

Application Number: 19/10223 Variation / Removal of Condition

Site: RINGWOOD SOCIAL CLUB, 19 WEST STREET, RINGWOOD
BH24 1DY

Development: Removal of conditions 22 & 28 of 16/11254 to allow all residential units to be occupied before external works to the Listed Building are completed

Applicant: Andrews Partnership

Target Date: 15/04/2019

Extension Date: 12/07/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

1.1 The following matters are considered to be the main issues to be taken into account when determining this application. These and all other relevant considerations, are set out and considered in Section 11; Officer Comments, of this report after which a conclusion on the planning balance is reached.

1. Had an application been submitted for this development as a stand alone scheme would planning permission have been granted
2. The implications of removing conditions 22 and 28
3. Housing Land Supply
4. Habitat Regulations and Contributions
5. What are the implications if planning permission was refused

1.2 This matter is being considered by Committee as the recommendation is contrary to the original resolution reached by Members in considering ref. 15/11824 (varied by 16/11254). Members considered 15/11824 to be acceptable, subject to the proceeds derived from the sale of the rear portion of the site being used to enable works to enhance the associated listed building. Cllr J Heron also objects to the application as the enabling objective remains valid and is not negated by the change in ownership.

2 THE SITE

2.1 The whole of the application site is within the Ringwood Conservation Area, Ringwood Town Centre boundary, and the front part is within a Secondary Shopping Frontage location. 17-19 West Street are a pair of Grade II Listed Buildings which date from the 18th Century. The buildings are 3-storeys high under pitched roofs and are positioned at the back edge of the West Street pavement. Attached to the rear of the Listed Buildings was a large 2-storey flat-roofed structure dating from the early 1970s (now demolished). To the south of this was formerly a parking area, accessed from Strides Lane, which has been subject to groundworks associated with provision of 5 no. dwellings to the rear of

the site. The site was occupied by Ringwood Social Club since the 1960s, although it is understood that the premises have not been open since May 2011. Consequently the Listed Building is in a poor state of repair.

- 2.2 The applicant has made a material start to a housing development to the rear of the site approved under ref. 16/11254, through the laying of foundations and drainage infrastructure.

3 THE PROPOSED DEVELOPMENT

- 3.1 This application is made under Section 73 of the Town and Country Planning Act to vary the planning permission granted under ref. 16/11254. If granted it would result in the issuing of a new planning permission under ref. 19/10223, which seeks to remove condition numbers 22 and 28 of the varied planning permission granted under ref. 16/11254.

- 3.2 Condition 22 reads:

Prior to the first occupation of any dwelling, the existing club extension shown to be demolished shall have been demolished in full and prior to the first occupation of the pair of semi-detached dwellinghouses (units 4-5) all of the proposed external works to the Listed Building including the erection of the orangery extension, the lift shaft and the new / replacement windows and doors and the associated external repairs shall have been implemented in full.

Reason: The development is considered acceptable as a whole. However, partial implementation of the development without delivering the proposed benefits to the Listed Building would result in a development that would fail to adequately preserve or enhance the site's historic context

- 3.3 Condition 28 reads:

The permission to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Council on 11th August 2016 under reference 15/11824 is begun. Furthermore, should this planning permission be implemented, no part of the planning permission that was granted by the Council on 11th August 2016 under reference 15/11284 shall be implemented. Within one month of the commencement of either permission, the Local Planning Authority shall be provided with written notice as to which planning permission is being implemented.

Reason: To ensure that the approved dwellings are not built under separate planning permissions, which would be prejudicial to the implementation of all of the approved external works to the Listed Building, which would thereby result in development that would fail to adequately preserve or enhance the site's historic context.

- 3.4 The current application does not allow for a reassessment of the development, it only allows the Council to consider the matter before them, ie whether the two conditions are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable.

