelling. As such, it would not result in an additional unit of accommodation or materially increase residential occupation so as to result in additional impacts on features of nature conservation interest in the New Forest or Solent that would require habitats mitigation measures to be secured. Furthermore, there would be no additional burden on nitrates and thus, no further impacts on the Solent SAC or SPAs would result.

Air Quality Statement

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development' Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be:

- No kerbside development is proposed
- Vehicle charging point installed to encourage the use of electric vehicle
- Large opening designed on rear elevation away from the road side and facing the large rear garden.

Climate Change

The applicant submitted a Climate Change Statement to support their planning application which addresses the requirements of the Council's Planning for Climate Change SPD and the statement notes a number of enhancement details for sustainability.

Developer Contributions

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Self Build (CIL Exemption in place)	420.5	179	241.5	241.5	£80/sqm	£28,311.23 *

Subtotal:	£28,311.23
Relief:	£28,311.23
Total Payable:	£0.00

11 OTHER MATTERS

A number of objections were raised with regard to Policy CS2, saved policy DW-E12 and demolition regulations of the General Permitted Development Order. Policy CS2 is an out-of-date policy which therefore, no longer carries weight in decision making in the New Forest District area. DW-E12 is not relevant to this application. With regard to the regulations of Permitted Development Rights, this application is for full planning permission and the demolition regulations of the Permitted Development Order are not relevant to this application.

A number of neighbour objections were received with regard to the proposal being sited over the sewerage network. However, this is not a planning matter and cannot be taken into consideration in the determination of this application. Notwithstanding this, the applicant has received a 'build-over' agreement from Southern Water for the proposed development.

12 CONCLUSION / PLANNING BALANCE

The proposed new dwelling is considered to be sympathetic to its context, being of an acceptable size, scale, height and appearance for its location, and its design is considered to be appropriate to the streetscene, which is of a mixed character in terms of architectural styles and materials. In addition, the proposal would not adversely impact residential amenity in respect of overlooking, visual intrusion, loss of privacy or overshadowing and would not result in adverse impacts to the highway network. As such, the proposal complies with Policy ENV3 and Policy CCC2 of the Local Plan Part One.

The application is accordingly recommended for approval, 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:

- SS.01 Streetscene
- PP.01 Proposed Ground Floor Plan
- PP.02 Proposed First Floor Plan
- PE.02 Proposed Elevations
- PE.01 Proposed Elevations
- EP.01 Existing Floor Plans
- EE.01 Existing Elevations
- G.01 REV B Garage
- GB.01 Garden Building
- LP.01 REV B Location Plan
- Air Quality Statement
- Design & Access Statement
- Preliminary Roost Assessment by Arbtech
- Bat Emergence and Re-entry Surveys by Arbtech

Reason: To ensure satisfactory provision of the development.

3. Before development commences above DPC level, samples or exact details (manufacturers' specifications) of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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

4. The development hereby approved and all associated works shall be undertaken in strict accordance with the recommendations and the ecological mitigation and enhancement measures set out in the Preliminary Roost Assessment by Arbtech and the Bat Emergence and Re-entry Surveys by Arbtech unless otherwise first agreed in writing by the Local Planning Authority. Notwithstanding the submitted details, a scheme of ecological enhancement measures shall be submitted to and approved by the Local Planning Authority and installed prior to first occupation of the dwelling hereby approved.

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

5. No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of protected trees on and adjacent to the site, to be identified by agreement with the Local Planning Authority beforehand, have been submitted to and approved in writing by the Local Planning Authority. The agreed protection measures shall be implemented in full prior to any activity taking place and shall remain in situ for the duration of the construction of the development.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

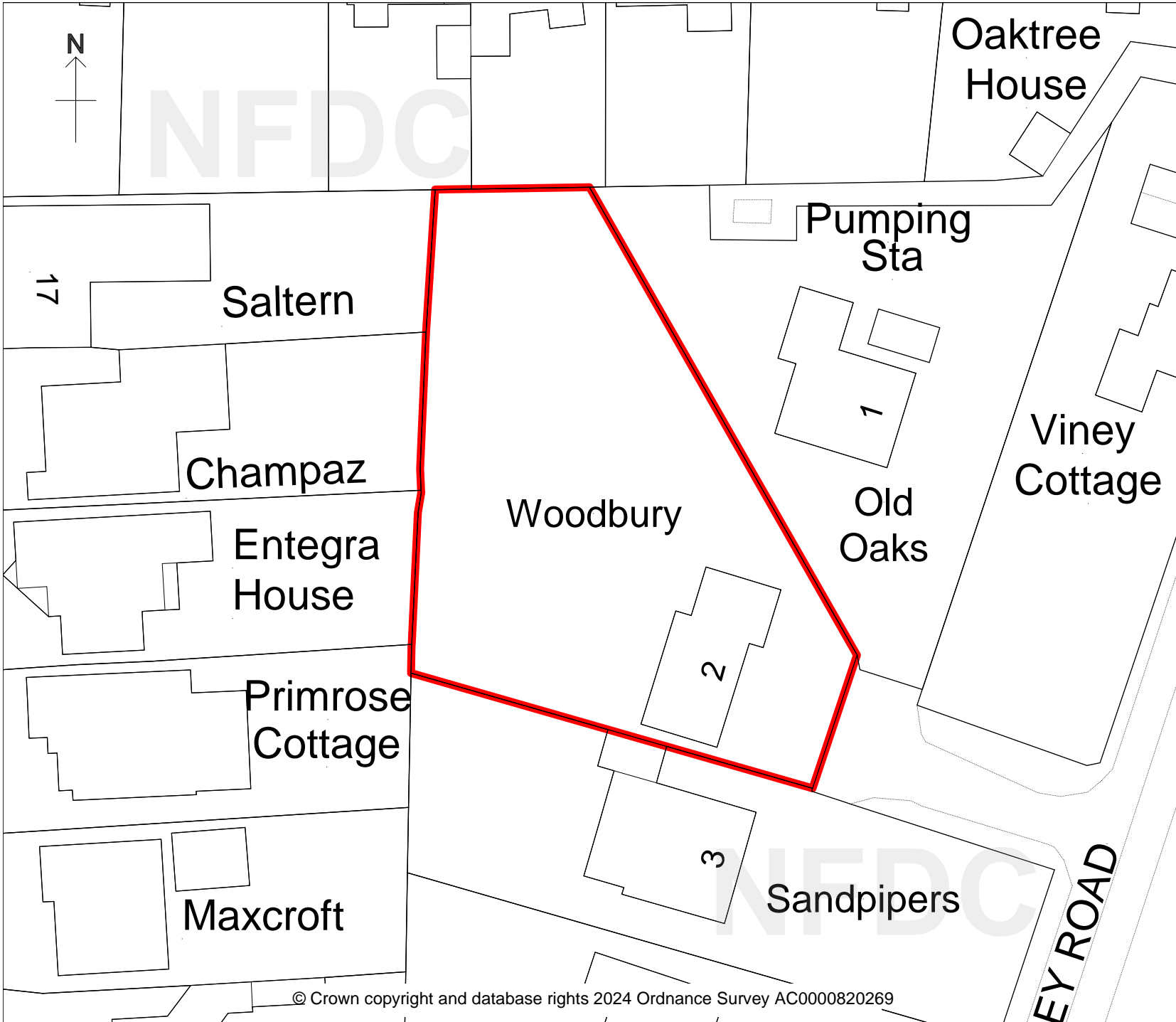
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no roof extension or alterations otherwise approved by Class B of Part 1 of Schedule 2 of the Order, shall be erected or carried out without express planning 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.

Further Information:

Jessica Cooke

Telephone: 023 8028 5909



New Forest
DISTRICT COUNCIL

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Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

November 2024

Woodbury
2 Viney Road
Lymington
24/10429

Scale 1:500

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Planning Committee 13 November 2024

Application Number: 24/10557 Full Planning Permission
Site: DURBAN HOUSE, 3 ASHLEIGH CLOSE, HYTHE SO45 3QT
Development: Installation of a fence panel above existing wall.
(Retrospective)
Applicant: Mr. Mostran
Agent:
Target Date: 04/11/2024
Case Officer: Kate Cattermole
Officer Recommendation: Refuse
Reason for Referral to Committee: Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on street scene and character of the area

2 SITE DESCRIPTION

The application site consists of a detached bungalow, situated in an established residential road in the built-up area of Hythe and Dibden. Front boundary treatments along the road appear to be predominantly low brick walls, some with hedges behind, whereas rear gardens are enclosed by close-boarded and panel fencing.

