

**Application Number: 21/10668** Full Planning Permission

**Site:** 2 NURSERY ROAD, RINGWOOD BH24 1NG  
**Development:** Demolish existing outbuildings; conversion of front building to 2 bed cottage; erection of 6 No 2 bed houses (7 dwellings in total); parking  
**Applicant:** PC Crutcher Trust  
**Agent:** Anders Roberts & Assoc  
**Target Date:** 07/07/2021  
**Case Officer:** Judith Garrity  
**Extension Date:** 14/10/2022

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Design, site layout, impact on local character and appearance and conservation area impact
- 3) Residential Amenity issues
- 4) Highways and parking matters
- 5) Ecology, Biodiversity Net gain and Habitats mitigation.

This application is to be considered by Planning Committee due to a contrary Town Council view.

## 2 SITE DESCRIPTION

The site is 0.13ha in size of an irregular shape and is flat and gravelled. It is surrounded to all boundaries by existing development which is mainly residential in character. Access to the site is provided from Nursery Road with a set back wall to provide visibility. Glimpses of the existing buildings on the application site are possible between buildings on Hightown Road which curves around the site.

Residential properties are located along Nursery Road, which is a narrow single track cul de sac. These properties are 2 storey and mainly of a traditional form, most of which are of original construction. On the west side of the road are some more recently built residential properties. On Hightown Road are a mix of residential houses and flats adjoining the site and a commercial garage opposite the Nursery Road access. The Railway Inn public house with pub garden also adjoins the site.

The frontage building is of a small scale being single storey with front dormers reflective of original development on Nursery Road, with clay tiles and pleasing details. The rear dormer was added later. It is set forward of No 4. To the rear of this building is a single storey workshop under a corrugated roof which runs along the boundary with 4 Nursery Road.

The site is currently used for employment purposes with offices in the frontage building and the remainder of the site used as a contractors yard.

A silver birch tree is located on the frontage of the site and there are a number of trees on or adjoining the site include to the rear of the Hightown Road properties and the Railway Inn public house.

### **3 PROPOSED DEVELOPMENT**

The proposals seek full planning permission for redevelopment for 7 no 2 bedroom dwellings. The development seeks to convert the existing frontage building to a dwelling (Plot 1). There would be a new detached dwelling to the rear of this retained building (Plot 2); 2 no. storey dwellings in a terrace to the rear (Plots 3 and 4) and 3 dwellings in a terraced at the entrance to the site (Plots 5 – 7). Plot 7 would front Nursery Road with plots 5 and 6 fronting the access into the site.

Ten unallocated parking spaces would be provided with access from Nursery Road. The silver birch tree on the boundary with Nursery Road would be removed with new tree planting is proposed within the courtyard of the site.

Amended plans have been submitted during the application process to respond identified concerns. These plans amend the layout, the design and fenestration to Plots 3 and 4; slightly relocate Plot 1 and rearrange the car parking and further new tree planting has been added. A re-consultation exercise was undertaken on these plans.

### **4 PLANNING HISTORY**

20/10666 Demolish exiting outbuildings; conversion of front buildings to 2 bed cottage; erect 6 no 3 bed houses; 1 2 bed house ( 8 dwellings in total) –  
REFUSED 21/1/02020

### **5 PLANNING POLICY AND GUIDANCE**

#### **Local Plan 2016-2036 Part 1: Planning Strategy**

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

Policy ENV3: Design quality and local distinctiveness

Policy ECON2: Retention of employment sites and consideration of alternative uses

Policy CCC2: Safe and sustainable travel

#### **Local Plan Part 2 Sites and Development Management Development Plan Document**

DM1: Heritage and Conservation

#### **Supplementary Planning Guidance And Documents**

SPD - Housing Design, Density and Character

SPD - Mitigation Strategy for European Sites

SPG - Ringwood - A Conservation Area Appraisal

SPD - Ringwood Local Distinctiveness - Character Area 2

SPD - Parking Standards

SPD - Air Quality in New Development. Adopted June 2022

Waste Facilities Technical Guidance Note.