4 PLANNING HISTORY INCLUDING NOTES OF ANY PRE APPLICATION DISCUSSIONS

- 4.1 Planning permission was granted in August 2016 for an office building; 1 pair of semi-detached houses; 1 terrace of 3 houses; demolition of the existing club extension and a single storey rear extension; external window and door alterations; parking; access and landscaping (Ref. 15/11825). The application was subject to a number of conditions including Condition 22 which required all of the external works to the Listed Building to be implemented before the first occupation of Units 1-3. The reason for this condition was to ensure that the development is not partially implemented without delivering the proposed benefits to the Listed Building.
- 4.2 Subsequently, under ref. 16/11254, an application was made to vary Condition 22 of Planning Permission 15/11824 to allow the words pair of semi-detached houses (units 4-5) to be inserted instead of terrace of 3 (units 1-3). That application was granted in November 2016, subject to an additional condition (no. 28) to ensure just one permission - either 15/11825 or 16/11254 could be implemented.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Core Strategy

CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS6: Flood risk
CS15: Affordable housing contribution requirements from developments
CS20: Town, district, village and local centres
CS24: Transport considerations
CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation
DM3: Mitigation of impacts on European nature conservation sites

Supplementary Planning Guidance and other Documents

SPG - Ringwood - A Conservation Area Appraisal
SPD - Ringwood Local Distinctiveness Document

Local Plan Part Review 2016-2036 - Public Consultation Draft

Policy 1 - Achieving Sustainable Development
Policy 5 - Meeting our housing needs
Policy 10 - Mitigating the impact of development on International Nature Conservation sites
Policy 11 - Heritage and conservation
Policy 13 - Design Quality and local distinctiveness

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

Relevant Advice

National Planning Policy Framework

Chapter 5 (Delivering a sufficient supply of homes)
Chapter 7 (Ensuring the viability of town centres)
Chapter 12 (Achieving well-designed places)
Chapter 16 (Conserving and enhancing the historic environment)

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council - Recommend refusal, but would accept Planning Officer's decision. The original permission was granted in exceptional circumstances to enable the development of the Listed Building and separate treatment of the housing development is not acceptable.

8 COUNCILLOR COMMENTS

Cllr J Heron - Objects to the application as the objectives, from which conditions 22 & 28 arise, remain valid and are not negated by the change in ownership of the freehold. Had the purchaser been concerned about the conditions it could have been mitigated through a legal agreement. If no such agreement has been secured this is either through an error on the part of the purchaser or is a deliberate attempt to circumvent the planning process and as such neither scenario would justify the granting of the application.

9 CONSULTEE COMMENTS

- 9.1 NFDC Conservation - This application seeks the removal of conditions specifically attached to the previous consent to set a trigger for restoration of the listed buildings to the front of the site.
- 9.2 The existing proposals were for the reuse of the existing buildings, demolition of a large 1970s block to rear and redevelopment of site with additional commercial and housing units to the rear. The principal of the scheme at the time was supported and balances the removal of the unsightly rear extension with the addition of contextually designed buildings to the rear of the site. Fundamentally conservation and design support for this scheme was given on the pre-requisite that it enabled the restoration of these important historic listed buildings within the Ringwood Conservation Area. This is a nationally recognised approach in the case of buildings at risk and is set out in numerous guidance notes supporting heritage led regeneration.
- 9.3 It was critical that any proposed development secured the restoration and potential reuse of the main listed building and this should be the priority before development is considered. At the time conditions were applied to the residential elements of the scheme seeking full restoration of the buildings prior to occupation of several residential units. This was

later altered to cover the occupation of the rearmost properties but still sought to secure the buildings restoration. Without this condition there is no incentive for the listed buildings to be restored and the LPA will find itself in the same position it was in before this permission was given. Removal of this condition would leave the listed building vulnerable and the enabling development allowed previously would cease to perform its function.

- 9.4 It is appreciated that there have been changes in ownership, but the trigger over the residential element of the scheme is the best method of securing the restoration of the buildings and therefore should be retained for these reasons. The reason for triggering the dwellings was due to the profit associated with those units and a commercial drive to get these finished and sold/occupied. Without an alternative the listed building will continue to decay. The costs and repair needs for the listed building will only increase over the next few years.
- 9.5 Removal of conditions 22 and 28 would remove the important trigger mechanism. If the key aim of the consent was to bring the listed building back into use and to secure its repair and restoration then the removal of this trigger condition could not be supported. It would also set a dangerous precedent for other similar proposals around the District where enabling development could help with the restoration and reuse of listed or historic buildings.

10 REPRESENTATIONS RECEIVED

The following is a summary of the representation received. It can be read in full via the link set out at the head of this report.