The existing dwelling is set back in its plot in line with other properties to the north-east of the site, approximately 13m from the front boundary. The frontage of the site is laid primarily to gravel, with parking to the front and side of the dwelling. Properties in Warrys Close back onto the south-western boundary of the application site, and the rear gardens are enclosed by higher fencing.

The application is made retrospectively for the retention of a fence panel above the existing wall on the front boundary. This comprises a brick wall just under a metre in height with a horizontally slatted fence panel immediately behind the wall which projects above it, resulting in the overall height being 1.8m high. This boundary treatment has replaced a lower brick wall, and there was previously a pair of five bar gates across the vehicular access. Currently, the gates have been removed and the vehicular access is now open.

The overall length of the front boundary is approximately 12.5 metres and the existing boundary treatment (subject of this application) spans approximately 8.7m of this frontage, the remainder being accounted for by the open vehicular access which is adjacent to the fencing enclosing the rear garden of 1 Warrys Close.

3 PROPOSED DEVELOPMENT

The application is a retrospective application for the retention of the fence panel, which projects above the existing wall on the front boundary of the site, which has resulted in a front boundary enclosure that is 1.8m high.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
04/81469 Rear extension	05/07/2004	Granted Subject to Conditions	Decided
03/78172 Alterations to roof	01/07/2003	Refused	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Neighbourhood Plan

Hythe and Dibden Neighbourhood Plan

Policy D1 - High Standards of Design and Architecture

Policy D2 - Design and Access Statement required

Policy D3 - Local Distinctiveness

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Hythe & Dibden Parish Council: Recommend PERMISSION

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

No comments received

9 REPRESENTATIONS RECEIVED

1 letter of objection received from nearby resident:

- out of keeping with neighbouring front gardens that all have walls of approximately similar heights
- enclosures of rear gardens of corner plots, being used as comparison
- does not comply with original deeds for the plots
- permanent wood structure more typical of an enclosure to a back alley rather than a frontage
- hedges typically used to provide privacy

10 PLANNING ASSESSMENT

10.1 Principle of Development

Class A of Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) outlines that a fence or wall can be erected at a height of 1m where its adjacent to a highway used by vehicular traffic or 2m high elsewhere. It is the position of the Local Planning Authority that taking into account the circumstances of the application site, a fence and wall of more than 1m in height in this location would require planning permission.

As such, the proposal must be assessed as to its impact on the street scene and character and appearance of the area.

10.2 Street scene and character of the area

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, and the character and identity of the locality.

Hythe & Dibden Neighbourhood Plan Policies D1-D3 seek to ensure that new development shall respect and enhance the character and distinctiveness of the built environment and respond to the local character and context of the area.

The existing wall meets the criteria of permitted development as it does not exceed a metre in height, and furthermore is in keeping with other low boundary walls that form the front boundaries to other dwellings within the road and on the wider estate. However, the fence which is immediately behind the wall and projects above it to a height of 1.8 m high is in excess of permitted development, and it is the fence element of the boundary treatment that is considered to be out of step with the character and appearance of the area.

A Design & Access Statement has been provided in support of the application and to comply with Policy D2 of the Hythe & Dibden Neighbourhood Plan. The applicant has made reference to the presence of higher boundary treatments adjacent to the dwelling and opposite it. However, these fences enclose the rear gardens of 1 and 2 Warrys Close respectively, which are corner plots where it is reasonable to expect a degree of privacy to rear gardens. The boundary treatment to the front of both these properties are lower boundaries with hedging behind. As such, the presence of these higher fences in close proximity to the application site are not considered as a justification for the current higher boundary treatment. Also, the presence of the open driveway to the front of the application site does afford a degree of separation from the adjoining close-boarded fence at 1 Warrys Close, and this forms a transition to the lower front boundary treatments of Ashleigh Close.

The prevailing character of front boundary treatments in Ashleigh Close are low boundary walls, some of which have hedging planted behind. These boundaries inform the immediate context of the application site. The distinctive character of low boundary walls and fences to the front of dwellings on the adjoining roads, especially Yelverton Avenue and Warrys Close, is relatively consistent. As such, the existing fence, by reason of its design creating a solid boundary, and its height (projecting above the front wall) is an alien feature which is out of keeping and intrusive within the street scene and detracts from the distinctive character of the area. As demonstrated at other properties, greater privacy can be achieved by a higher hedge behind the wall, which would provide a softer and more appropriate boundary treatment. Furthermore, if approved, this development would potentially lead to applications for similar developments in the future that could further erode the local distinctiveness of this estate.

As such, the retention of the existing fence would detract from the street scene and would be harmful to the character and appearance of the area and contrary to the local distinctiveness. Therefore, the proposal would not comply with the Local Plan Policy ENV3, or Policies D1 and D3 of the Hythe and Dibden Neighbourhood Plan.

Retrospective nature of the application

Section 73A of the Town and County Planning Act enables the making of an application in retrospect. The applicant has stated in the accompanying Design and Access Statement that the fence was erected in error, as they were not aware that planning permission was required. In any event, the application must be judged on its individual merits, based on its impact on the character and appearance of the area, having regard to Local Plan policy.

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

The proposed development would not comply with Policy ENV3 of the Local Plan Part 1, or Policies D1 and D3 of the Hythe and Dibden Neighbourhood Plan, as the existing fence would be materially out of keeping with the low front boundary treatments that characterise Ashleigh Close and the wider residential estate and therefore would not contribute positively to local distinctiveness, or the character and identity of the locality.

To conclude, the retrospective fence would result in an unacceptable form of development that would be contrary to national and local planning policy, and therefore the application is recommended for refusal.

13 RECOMMENDATION

Refuse

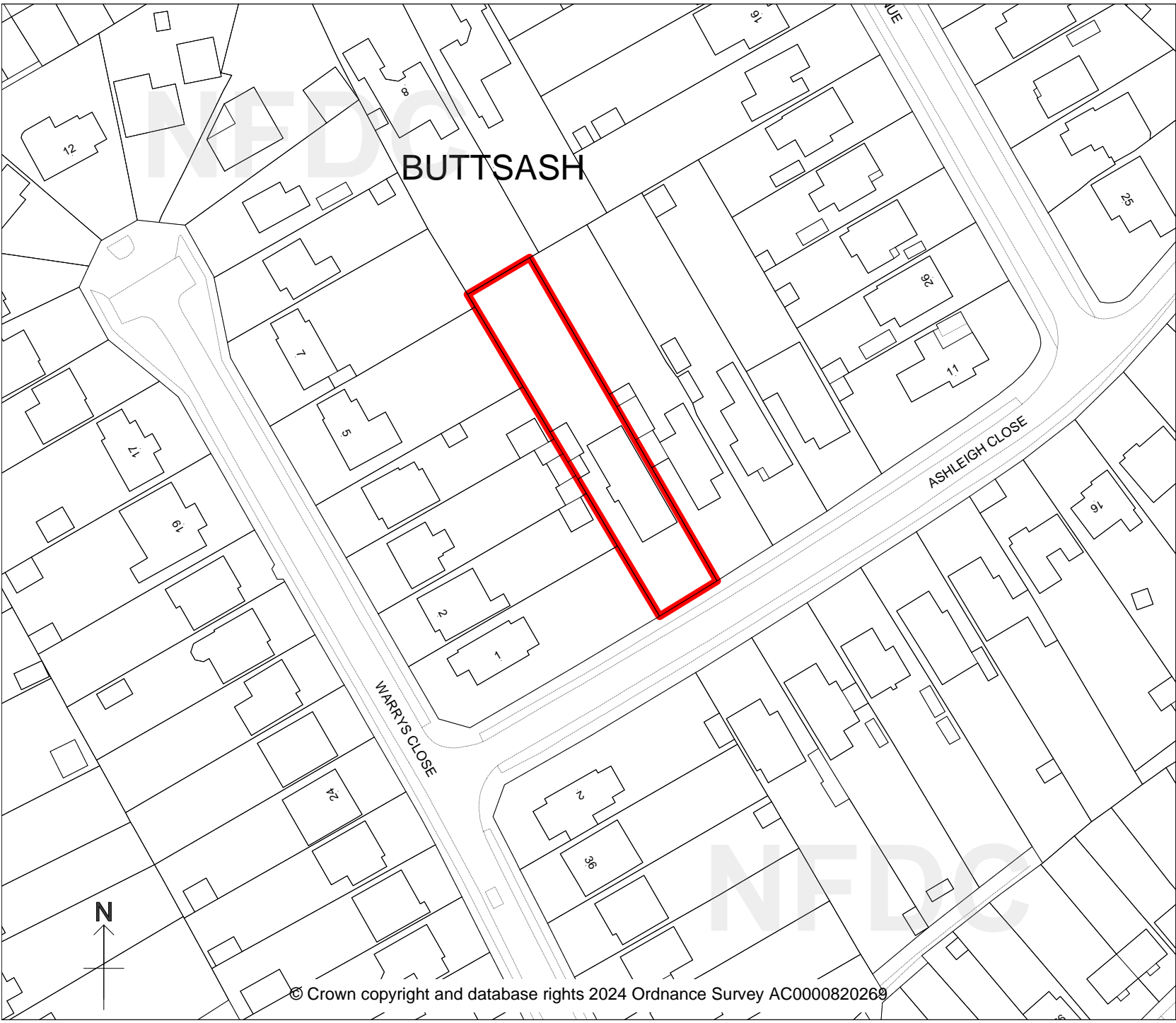
Reason(s) for Refusal:

1. By reason of its excessive height, length, and prominent position adjacent to the highway, the proposed fence projecting above the front wall would create an intrusive element with a harmful visual impact which is not sympathetic to the distinctive character of the area which is defined by low level front boundary treatments that are characteristic within the surrounding street scene and would therefore harmfully erode the distinctive character of the area. As such, the proposed development would be contrary to Policy ENV3 of the Local Plan Part 1: Planning Strategy for the New Forest outside of the New Forest National Park and the Hythe & Dibden Neighbourhood Plan.

Further Information:

Kate Cattermole

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BUTTSASH



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PLANNING COMMITTEE

November 2024

Durban House
3 Ashleigh Close
Hythe
24/10557

Scale 1:1000

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

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Planning Committee 13 November 2024

Application Number: 23/11306 Full Planning Permission

Site: THE OLD FARMHOUSE, SALISBURY ROAD, BURGATE,
FORDINGBRIDGE SP6 1LX

Development: Conversion and extension of outbuilding to two 4-bed dwellings; erection of an L-shaped building comprising one 3-bed dwelling and two 2/3-bed dwellings in place of two modern outbuildings; new access onto Fryern Court Road; associated parking; hard and soft landscaping

Applicant: Cordage 46 Limited.

Agent: CPC Planning Consultants Ltd.

Target Date: 20/03/2024

Case Officer: Vivienne Baxter

Officer Recommendation: Refuse

Reason for Referral to Committee: Contrary Town Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of the development
2. Listed building matters
3. Impact on the character and appearance of the area
4. Impact on the residential amenities of the area
5. Highway matters including parking
6. Ecology/biodiversity
7. Trees

2 SITE DESCRIPTION

The Old Farmhouse is a Grade II Listed Building which occupies a site on the southern corner of the junction of Salisbury Road with Fryern Court Road in Burgate. There are residential properties to the northern side of Fryern Court Road and immediately to the south of the site on Salisbury Road. The neighbouring property to the south, Cross Cottage, is also Grade II Listed. The majority of land to the rear of the site (west) is allocated as part of SS18, although the site and the adjoining part of SS18 are both within the countryside. The approved strategic site scheme (planning permission 21/11237) indicates that the large barn adjacent to the site's boundary would be demolished and removed, and the immediate area would form part of the public open space proposals for that scheme.

The northern and eastern boundaries of the site consist of mature hedging to the extent that the existing listed building is very well screened and can only be glimpsed when passing. The existing access off Salisbury Road, however, is quite open, with the outbuilding proposed to be altered being visible from the road. The vegetation includes mature trees, although there are none which benefit from TPOs.

Within the site, there are four outbuildings in addition to the farmhouse. That furthest from the listed building is a modern workshop (E) with limited historic significance. Building C situated in the rear garden is also of little historic significance. Building D is sited very close to the rear elevation of the listed building and whilst the open sided cattle pen element of the structure is of no historic significance, the remaining elements of the building are considered to be curtilage listed and contribute to the farmyard layout. Building B is considered to be curtilage listed, although it is presently in a ruinous condition.

3 PROPOSED DEVELOPMENT

The proposal entails the refurbishment of the existing listed farmhouse (plot 1), the demolition of modern outbuildings (buildings C, D & E) and their replacement with an L-shaped building comprising one 3-bed dwelling and two 2/3-bed dwellings (plots 2 - 4) and the substantial rebuilding and conversion of an outbuilding (building B) into two 4-bed dwellings (plots 5 & 6). In total, therefore, 5 new dwellings are proposed.

There would be a communal parking courtyard accessed off Salisbury Road containing 10 parking spaces and serving plots 3 - 6. The bin store for plots 3 and 5 would also be within this courtyard. To the north of the site would be a new access and 4 parking spaces off Fryern Court Road which would serve plots 1 and 2. An area of grasscrete would be situated between the two parking areas.

The existing farmhouse refurbishment (plot 1) would result in a 4-bed dwelling (one ensuite) with living room, bathroom, dining room, breakfast area, kitchen and bike/refuse store at ground floor level.

The new build structure would accommodate three dwellings, each having a kitchen dining area, WC and either a living room (2) or bed 3/study (3 & 4) at ground floor level and two (3 & 4) or three (2) bedrooms and a bathroom at first floor level. Plots 2 and 4 would each have bike and bin stores in the rear gardens, with plot 3 having a bike store and shared bin store with plot 5 to the south-west corner of the site.

Plots 5 & 6 would comprise a hall, WC and open plan kitchen, dining, lounge area at ground floor level with 4 bedrooms (one ensuite) and a family bathroom at first floor level. They would each have bike stores within the private garden area, with plot 6 also having a bin store in the garden. Plot 5 would have a shared bin store with plot 3.

Hard and soft landscaping are also proposed as part of the development. This includes maintenance of existing vegetation as well as new planting. It is further noted that the revised site plan also includes the provision of a 2.1m high close-boarded acoustic fence to the southern boundary of the site which would form the rear garden boundary to plots 5 and 6.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/11237 Hybrid planning application comprising: Outline planning application (all matters reserved except means of access only in relation to new points of vehicular access into the site) for residential development and change			Pending Committee

of use of land to Alternative Natural Recreational Greenspace, together with a community hub (to comprise a mix of some or all of; local food retail, local non-food retail, community use and business use) and all other necessary on-site infrastructure. Full planning application for the first phase of development comprising 112 dwellings, public open space, Alternative Natural Recreational Greenspace, surface water attenuation and all other necessary on site infrastructure

20/10352 Residential Development
(Scoping Opinion)

29/05/2020

Opinion
Given

Decided

5 **PLANNING POLICY AND GUIDANCE**

Local Plan 2016-2036 Part 1: Planning Strategy

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 IMPL1: Developer Contributions
Policy IMPL2: Development standards
Policy STR3: The strategy for locating new development

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Neighbourhood Plan

National Planning Policy Framework

NPPF Ch.11 - Making effective use of land
NPPF Ch.16 - Conserving and enhancing the historic environment
NPPF Ch.12 - Achieving well-designed places

National Planning Policy Guidance

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council:

Recommend PERMISSION as the plans sympathetically improve and develop an existing site which is in need of renovation. The Town Council recognises the economic necessity of developing the outbuildings and the application doesn't overdevelop the site. The Town Council has concern over the northern exit onto Fryern Court Road as this road floods for weeks or even months every year. To avoid further exacerbating the flooding issues, there is the opportunity for remedial work to explore and reinstate the culvert. A local resident has raised concern over light pollution, and we hope this will be considered also.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Environmental Health (Pollution)

No objection subject to conditions

Environmental Health (Contaminated Land)

Recommend condition

HCC Highways

No objections in principle, refuse vehicle movement still looks tight

NFDC Trees

No objection subject to condition

NFDC Ecologist

Ecological enhancement measures should be secured

NFDC Conservation

Proposal would result in significant less than substantial harm

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received from a local resident.