#### **Relevant Legislation**

#### **Relevant Advice**

NPPF Ch 12: Achieving well designed places

NPPF Ch.16: Conserving and enhancing the historic environment

### **Constraints**

Historic Land Use  
Aerodrome Safeguarding Zone  
SSSI IRZ  
Avon Catchment Area  
Conservation Area: Ringwood Conservation Area.

### **Plan Policy Designations**

Built-up Area

### **Constraints**

SSSI IRZ  
Historic Land Use  
Conservation Area: Ringwood Conservation Area

### **Plan Policy Designations**

Built-up Area

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **ORIGINAL PLANS**

#### **Ringwood Town Council:**

R(4) Recommend Refusal. The Committee had a number of concerns with the proposed development (as revised). It was considered overdevelopment of the site, with too many units for the space available, despite reducing the number of units by one. The general appearance of properties would be out of keeping and have a detrimental impact on the character of the area, as detailed in the Local Distinctiveness SPD, with most properties on Nursery Road and Hightown Road being red brick semi-detached houses, with notable gaps in the roofline. There would be a lack of amenity for the new properties, with little outdoor space and small gardens. Neighbouring properties amenities would be adversely affected in terms of overlooking, overshadowing, loss of light and privacy to a significant degree, and this would be exacerbated even more so for existing residents in the vicinity with the new layout, due to the building line being moved closer to the boundary, compared to the original plan. The parking provision is too low and contrary to NFDC Parking Standards. This would exacerbate the current issues with parking in the locality generally. No information has been provided by the applicant to indicate how flooding and drainage would be managed on site. There is no provision for the collection of waste. No detailed heritage statement has been provided nor an assessment of the impact of the development on the Conservation Area and The Railway Public House as an important building in the locality. There is a need for a noise assessment to be carried out in respect of the revised layout to assess the impact on the proposed new properties adjacent to the beer garden. It is understood the land has been used for various uses and a contaminated land survey has not been submitted. The Highway Authority's holding objection is noted and further information should be provided on the issues raised. The Committee had concerns regarding the safety of the junction of Nursery Road and Hightown Road, as the line of sight is poor. There are no pavements, nor a turning circle in Nursery Road and the road itself is extremely narrow. No ecological assessment had been provided nor biodiversity enhancement measures. A construction management statement would be required from the applicant in advance of any works, should development be allowed. There is no phosphate mitigation strategy.

## AMENDED PLANS

### Ringwood Town Council:

R(4) Recommend refusal. Committee members were not convinced that some of the previous objections had been addressed and concerns remain with the proposed development. It was considered overdevelopment of the site, with too many units for the space available, despite reducing the number of units by one. The general appearance of properties would be out of keeping and have a detrimental impact on the character of the area, as detailed in the Local Distinctiveness SPD, with most properties on Nursery Road and Hightown Road being red brick semi-detached houses, with notable gaps in the roofline. There would be a lack of amenity for the new properties, with little outdoor space and small gardens. Neighbouring properties amenities would be adversely affected in terms of overlooking, overshadowing, loss of light and privacy to a significant degree, and this would be exacerbated even more so for existing residents in the vicinity with the new layout, due to the building line being moved closer to the boundary, compared to the original plan. The parking provision is too low and contrary to NFDC Parking Standards. This would exacerbate the current issues with parking in the locality generally. No information has been provided by the applicant to indicate how flooding and drainage would be managed on site. There is no provision for the collection of waste. No detailed heritage statement has been provided nor an assessment of the impact of the development on the Conservation Area and The Railway Public House as an important building in the locality. There is a need for a noise assessment to be carried out in respect of the revised layout to assess the impact on the proposed new properties adjacent to the beer garden. It is understood the land has been used for various uses and a contaminated land survey has not been submitted. The Committee had concerns regarding the safety of the junction of Nursery Road and Hightown Road, as the line of sight is poor. There are no pavements, nor a turning circle in Nursery Road and the road itself is extremely narrow. A construction management statement would be required from the applicant in advance of any works, should development be allowed. There is no phosphate mitigation strategy. There are concerns about the safe removal of the underground slurry tank.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Conservation Officer:** No objection subject to conditions.