- The listed building is dilapidated. If it were restored in accordance with the agreed plans it would greatly enhance West Street.
- The rear residential part of the consented scheme has been purchased separately by the applicant leaving ownership of the listed building with the original owners. The intent of the applicant in purchasing the rear part was that funds would be available for the original owners to effect repairs to the listed building thereby discharging the planning conditions
- The original owners have not, will not or cannot now afford to carry out the required repairs meaning that some of the residential units cannot be occupied because the conditions will not have been discharged.
- The situation was in the applicant's hands, as a simple legal agreement, withholding of part of the payment or agreeing a reduced price and carrying out the repair works themselves would have avoided this situation.
- The consent covers the development as a whole which included improvements to the listed building. To simply 'cherry pick' the best parts and avoid the more onerous elements of the consent, irrespective of ownership is at odds with the reasons permission was granted in the first place.
- It is acknowledged that the applicant could make a further planning application for just the residential units with no tie to the listed building, which could be granted.

- The application to remove the conditions should be refused unless there is a high probability that a separate scheme would be granted permission.

11 OFFICER COMMENTS

Introduction

- 11.1 This application is to vary the planning permission granted under ref. 16/11254 and if granted would result in the issuing of a new planning permission under ref. 19/10223. The current application seeks to remove condition numbers 22 and 28 of the varied planning permission granted under ref. 16/11254. Condition 22 is the central aspect here. The sole function of condition 28 is to prevent the impementation of both the earlier consent 15/11824 and the latter consent 16/11254 together and as a result circumvent condition 28.

Relevant Considerations

The implications of removing conditions 22 and 28

- 11.2 Paragraph 55 of the NPPF states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable.
- 11.3 Condition 22 was imposed seeking to deliver enhancement works to the listed building fronting West Street. The sole function of condition 28 is to ensure that just one of the earlier consents could be implemented. Removal of condition 22 as sought is likely to compromise the works to the listed building being implemented, as there would be no lever to ensure those works are undertaken. This was an important element of the proposal, as works to the listed building would be secured by the site's wider redevelopment, commonly referred to as 'enabling development'.
- 11.4 The term 'enabling development' generally refers to a state of affairs in which development that would otherwise be considered 'harmful' is considered acceptable because it would facilitate (enable) benefits that outweigh that harm. Typically the benefits in question are the generation of funds that will be used to pay for work to be done to a listed building or other heritage asset that is in pressing need of substantial repairs. It was on this basis that the original proposal was presented as a scheme that would result in benefits to the Listed Building.
- 11.5 The applicant seeks removal of the conditions, considering them to be unnecessary, unreasonable, no longer relevant to the permission granted and contrary to the provisions and intentions of current Governmental Policy. This on the basis that the site subject to the planning permission has been split into two separate planning units and that there is no reasonable prospect or guarantee of the requisite works to the listed building being implemented, some two and a half years on from the grant of 16/11254.
- 11.6 The site has been subdivided, with the land to the rear, where five new dwellings are to be erected, now in separate ownership (Andrews Partnership) to the listed building fronting the site, which is still owned by Ringwood Social Club. The applicant states that in purchasing the land

to the rear, the agreed monies have been paid to the owners of Ringwood Social Club and it was anticipated that the money would stimulate the requisite works to the listed building. The transfer appears to have been carried out with little regard to condition numbers 22 and 28, which may have been addressed by a legal agreement between the parties to ensure the enabling works were undertaken. Unfortunately no such agreement was made between the parties and consequently, the current owner of the housing site has no control over the listed building or its curtilage and therefore no way of complying with condition 22. While the Social Club have received a capital receipt for the land to the rear, they have not facilitated the works to the listed building and there does not appear to be any realistic prospect or guarantee of the works coming forward soon. The local planning authority must therefore consider whether it has other powers to secure repairs to the listed building. Powers exist under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to specify works "reasonably necessary for the proper preservation of the buildings."

- 11.7 It is relevant to consider whether the Planning Authority would have granted the development to the rear, were it to come forward in isolation from the proposed works to the listed building. Whilst there was benefit to the investment that would have taken place to the listed building and the appearance of the Conservation Area, planning permission would have been granted for the scheme had it come forward without these enabling works.
- 11.8 The listed building is in a poor visual condition and will continue to deteriorate without intervention, although there is no indication that it is at immediate risk. While it is regrettable that the works will not come forward directly if this application is approved, on balance it is considered that a housing scheme of acceptable quality would still be delivered to the rear of the site, which in itself would not be 'harmful'. It should be noted that considerable time and effort has been taken to ensure the design, materials and detailing of the five units to the rear of the site are appropriate in terms of their impact upon the character of the area, in considering the original applications and discharging the conditions applied to 16/11254. Those conditions are re-applied below and include the specific details of materials, fenestration, archaeological investigation, landscaping, drainage, among other matters in order to ensure that the development is carried out to an acceptable standard. On balance officers consider that through imposition of the conditions outlined below, a housing scheme of acceptable quality and certainly not 'harmful' appearance will be delivered to the rear of the site, in accordance with the design and character related provisions of Policies CS2, CS3 and DM1 and the Ringwood Conservation Area Assessment. Conditions 22 and 28 are therefore not intrinsically required to bring a housing scheme of acceptable quality forward to the rear of the site.