- impact on neighbouring privacy due to loss of vegetation
- additional traffic generation on A338 and Fryern Court Road
- area is prone to flooding
- impact on the character of Fryern Court Road
- impact on biodiversity
- local amenities will be overwhelmed

10 PLANNING ASSESSMENT

Principle of Development

The proposal involves refurbishment, demolition and new building works to provide new dwellings in the countryside. These considerations are subject to compliance with policy ENV3 of the Local Plan Part 1 which requires development to be sympathetic to its context, avoid unacceptable effects on residential amenity or local character and create buildings and spaces which are easy to navigate.

The principle of new dwellings in this location is considered under policy DM20 of the Local Plan Part 2 which is quite restrictive. The policy only permits new residential development in the countryside that satisfies one of four criteria. These are:

- a) **a limited extension to an existing dwelling;** the proposal does not include extending the existing dwelling **or**
- b) **the replacement of an existing dwelling, except where it:**
 - (i) **is the result of a temporary permission(s); and/or**
 - (ii) **is an unauthorised use; and/or**
 - (iii) **it has been abandoned;** the existing dwelling is not being replaced **or**
- c) **affordable housing to meet a local need, in accordance with Core Strategy Policy CS22;** the proposal is not for affordable housing **or**
- d) **an agricultural worker's or forestry worker's dwelling in accordance with Policy DM21** the proposal is not for agricultural or forestry workers.

In this case, the site is located within the countryside in the hamlet of Burgate. Whilst there are residential properties close by, the provision of new residential dwellings within the countryside is contrary to policy DM20 of the Local Plan Part 2 as clarified above. It is noted that the supporting Planning Statement does not include any reference to this policy and the proposal does not fall into any of the categories allowed by this policy. As such, the application, entailing 5 new dwellings in the countryside, would be contrary to this policy.

During the course of the application, the agent has indicated that the conversion of existing buildings into residential properties would be permitted development (under Class Q, Part 3 of the GPDO). However, as they fall within the curtilage of a listed building, this would not be the case.

The submitted Planning Statement does make reference to paragraph 11 of the NPPF which states that there is

'11. ... a presumption in favour of sustainable development.

... For decision-taking this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Having regard to this, in particular part (d), it should be noted that the Council is currently unable to demonstrate a 5-year housing land supply. This means that permission should be granted unless other policies within the Framework which protect assets of particular importance (i.e. heritage assets such as listed buildings) provide clear reasons for refusing the development proposed. It is considered that these reasons exist and they are detailed below. The tilted balance does not, therefore, apply in this instance.

The applicant makes reference to paragraph 84 of the NPPF which states that the development of isolated homes in the countryside should be avoided unless one of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- (d) the development would involve the subdivision of an existing residential building; or*
- (e) the design is of exceptional quality, in that it: is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

There is no specific definition of what constitutes isolated, but it is clear from the surrounding area and documentation within the Heritage Assessment that the area is a hamlet and is easily accessible along the main Salisbury Road to Fordingbridge and other built-up areas outside of the District. It is not considered that paragraph 84 applies in this instance.

The proposal is not therefore considered to comply with either local or national policy with regard to the provision of new dwellings within the countryside.

Listed Building impacts

There is a duty imposed by Section 66 (1) of the Act requiring decision makers, be they officers, or Council Members, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The NPPF makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of the potential level of harm, and that any harm to the significance of a designated asset from its alteration, destruction or change to its setting requires clear and convincing justification.

Policy DM1 of the Local Plan Part 2 makes it clear that proposals should conserve and seek to enhance the historic environment and heritage assets which should be protected in proportion to their significance. Where development is necessary to secure the future of a heritage asset, the proposal should not materially harm the significance of the heritage asset and its setting.

The associated listed building consent application details the proposals in respect of the proposed physical alterations to the listed buildings. From a planning point of view, consideration therefore has to be given to the impact of the proposals on the setting of the listed buildings. The application is supported with a Heritage Assessment, although it is considered that there are some shortcomings in the understanding of the layout of the building types on site which has resulted in the dismissal of the value of some buildings and in turn this has an impact on the setting and significance of the listed farmhouse.

The supporting information and plans identify the buildings on site as follows:

Building A - the farmhouse

Building B - the curtilage listed building in a ruinous state to the south of the farmhouse (proposed plots 5 & 6)

Building C - smaller modern outbuilding to the west of the farmhouse

Building D - a range of buildings to the west of the farmhouse in varying states of repair

Building E - a modern workshop building to the west of the site.

Building E would be demolished in order to provide space for residential gardens. The structure is made up of two parts built at different times. Whilst the easternmost part could be considered to be curtilage listed, it has little functional link with the farm and overall, the building is not considered to contribute to the setting or significance of the listed building and has negligible historic or architectural interest in its own right. As such, there are no objections to the demolition of this building.

Part of Building D is a flat roofed, open sided cattle pen which is of no historic significance and not considered to be curtilage listed. However, the corrugated steel part with lean-to and tile/weather boarded structure in a poor state of repair, are considered historic and likely to have been built in the early 19th century. Their location close to the farmhouse is reflective of the origins of the farm, and they are considered to make a positive contribution to the setting and historic significance of the farmhouse. The loss of the cattle pen element of the building is considered to be of slight benefit to the setting of the listed building.

However, the positive contribution of the remaining parts of Building D is eroded as a result of the ruinous and overgrown condition of the eastern part of the building. Whilst these are not matters considered to necessitate or justify the removal of the whole of the building, the removal of the western part of Building D would significantly erode the historic layout of the farmstead and the evidence of its modest origins from two separate holdings in the mid -19th century. Its removal would therefore cause less than substantial harm to the setting and significance of the listed building.

Building C is located within the garden of the farmhouse and is of modern appearance. Whilst it may have been built on footings of older structures, it is of negligible historic interest and its condition suggests that it is not capable of repair, reuse or conversion. Its loss is not therefore of concern with regard to the setting of the listed buildings.

Building B is a curtilage listed building which has fallen into significant disrepair in recent years. The majority of the footprint has no roof and only partial walls, with the eastern gable of the remaining structure largely missing. This eastern section was previously stables with a hay loft, with the western section a barn with openings north and south.

From a listed building point of view, there are no objections to the restoration and reconstruction of building B into two dwellings. This would enable the restoration of a curtilage listed building and would enhance the setting of the listed buildings and farmstead. However, the proposed design of the two houses fails to reflect the historic character of the barn. Whilst the proposed form and massing of the building accords with that previously existing, the proposed pattern of fenestration, with extensive use of roof lights and multiple opening results in a building of incongruous appearance that fails to incorporate the basic elements that would identify it as a historic barn. Consequently, the proposed building would be a large massing with no clear historic relationship to the yard area or the listed farmhouse and would result in

less than substantial harm the setting and historic interest of the listed building.

As stated briefly above, the proposal includes the provision of a 2.1m high close-boarded acoustic fence along the rear garden boundary to plot 6. This is proposed to be at an angle to both Building B, with which it is associated, and the road, resulting in an awkward juxtaposition with the building which obscures much of the eastern elevation of the building from roadside views. It is also considered that the provision of this fence would have a harmful impact on the setting of the Grade II Listed Building at Cross Cottage to the south. Behind this fence to the east of the building would be the proposed bin and cycle stores for plot 6, which would be a further detraction from this property.

Overall, whilst the proposal includes many elements which would improve the setting of the listed buildings, the loss of much of Building D and the inappropriate detailing of the reconstructed Building B would be harmful to the setting of the listed farmhouse and associated curtilage listed farm buildings. There is also harm to the setting of the adjacent Cross Cottage due to the proposed siting of a 2.1m high fence. The proposal is therefore considered to conflict with policy DM2 of the Local Plan Part 2 by reason of the harm caused to the setting of the listed building through the loss of important buildings and the domestic nature of a reconstructed building.