Housing Land Supply

- 11.9 The heritage implications of the proposal also need to be balanced against other considerations, most pertinently the Council's current housing land supply position. In this respect, the LPA is not currently able to demonstrate a 5 year supply of housing land when assessed against its most recent calculation of Objectively Assessed Need. In accordance with the advice at paragraph 11 of the NPPF, permission

should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted. While approving the current application would result in only a modest number of dwellings coming forward, it would make a contribution to meeting the Council's housing shortfall. On balance it is considered that the benefits of bringing forward the housing site, at a time of housing land supply shortfall, outweighs the benefits of bringing forward the works to the listed building. The only way to facilitate this is to remove condition 22. It follows that condition 28 is not necessary.

Habitat Regulations and Contributions

- 11.10 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, 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.
- 11.11 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 and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional phosphate loading on the River Avon, but that the adverse impacts will be avoided through the future implementation of mitigation projects which will, in the short term, be paid for by the Council from its CIL receipts.
- 11.12 The Council has been advised by Natural England and the Environment Agency that existing measures to off-set the amount of phosphorous entering the River Avon as set out in the Hampshire Avon Nutrient Management Plan will not be sufficient to ensure that adverse effects on the integrity of the River Avon Special Area of Conservation do not occur. Accordingly, new residential development within the catchment of the Hampshire Avon needs to be "phosphate neutral". In order to address this matter the Council in conjunction with Natural England, the Environment Agency and adjoining local authorities propose to develop appropriate phosphorous controls and mitigation measures to achieve phosphorous neutrality. A Memorandum of Understanding to that effect has been signed by the aforementioned parties. In accordance with the Portfolio Holder for Planning and Infrastructure Decision of 11 December 2018, this Council has ring fenced up to £50,000 of held CIL funds to direct towards a suitable infrastructure project upstream to provide suitable mitigation, therefore there is no further requirements on developments. A condition is proposed to ensure the development is implemented with phosphate

11.13 While the Council is committed to ensure that a proportion of almost all new housing is provided as 'affordable housing' (see Policy CS15, Local Plan Part 1 - Core Strategy), affordable housing contributions are not pursued in relation to developments of less than ten dwellings and it has previously been accepted that the proposal could not support an affordable housing contribution.

12 CONCLUSION ON THE PLANNING BALANCE

The development site now sits in separate ownership to the listed building. If this permission were not approved then the dwellings would remain incapable of occupation as the applicant has no ability to comply with the condition as it has no control over the listed building. The condition therefore is unenforceable.

It is concluded that continued development of the five units to the rear would not in itself be harmful to the character of the area and that in balancing the various considerations weight should be afforded to the contribution the proposal would make to meeting the five year housing land supply. Given the change in ownership, condition 22 and 28 are not enforceable and therefore no longer meet the tests set out in the NPPF.

The proposal raises no significant concerns in respect of adjoining amenity, flood risk, drainage or highway safety. Accordingly it is recommended that condition numbers 22 and 28 be removed, but that the new permission be subject to the conditions below.

13 OTHER CONSIDERATIONS

Crime and Disorder

None

Local Finance

If this development is granted permission, the Council will receive New Homes Bonus of £6,120 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £35,888.01.

Tables setting out all contributions are at the end of this report.

Human Rights

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

may result to any third party.

Equality

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

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

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution	0	0	0
Habitats Mitigation			
Financial Contribution	£2,750 if CIL liability paid in full	£2,750 if CIL liability paid in full	0

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Dwelling houses	366.78		366.78	366.78	£80/sqm	£35,888.01 *
Businesses - Offices (non-Financial/ Prof	404.4		404.4	404.4	No charge	£0.00 *

Subtotal:	£35,888.01					
Relief:	£0.00					
Total Payable:	£35,888.01					

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2019 this value is 1.22

14. RECOMMENDATION

GRANT the VARIATION of CONDITION

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: 826.100e, 826.101e, 826.102b, 826.103a, 826.104a, 826.105, 826.106, 826.107, 826.108, 826.109b, 826.110a, 826.111a, 826.112d, 826.113c, 826.114d, 826.115d, 826.116b, 826.117c, 826.118c, 826.119c, 826.120c, 826.121b, 826.099c

Reason: To ensure satisfactory provision of the development.