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

The proposal alterations to the farmhouse would have a limited impact on the character of the area. Clearance of some of the overgrown garden areas would offer improvements to this corner plot.

The proposed plots 2, 3 and 4 are proposed as a new building to the west of the farmhouse and this is an acceptable location for built form, although there are concerns with regard to the scale and massing of the building. Historically, the main barn (Building B) would have been the dominant building within the farmyard, and the proposed height of the dwellings, being only 7m from this structure, would compete with it. As such, the new building accommodating plots 2, 3 and 4 would appear dominant and incongruous in the setting of the listed building.

The new building has been designed as a simple gabled and lean-to form with large roof spans and a material palette that is characteristic of smaller, single-storey farm buildings. Their use in a one-and-a-half storey building of significantly greater volume would appear incongruous in the setting of the listed building. The removal of the entirety of Building D will mean there is significantly increased visibility between the new building and the listed building. The height of the blank gable end facing the listed building will be prominent within the setting of the listed building and would accentuate the loss of Building D to the rear of the farmhouse. The harmful effects of these impacts will outweigh any benefit from the demolition of Building E. In addition to this, it is considered that the courtyard and associated access through the site would sever the farmhouse from its historic curtilage which would further impact on its setting.

The provision of an additional access point onto Fryern Court Road would result in the loss of part of the mature boundary hedge and the associated urbanisation of this part of the lane. It is noted that the majority of properties along this part of Fryern Court Road are situated to the north, with just simple farm accesses to the southern side. This new access would therefore have an adverse impact on the character of the area. Added to this, there is concern that the proposed new building to accommodate plots 2, 3 and 4 would have some adverse impact on Rosemary Cottage, a listed thatched cottage dating back to the early 16th century to the north, through its incongruous scale and character. However, this harm is

considered to be at the lower end of less than substantial harm.

Residential amenity

Policy ENV3 of the Local Plan Part 1 requires development to avoid unacceptable effects on residential amenity such as overlooking, overbearing impact, shading and noise and disturbance. Development should be visually appealing and enjoyable to be in.

The existing dwelling that is proposed to be refurbished has one first floor bedroom window to the rear elevation. The proposed dwellings behind this would be sited so as not to harm the level of amenity currently enjoyed by this dwelling. The only windows which would face towards this dwelling are in excess of 21m away and relate to bathrooms which could be obscure glazed in any case. The east facing gable end of plot 2 is less than 21m away but has no windows. Any new windows at first floor level in this elevation would require planning permission unless they were designed so as to have high sills and obscure glazing to prevent overlooking. It is noted that the proposed parking spaces for plot 6 are relatively close to the south facing living room window to the existing dwelling. However, they would be screened by a hedge from this window and the room does benefit from east and west facing windows in addition to that to the south.

Cross Cottage to the south of the site is separated from the proposed development by a track in separate ownership, over which the occupants have a right of access to access their car port. The dwelling has a single first floor window facing the site which would be approximately 18m from the rear elevation of plot 6. The proposed new dwellings (plots 5 & 6) are set at an angle to Cross Cottage and would largely face towards the side garden of the property. Given the intervening vegetation outside of the applicant's control combined with the recessed nature of the window within a thatched roof and proposed roof lights serving bedrooms in the proposed dwellings, it is not considered that the proposal would result in a significant loss of privacy to this property.

The existing access could be used for agricultural uses at present, and it is noted that the farmyard contains several vehicles. The use of the access for 4 dwellings is unlikely to give rise to unacceptable noise and disturbance to Cross Cottage.

Moving to the proposed new dwellings, upper floors have been designed to include rooflights for all main habitable rooms, which would prevent overlooking between dwellings. In terms of the level of amenity space available for the proposed dwellings, it is noted that plot 6 has a very restricted garden area for a 4-bed property, with a 2.1m high fence proposed less than 5m from the windows of habitable rooms which face south. This is not a good setting and would offer a poor level of amenity for this dwelling.

The local concern with regard to a loss of privacy due to the removal of vegetation is noted, although this refers to the impact of properties across Fryern Court Road. It is not usual to object to privacy where windows face each other across a public highway.

Overall, the residential amenities of both existing and future occupiers would largely be preserved through the careful design and positioning of the proposed dwellings. However, plot 6 is shown as being a 4-bed family dwelling with a very restricted garden area. Within this garden area would be bin and cycle stores and the provision of a 2.1m high fence surrounding it. This is considered to represent an unattractive form of development which would have an impact on how attractive the property is for future occupants, contrary to policy ENV3 of the Local Plan Part 1.

Highway safety, access and parking

Policy ENV3 of the Local Plan Part 1 requires development to integrate an adequate level of car and cycle parking in order to meet realistic needs. The proposal generates a parking requirement of between 15.5 and 16.5 parking spaces should the spaces be provided on plot or 11.2-12 spaces where they are provided on a communal basis. The submitted plan indicates 14 communal spaces, although they are shown as being specific to certain properties. This amounts to two parking spaces for each dwelling, with plots 5 and 6 having a third space each. All 6 dwellings would have a bike store which would accommodate two cycles securely. This is slightly less than the recommended levels for the 4-bed houses, and there are no short stay, visitor spaces indicated. However, it is considered that were approval to be recommended, the site could accommodate additional short stay cycle parking, thus complying with the requirements of policy ENV3.

The same policy requires developments to create streets and spaces that are safe and easy to navigate. In this regard, the applicant has provided swept path movements for a refuse vehicle (being the largest vehicle requiring access) entering and leaving the site. The Highway Authority has advised that the plans appear tight, with refuse lorries potentially overrunning the carriageway/boundary wall of the neighbouring properties. They further indicate that this issue could be addressed through the inclusion of topography on the drawing to indicate these features as being outside of the swept paths. However, the application is being determined on the basis of the submitted plans which are not able to fully demonstrate that access for all necessary vehicles is safe and easy in accordance with the relevant policy.

As such, although the Highway Authority has not raised any concerns in respect of the visibility splays for either the existing access or the new proposed access onto Fryern Court Road, the proposal would be contrary to policy ENV3 on that it has not been demonstrated that adequate access for refuse vehicles can be achieved without overrunning the carriageway or neighbouring property walls.

Ecology/On Site Biodiversity and protected species

Policy DM2 of the Local Plan Part 2 requires development to incorporate features to increase biodiversity and where possible, enhance existing features of nature conservation value within the site.

The submitted Preliminary Ecological Assessment indicates that the listed farmhouse has moderate potential to support roosting bats, whilst other buildings and nearby trees offer a negligible potential. Given the limited nature of the proposals to the farmhouse, no further surveys are proposed at this time and this is considered acceptable. With regard to reptiles and great crested newts, it is considered that more survey work should be undertaken as slow worms and grass snakes have been noted locally (within 300m), and the site lies within an area of high potential for great crested newts.

The application was submitted prior to the mandatory requirement for the submission of a biodiversity metric.

Overall, whilst there are some elements which are considered to require further survey work, there are no overriding objections to the proposal from an ecology point of view subject to securing ecological enhancements referred to in the PEA such as bee bricks, native planting, sensitive lighting and hedgehog accessible boundaries. The proposal is therefore considered to comply with policy DM2 of the Local Plan Part 2.

Trees

This site is densely covered by trees and shrubs, particularly to the eastern and northern boundaries. The trees consist mainly of coniferous species including Leylandii, Monterey Cypress and Western Red Cedar, most of which have not been sympathetically managed in the past. There is a maturing Cedar tree at the front of the existing farmhouse which has potential to be a good specimen tree. However, given its close proximity to the listed building this tree cannot reach its full mature size without significant containment pruning in the future, and this would detrimentally affect the amenity of the tree.

Overall, despite the number of trees present on site, they are of not sufficient quality to be worthy of further protection by a Tree Preservation Order and therefore are not considered a constraint to development.

Whilst the amended site plan indicates the provision of new tree planting within the scheme, together with the retention of some larger specimens, were permission to be recommended, a fully detailed landscaping plan indicating the size, location and species of these new trees would be required.