3. The development shall only take place in accordance with the surface water discharge details approved on 19/03/2018 under ref 16/11254 - DISPOSAL OF SURFACE WATER (DRAINAGE DETAILS SHOWN ON DRAWINGS 17236-903 REV P1, 17236-904 REV P1, 1093C-333a P), which are considered to be acceptable and in line with policy requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

4. Before the development is first occupied details of the future maintenance of the drainage system to be approved under condition 3 shall be submitted to and approved in writing by the Local Planning Authority. The drainage system shall thereafter be maintained in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Frank Tyhurst dated February 2015 and the proposed finished floor level and flood resistance/resilience measures recommended therein.

Reason: To prevent flooding / minimise flood risk in accordance with Policy CS6 of the Core Strategy for New Forest District outside of the National Park.

6. The development shall only take place in accordance with the updated ecological report, non-native plant species control and the general ecological mitigation plan approved on 01/12/2017 under ref 16/11254 - UPDATED ECOLOGICAL REPORTS (LINDSAY CARRINGTON ECOLOGICAL SERVICES PHASE 1 & 2 BAT SURVEY UPDATED AUGUST 2017; JAPANESE KNOTWEED - KNOTWEED MANAGEMENT PLAN - REMEDIATION REPORT UPDATED 29TH JUNE 2017 - REVISION (FOLLOWING SITE MEETING)), as adherence to the details and mitigation measures set out in the submitted reports would adequately safeguard ecological interests.

Reason: To safeguard ecological interests in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

7. No further demolition/development shall take place/commence in respect of the building and land at the northern extent of the site (comprising Ringwood Social Club, south facing amenity space, open air storage and commercial units as shown on drawing no. 826.102b) until a programme of archaeological work including a Written Scheme of Investigation associated with that portion of the site 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:

- c) The programme and methodology of site investigation and recording;
- d) The programme for post investigation assessment;
- e) Provision to be made for analysis of the site investigation and recording;
- f) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- g) Provision to be made for archive deposition of the analysis and records of the site investigation;
- h) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

No further demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under this condition.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

8. Development of the southern portion of the site (comprising the 5 no. residential units as shown on drawing no. 826.102b) shall only take place in accordance with the DETAILS AS SPECIFIED IN COTSWOLD ARCHAEOLOGY 'WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL WATCHING BRIEF' - CA PROJECT 770644 - REPORT DATED SEPTEMBER 2017 REV A; COTSWOLD ARCHAEOLOGY 'ARCHAEOLOGICAL WATCHING BRIEF' - CA REPORT: 19002 DATED JANUARY 2019 REV A, as the submitted programme of archaeological work would ensure that potential archaeological remains are adequately recorded for the southern part of the site as outlined in red on Drawing 1093C.400.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

9. The northern part of 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 under condition 7 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The development is located in an area of archaeological significance where the site's archaeological interest should be recorded in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

10. The southern part of 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 under condition 8 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The development is located in an area of archaeological significance where the site's archaeological interest should be recorded in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

11. There shall be no tipping or piling of materials into the River Avon System Site of Special Scientific Interest (SSSI).

Reason: To safeguard to ecological interest of the adjacent SSSI in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

12. The development shall only be implemented in accordance with the measures put in place to ensure contractors are aware of the boundaries of the adjacent Site of Special Scientific Interest, as set out in MEASURES TO ENSURE AWARENESS OF ADJACENT SSSI BOUNDARIES (MEASURES AS SHOWN ON DOT ARCHITECTURE DRAWING 826.300a) and approved by the Local Planning Authority on 01/12/17 under ref. 16/11254.

Reason: To safeguard the ecological interests of the adjacent SSSI in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

13. The development shall only be carried out in accordance with the samples of all external materials and DETAILS SPECIFIED ON DRAWINGS 1093C-333D & 1093C-334C, approved by the Local Planning Authority on 09/04/19 under ref. 16/11254, being:

Brickwork for the repairs and extensions to the Listed Buildings:-
Hoskins Scala brickwork with an English bond; Pointing to be tamped & brush finished; Lime mortar (1:3) in a buff colour
Brickwork for the new commercial units:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour
Brickwork for Residential Unit 1:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour; brickwork to be painted in Dulux Heritage Weathershield in Indian White
Brickwork for Residential Units 2 & 3:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour
Brickwork for Residential Units 4 & 5 (plinth):-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour
Cladding for Outbuildings:-
Douglas Fir Cladding (square edge), finished in a translucent ebony stain
Cladding for use on Units 4 & 5:-
Burnt Larch cladding charred Shikoku
Roofing Tiles for Units 4 & 5:-
Hanbury Burmarsh Plain Clay Tiles
Roofing Tiles for new commercial units & Residential Units 1, 2 and 3:-
Natural Slate 600 by 300 mm
Ridge Tiles:-
Hogsback Ridge Tiles (to match Hanbury Burmarsh Tiles)
Rainwater Goods:-
Alutec, Black Heritage aluminium
Cills:- Brick as per site samples
Chimney Pots:- Redbank Cannon Head Chimney Pot 600mm
Wall Capping:- Round wall capping

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

14. The development shall only be carried out in accordance with the sample panels of brickwork, approved by the Local Planning Authority on 09/04/19 under ref. 16/11254, being:

Brickwork For The Repairs And Extensions To The Listed Buildings:-
Hoskins Scala brickwork with an English bond; Pointing to be tamped & brush finished; Lime mortar (1:3) in a buff colour
Brickwork For The New Commercial Units:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour
Brickwork For Unit 1:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour; brickwork to be painted in Dulux Heritage Weathershield in Indian White
Brickwork for Units 2 & 3:-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour
Brickwork for Units 4 & 5 (plinth):-
Hoskins Scala brickwork with a Flemish bond; Pointing to be tamped & brush finished; mortar to be in a buff colour

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

15. Development shall only proceed in accordance with the large scale drawings (elevations and sections) of the new and replacement windows, timber doors and porch details approved by the Local Planning Authority on 26/04/19 under ref. 16/11254, being:

WINDOWS FOR NEW RESIDENTIAL UNITS 1-3 & NEW COMMERCIAL UNITS:- DETAILS AS SHOWN ON DRAWINGS 1093C-307A, 1093C-308A, 1093C-311E, 1093C-312D, 1093C-313D, 1093C-332D.

WINDOWS FOR NEW RESIDENTIAL UNITS 4-5:- DETAILS AS SHOWN ON DRAWINGS 1093C-309, 1093C-314C, 1093C-315C, 1093C-316B, 1093C-317B, 1093C-318C, 1093C-332D.

WINDOWS FOR LISTED BUILDING: DETAILS AS SHOWN ON DRAWINGS 1093C-310F, 1093C-319D, 1093C-320D, 1093C-321E, 1093C-322C, 1093C-345A, 1093C-346A, 1093C-332D.

DOORS FOR NEW COMMERCIAL UNITS:- DETAILS AS SHOWN ON DRAWINGS 1093C-307A, 1093C-323, 1093-332D

DOORS FOR NEW RESIDENTIAL UNITS 1-3:- DETAILS AS SHOWN ON DRAWINGS 1093C-308A, 1093C-324, 1093C-325B, 1093-332D

DOORS FOR NEW RESIDENTIAL UNITS 4-5:- DETAILS AS SHOWN ON DRAWINGS 1093C-309, 1093C-326, 1093C-327, 1093C-328, 1093C-330, 1093C-332D

DOOR FOR LISTED BUILDING: DETAIL AS SHOWN ON DRAWINGS 1093C-310F, 1093C-329

PORCHES FOR ALL NEW RESIDENTIAL AND COMMERCIAL UNITS:- DETAIL AS SHOWN ON DRAWING 1093C-302B

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

16. Development shall only proceed in accordance with the following large scale drawings (elevations and sections) of all chimneys, eaves, verges, window cills, window heads and elevational details:

CHIMNEYS: DETAILS AS SHOWN ON DRAWINGS 1093C-302B, 1093C-307A & 1093C-308A

EAVES, VERGES: DETAILS AS SHOWN ON DRAWING 1093C-301B

WINDOW CILLS & HEADS FOR NEW RESIDENTIAL UNITS 1-3 & NEW COMMERCIAL UNITS:- DETAILS AS SHOWN ON DRAWINGS 1093C-307A, 1093C-308A, 1093C-311E, 1093C-312D, 1093C-313D, 1093C-332D.