Habitat Mitigation and off-site recreational impact

Proposals for new residential development are subject to compliance with policy ENV1 which requires development to provide mitigation or monitoring to address the impact from their provision in relation to International Nature Conservation Sites. This usually takes the form of financial contributions secured through the completion of a legal agreement.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and European sites, in view of those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites. 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 and the proposal is therefore contrary to policy ENV1 of the Local Plan Part 1.

Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the River Avon European sites, in view of those sites' conservation objectives, having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and

thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 *Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others*).

With regard to current proposals, Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide the proposed development with a phosphate budget that will enable the development's phosphate impact to be offset. Such a project has now been secured and, were permission to be recommended, a Grampian style condition could be imposed that would secure the appropriate level of phosphate mitigation.

Air Quality

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. A financial contribution is sought towards air quality monitoring and secured through the completion of a S.106 legal agreement. Given other concerns raised in this report, there has been no request for this to occur and the proposal is therefore in conflict with policy ENV1 in this respect.

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These would be the inclusion of cycle storage and promotion of sustainable transport and soft landscaping and tree planting to encourage biodiversity.

Developer Contributions

As part of the development, were permission to be recommended, the following would need to be secured via a Section 106 agreement:

- Habitat Mitigation (£39,743)
- Air Quality Monitoring (£545)

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

Type	Proposed Floor space (so/m)	Existing Floor space (so/m)	Net Floor space (so/m)	Chargeable Floor space (so/m)	Rate	Total
Dwelling houses	798.5	318.5	480	480	£80/sqm	£56,270.77 *

Subtotal:	£56,270.77
Relief:	£0.00
Total Payable:	£56,270.77

11 OTHER MATTERS

The Town Council and local resident have raised concerns about flooding in the area. It is acknowledged that land to the east of the A338, Salisbury Road falls within Flood Zones 2 and 3, although this designation does not breach the road and the site and access provisions are fully outside of this area.

Whilst the applicant has been willing to address concerns raised during the course of the application, there was no pre-application advice sought prior to the submission of the proposal. The changes likely to be required in order to address these concerns, including the principle of new dwellings in the countryside, are such that it is considered a fresh application would be required.

12 CONCLUSION / PLANNING BALANCE

The proposal does not offer any justification for the provision of 5 additional homes within the countryside and is therefore contrary to both local and national policy. Whilst the scheme does offer some benefits to the listed farmhouse on site, there are significant concerns with regard to the proposed demolition and reconstruction of the remaining buildings within the site in terms of their adverse impact on the setting and significance of the listed buildings both within and adjacent to the site. The concerns raised amount to less than substantial harm to the setting of the listed building. Moreover, it is considered this 'less than substantial' harm would be at the more significant end of the spectrum of such harm. Weighing up the scheme's public benefits against this harm, it is considered that any public benefits associated with the renovation/rebuilding of a dilapidated building and refurbishing the listed farmhouse and front garden area would be materially outweighed by the scheme's negative heritage impacts.

In addition to these concerns, the proposed plot 6 would have unduly poor levels of residential amenity in view of its small external amenity space bound by a 2.1m high fence, and it has also not been demonstrated that the largest vehicles required to enter the site can be fully accommodated along the proposed access route.

Finally, in the absence of a S.106 legal agreement, the proposal would have an adverse impact on designated international nature sites.

Given the adverse heritage impacts and other harm identified, and also given the timing of the application, it is not considered that the Council's lack of a 5-year housing land supply would provide any justification for permitting this proposal, noting that the so called 'tilted balance' does not apply.

Therefore, carefully balancing all of the above factors, it is not considered that there are any material planning considerations that would justify a decision contrary to policy. Accordingly, it is recommended that the application be refused.

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

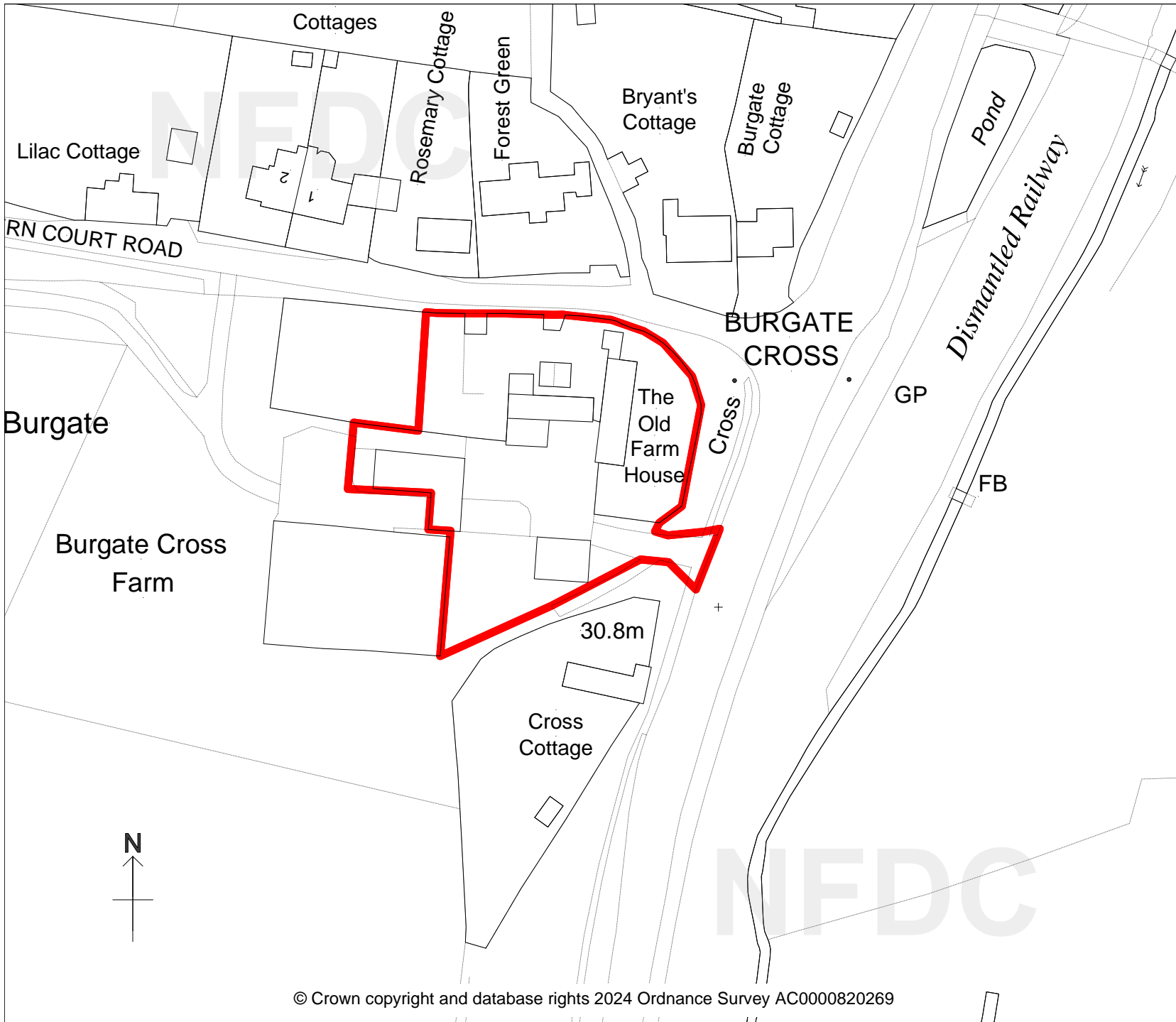
1. The proposal would result in 5 new dwellings in the countryside which would be harmful to the rural character of the area and would significantly alter the impact of built form on the site within its setting. In the absence of any material considerations to justify these dwellings, the proposal is contrary to policy DM20 of the Local Plan Part 2.
2. The proposal would result in less than substantial harm to the character, appearance and setting of the listed building on site by reason of the demolition of much of Building D, the design of the reconstructed Building B (plots 5 and 6) and the scale and massing of the proposed dwellings (plots 2, 3 and 4) in relation to the listed building, whilst a proposed 2.1 metre boundary fence would also cause less than substantial harm to the setting of the adjacent Grade II Listed Building at Cross Cottage. In combination, this harm is considered to be at the more significant end of the spectrum of less than substantial harm. The proposal would therefore be contrary to policy ENV3 of the Local Plan Part 1 in that it would be an unsympathetic form of development in relation to the adjoining buildings and policy DM1 of the Local Plan Part 2 in that it does not adequately address the nature of the significance of the heritage assets.
3. The proposal would offer poor and unsatisfactory levels of residential amenity for the 4-bedroom dwelling on plot 6 by reason of the limited amount of proposed external amenity space and the 2.1m high boundary treatment surrounding this area. The proposal would therefore be contrary to policy ENV3 of the Local Plan Part 1.
4. It has not been demonstrated that the use of the access by refuse vehicles would not overrun the limitations of the carriageway resulting in harm to highway safety. The proposal is therefore in conflict with policy ENV3 of the Local Plan Part 1.

5. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area and 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 Documents "Mitigation for Recreational Impacts on New Forest European Sites" and 'Air Quality in New Development'.

Further Information:

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PLANNING COMMITTEE

November 2024

The Old Farmhouse
 Salisbury Road
 Burgate
 23/11306 and 24/10054

Scale 1:1000

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

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Planning Committee 13 November 2024

Application Number: 24/10054 Listed Building Alteration

Site: THE OLD FARMHOUSE, SALISBURY ROAD, BURGATE,
FORDINGBRIDGE SP6 1LX

Development: Restoration of the listed building including proposed internal wall, conversion and extension of outbuilding to two 4-bed dwellings, demolition of curtilage listed buildings (Application for listed building consent)

Applicant: Cordage 46 Limited

Agent: CPC Planning Consultants Ltd

Target Date: 20/03/2024

Case Officer: Vivienne Baxter

Officer Recommendation: Refuse

Reason for Referral to Committee:

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the historic interest of the listed building
- 2) Impact on the setting of the listed building

2 SITE DESCRIPTION

The application site lies to the western side of the A338 at Burgate, to the north of Fordingbridge. It contains a grade II listed, detached two-storey dwelling which is in need of refurbishment and further large outbuildings, some of which are considered to be curtilage listed and others of which are more modern. These structures are a combination of ancillary residential uses and commercial uses. The yard to the rear of the farmhouse contains several cars and other vehicles, many of which have been in situ for some time.

The front boundary consists of a mature hedge with trees. There are also trees within the front garden of the dwelling, although it is quite overgrown. The mature hedge also extends to the northern boundary along Fryern Court Road.

Adjoining the southern boundary is an access track leading to land to the east which is part of Strategic Site 18. Although there is a large barn within this adjoining land at present, it is proposed to be removed and the land will be public open space in association with the strategic site.

The site is accessed off Salisbury Road. This access is shared with Cross Cottage (an adjacent Grade II Listed Building) to the south.

3 PROPOSED DEVELOPMENT

The proposal entails the refurbishment of the existing listed farmhouse (plot 1), the demolition of modern outbuildings (buildings C, D & E) in association with their replacement with an L-shaped building comprising 3 dwellings (plots 2 - 4) and the substantial rebuilding and conversion of an outbuilding (building B) into two 4-bed dwellings (plots 5 & 6).

The existing farmhouse refurbishment (plot 1) would result in a 4-bed dwelling (one ensuite) with living room, bathroom, dining room, breakfast area, kitchen and bike/refuse store at ground floor level. Plots 5 & 6 would comprise a hall, WC and open plan kitchen, dining, lounge area at ground floor level with 4 bedrooms (one ensuite) and a family bathroom at first floor level.

4 PLANNING HISTORY

23/11306 - conversion and extension of outbuilding to two 4-bed dwelling; erection of an L-shaped building comprising one 3-bed dwelling and two 2/3-bed dwellings in place of two modern outbuildings; new access onto Fryern Court Road; associated parking; hard and soft landscaping. Under consideration.

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

SPD - Housing Design, Density and Character

Neighbourhood Plan

National Planning Policy Framework

NPPF Ch.16 - Conserving and enhancing the historic environment

National Planning Policy Guidance

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council:

Recommend PERMISSION as the plans sympathetically improve and develop an existing site which is in need of renovation. The Town Council recognises the economic necessity of developing the outbuildings and the application doesn't overdevelop the site. The Town Council has concern over the northern exit onto Fryern Court Road as this road floods for weeks or even months every year. To avoid further exacerbating the flooding issues, there is the opportunity for remedial work to explore and reinstate the culvert. A local resident has raised concern over light pollution, and we hope this will be considered also.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

New Forest National Park Authority

No objection

Conservation Officer

The proposal would result in less than substantial harm to the setting and significance of the farmhouse

9 REPRESENTATIONS RECEIVED

The following is a summary of the 2 representations received:

- principle is supported but concerns over right of access to south
- flooding is a problem
- new access could be problematic
- overdevelopment
- affordable homes are required

The amendments to the access provisions have addressed one of the initial objections. It is noted that the concerns raised relate primarily to the associated planning application 24/11306.

10 PLANNING ASSESSMENT

There is a duty imposed by Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers, be they officers, or Council Members, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy ENV3 requires works to be sympathetic to their environment whilst respecting local distinctiveness, character and identity. Policy DM1 requires heritage assets to be protected in proportion to their significance and this includes the setting of the heritage asset and the public enjoyment of this. In order to secure the long term future of the heritage asset, proposals should not materially harm its significance or its setting.

The supporting information and plans identify the buildings on site as follows:

Building A - the farmhouse

Building B - the curtilage listed building in a ruinous state to the south of the farmhouse (proposed plots 5 & 6)

Building C - smaller modern outbuilding to the west of the farmhouse

Building D - a range of buildings to the west of the farmhouse in varying states of repair

Building E - a modern workshop building to the west of the site.

The existing listed dwelling comprises a central brick and timber framed farmhouse building dating to the late 18th century (inspection of the framing and roof timbers suggests the building may date to earlier in the 18th century), a two-storey brick extension of the late 19th century used as a dairy in 1898, and a single-storey extension to the north (of mid-19th or early-20th century date). Significant features of note are set out in the heritage statement. The building is in a poor state of

repair, with evidence of water ingress and damp, and there are significant repair issues with the roof and timber frame of the 18th century part of the building that need to be addressed.

The proposed works to this property are:

- provision of a stud partition to create a ground floor bathroom within the 19th century extension
- removal of the rear wall of the modern link between the house and service wing
- replacement of rotten and modern windows and doors with new timber framed 19th century style windows and doors
- repair work to include thermal insulation and roof repairs

These proposed works to the listed building would preserve the significance of the building and are considered acceptable in principle, subject to conditions requiring details of these works. However, there is substantial uncertainty expressed within the submitted reports as to the extent of the roof repairs necessary to the building. Whilst the purlins are located at ceiling level and much of the decay is likely to be located behind existing skelings, significant further assessment of the extent of repair work is required.

As set out in the submitted survey, any acceptable methodology would rely on the provision of a temporary roof to allow for the stripping of the thatch and an inspection of the underlying timbers. A comprehensive methodology detailing these works would need to form a condition of any approval.

Building B is a curtilage listed building which has fallen into significant disrepair in recent years. The majority of the footprint has no roof and only partial walls, with the eastern gable of the remaining structure largely missing. This eastern section was previously stables with a hay loft, with the western section a barn with openings north and south. The proposal is described as conversion and extension into two 4-bed dwellings. However, as only the frontage (eastern) part of this building remains and, contrary to the submitted existing drawings, the building no longer has a roof and the front gable has collapsed down to the lintel over the double doors - this is also evidenced in the Heritage Assessment which states that the building would be reconstructed and that the remaining part is beyond economic repair. As such, it would appear that complete reconstruction of this building is proposed. The rear section of the building is limited to partial walls, largely under 1m in height. From a listed building point of view, the principle of restoring the building back to its former presence on site and therefore maintaining the farmstead layout, is considered acceptable in principle.

However, the proposed design of this fails to reflect the historic character of the now collapsed barn, or of traditional Hampshire barns in general. Historically, the barn would have had large openings to the north and south elevation, contrary to the suggestion of larger openings to the east and west elevations within the Heritage Assessment. Although this element of the building has collapsed, there is evidence of wider openings to the north and south elevations albeit hidden by the undergrowth. The proposed building offers multiple openings within the north and south elevations in addition to 6 rooflights to each elevation, resulting in a building which would have little relevance to the historic relationship with the yard. As such, it is considered that this element of the proposals would result in less than substantial harm to the historic interest of the listed building.