WINDOWS CILLS & HEADS FOR NEW RESIDENTIAL UNITS 4-5:- DETAILS AS SHOWN ON DRAWINGS 1093C-309, 1093C-314C, 1093C-315C, 1093C-316B, 1093C-317B, 1093C-318C, 1093C-332D.

WINDOWS CILLS & HEADS FOR LISTED BUILDING:- DETAILS AS SHOWN ON DRAWINGS 1093C-310F, 1093C-319D, 1093C-320D, 1093C-321E, 1093C-322C, 1093C-345A, 1093C-346A, 1093C-332D.

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

17. Development shall only proceed in accordance with the DETAILED DRAWINGS OF ALL NEW LOW PROFILE METAL CONSERVATION ROOFLIGHTS (DETAILS AS SHOWN ON DOT ARCHITECTURE DRAWING REF 1093C-331 P).

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

18. Development shall only proceed in accordance with the DRAWINGS OF THE NEW BIN AND CYCLE STORE:- DETAIL AS SHOWN ON DRAWING 1093C-303D.

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

19. The development shall only be carried out in accordance with the approved DRAWINGS OF THE NEW CONSERVATORY, REAR STORE, LIFT TOWER AND LANTERN:- DETAILS AS SHOWN ON DRAWING NUMBERS 1093C-310F, 1093C-306C, 1093C-304C, 1093C-301B, 1093C-305A

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

20. No flues, ducts and vents shall be placed on the front elevations of the new buildings unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

21. All new rainwater goods shall be cast aluminium, painted black and match historic profiles and fixings.

Reason: To safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

22. The development shall only be carried out in accordance with the approved SCHEME OF LANDSCAPING AS SHOWN ON DRAWINGS:- 1093C-335, 1093C-336C, 1093C-337C, 1093C-338C, 1093C-339C, 1093C-340C, 1093C-341C, 1093C-342C, 1093C-343C, 1093C-344C, LANDP001 rev 04b(15)

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy), to safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

23. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed

or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy).

24. 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 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 intensity of the development and the site's sensitive historic context and the flood risk, ecological and amenity issues affecting the site, this is a site where small scale alterations could potentially have a significant impact, and the Local Planning Authority would therefore wish to ensure that any future development proposals do not adversely affect the amenities of the area and the site's historic context, contrary to Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

25. The development shall only take place in accordance with the approved SLAB LEVELS IN RELATIONSHIP TO THE EXISTING GROUND LEVELS (ALL GROUND FLOOR FINISHED LEVELS TO BE 15.15 METRES AOD AS INDICATED ON DOT ARCHITECTURE PLAN 826.300A).

Reason: To ensure that the development takes place in an appropriate way to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy), to safeguard the character and setting of the Listed Building and to protect the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

26. The development hereby permitted shall not be occupied until the spaces shown on the approved plans for the parking of motor vehicles have been provided. The spaces shown on the approved plans for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

27. The bicycle store to be approved under condition 16 / the approved cycle storage areas shall be provided before any of the new buildings are first occupied and the approved cycle storage areas shall thereafter be permanently retained thereafter.

Reason: To ensure adequate cycle parking is provided in accordance with Policy CS2 and Policy CS24 of the Core Strategy for New Forest District outside of the National Park.

28. No further development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

29. The installation of fittings and fixed appliances in the dwellings hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with Regulation 36(2)b of Part G of the Building Regulations 2010 as amended.

Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

Notes for inclusion on certificate:

1. In discharging condition No. 28 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here
<http://www.newforest.gov.uk/article/16478/>
2. The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/agent/developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/confirmed by this notice.

Address is:

Southern Gas Networks Plc

SGN Plant Location Team

95 Kilbirnie Street

Glasgow

GS5 8JD

Tel: 0141 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

3. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information

The condition of the listed building will be reviewed , the Chief Planning Officer will meet with Ringwood Social Club to review its position and consider what action will be taken to ensure that work is carried out to the listed building.

Further Information:

Jim Bennett

Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

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

Claire Upton- Brown
Chief Planning Officer
Planning
New Forest District Council
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA

Planning Committee

July 2019

Item No: 3a

Ringwood Social Club
19 West Street
Ringwood
19/10223

Scale 1:1250

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