Building C is located within the garden of the farmhouse and is of modern appearance. Whilst it may have been built on footings of older structures, it is of

negligible historic interest and its condition suggests that it is not capable of repair, reuse or conversion. Its loss is not of concern with regard to the setting of the listed building but is considered to offer a slight benefit to its setting.

Building D is sited immediately to the rear of the listed farmhouse. The location of this building close to the farmhouse is reflective of the modest origins of the farm, incorporating the farmhouse and outbuilding into the larger holding to the south. This resulted in the peculiarly cramped arrangements of the site that distinguish it from the larger and middling farms with well-defined courtyard arrangements such as is seen nearby at Lower Burgate, Burgate Manor or Fryern Court. It is considered that its form makes a positive contribution to the setting and historic significance of the farmstead.

The building is made up of different elements, and it is considered that the cattle pen section is of no historic significance and does not form part of an integral part of the building. There are no objections to the loss of this element of the building. The corrugated steel part with lean-to and tile/weather boarded structure in a poor state of repair, are considered historic and likely to be remnants of an early 19th century building. The eastern end is in a poor state of repair and not accessible, although the western element has been reclad in corrugated metal but retains its historic appearance. It is considered that this element of the building is curtilage listed and contributes positively to the historic interest of the listed farmhouse.

Whilst the poor condition of parts of this building and its overgrown nature do detract from the positive contribution the building makes, it is not considered that this is sufficient justification for its complete removal, which would significantly erode the historic layout of the farmstead and the evidence of its modest origins from two separate holdings in the mid-19th century. Its removal would cause less than substantial harm to the setting and significance of the listed building.

Building E would be demolished in order to provide space for residential gardens. The structure is made up of two parts built at different times. Whilst the easternmost part could be considered to be curtilage listed, it has little functional link with the farm and overall, the building is not considered to contribute to the setting or significance of the listed building and has negligible historic or architectural interest in its own right. As such, there are no objections to the demolition of this building.

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

Whilst the proposal includes appropriate repair work and the refurbishment of a Grade II listed building, there are deficiencies within the submitted information to demonstrate the entirety of works required to repair the roof. Similarly, the supporting information does not provide adequate detail to justify the loss of parts of Building D. In addition to this, the proposed reconstruction of Building B would not be appropriate in terms of its design and window openings and the proposal would result in less than substantial harm to the listed building, contrary to policy DM1 of the Local Plan Part 2 and policy ENV3 of the Local Plan Part 1.

Paragraph 208 of the NPPF requires the proposal to be weighed against the public benefits. Whilst the scheme does offer some benefits to the listed farmhouse on site, there are significant concerns with regard to the proposed demolition and reconstruction of the remaining buildings within the site in terms of their adverse impact on the setting and significance of the listed building. The concerns raised

amount to less than substantial harm to the setting of the listed building. Moreover, it is considered this 'less than substantial' harm would be at the more significant end of the spectrum of such harm. Weighing up the scheme's public benefits against this harm, it is considered that any public benefits associated with the renovation/rebuilding of a dilapidated building and refurbishing the listed farmhouse and front garden area would be materially outweighed by the scheme's negative heritage impacts.

Accordingly, it is recommended that Listed Building Consent be refused.

13 RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

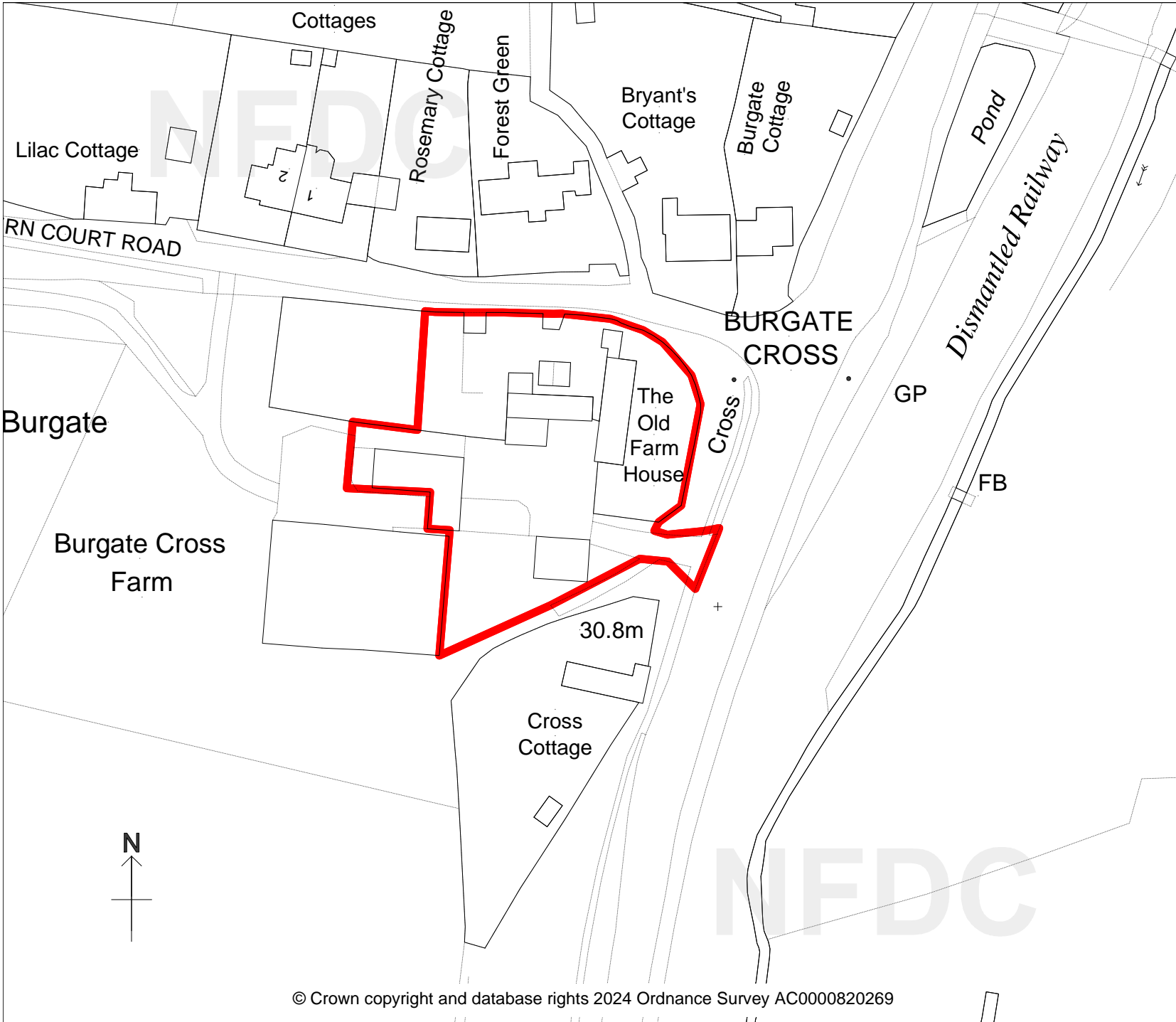
Reason(s) for Refusal:

1. The proposed works would result in less than substantial harm to the Listed Building and its curtilage listed structures in that it would result in the unjustified loss of a curtilage listed building (Building D) and multiple openings and inappropriate fenestration detailing to a reconstructed building (Building B) that would fail to reflect the more historic farmyard context. The proposal's harm would be compounded by the lack of detail in respect of the proposed roof works to the main listed farmhouse. In combination, this harm is considered to be at the more significant end of the spectrum of less than substantial harm. As such, the proposal would not be sympathetic to its historic context and is therefore contrary to policy ENV3 of the Local Plan Part 1 and policy DM1 of the Local Plan Part 2 as it does not conserve or enhance the significance of the heritage assets.

Further Information:

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PLANNING COMMITTEE

November 2024

The Old Farmhouse
Salisbury Road
Burgate
23/11306 and 24/10054

Scale 1:1000

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