**Ecologist:** No objection to the updated ecological information submitted subject to condition.

**HCC Highways:** No objection raised. Comment that no cycle storage has been indicated. Parking is for LPA to consider.

**NFDC Environmental Health (Pollution),** The submitted noise impact assessment has not fully addressed the impact. There could be noise and dust during the construction phase, so a CEMP is required.

**Environmental Health Contaminated Land,** No objection in principle subject to conditions due to historic underground fuel tank on the site.

**NFDC Tree Team:** No objection subject to condition(s)

**Wessex Water:** No objections, offer advice

**NFDC Building Control:** No adverse comments.

**Ringwood Society:** Request conditions.

**SGN:** Offer advice

**SSE:** Offer advice

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against:

Original Plans: 39 comments.

Amended Plans: 28 comments

**Original Plans:** Against - 39 comments

### Summary:

#### Highways and parking:

- Nursery Road is in poor condition, it is narrow and there is no parking.
- Lack of adequate parking provision made on site.
- Lack of visibility at junction with Hightown Road
- Restricted access to site from Nursery Road.
- Parking pressure on Hightown Road with 2 hour waiting and lack of turning spaces with reliance on driveways to turn.
- Highway congestion and parking pressures from Pub, industrial estate and school drop off.
- Pedestrian safety at junction, including school children.
- Lack of pavements on Nursery Road.
- Concern about access deliveries, construction parking and emergency vehicles.
- Increase in traffic flow in and out of Nursery Road.
- Restrictions on access during construction works.
- Suggestion to increase width of Nursery Road along site frontage

#### Amenity impacts

- Loss of light and sunlight to Hightown Road properties in late afternoon and early evening
- Overshadowing, loss of light and dominant impact due to proximity and ridge heights of plot 3 and 4.
- Plot 3 and 4 closer to rear boundary having greater impact on light and privacy.
- Overlooking from rear facing windows in Plot 3 and 4 and close proximity which is made worse by new application plans.
- Conflict and objections due to noise from pub.
- Noise complaints are likely due to the relationship of site boundary to pub.
- Need for a noise assessment
- Noise, disturbance and dust during construction.

### Design and layout

- Little change since the previous refused scheme to address objections.
- Overdevelopment - worse than scheme previously refused.
- Detrimental impact on the conservation area
- Proposals are out of keeping with Ringwood
- Scale of development.
- Height of ridges and width of plots 3 and 4 affects the skyline

### Trees and wildlife

- Greater impact on trees
- Impact on local wildlife including bats and hedgehogs.
- Impact on wildlife corridor

### Other issues

- Bin store not provided/ location of bin store is contrived
- Impact on drainage and increased flood risk as yard acts as a soakaway.
- Lack of infrastructure
- Contaminated site
- Deterioration in condition of Nursery Road and who is responsible for repairs
- Do not need more houses.
- 2 bed properties would not meet the housing need in Ringwood
- Negative impact on health and mental wellbeing of residents
- No liaison with neighbouring properties prior to the revised submission.

### **Amended Plans:** Against - 28 comments

### Summary:

#### Highways and parking

- Traffic and car parking concerns
- Nursery Road is narrow with no pavements or turning space
- Site access is narrow and dangerous
- Concerns about the narrowing of Nursery Road at the entrance to development
- Access is dangerous to pedestrians and school children
- Lack of visibility at the junction with Hightown Road
- Access for emergency vehicles
- Contractors parking issues

#### Amenity issues

- Size and height of development would make it very imposing
- Too close to boundaries with dominant impact
- Need to consider the lower level of Hightown Road properties
- Loss of sunlight and impact on natural daylight due to high roofs particularly with new trees proposed in rear gardens.
- Bricked up windows in rear of plot 3 and 4 would have more dominance due to continuous brick elevation.
- Loss of privacy.
- Closure of boundaries with build development
- Blocked windows could be reinstated
- Effect on outlook
- Noise, dust and disturbance.
- Impact on business due to proximity of the residential properties (Railway Inn Pub)
- light pollution

### Design and layout

- Only minor changes made by the amended plans
- Overdevelopment and out of character
- Scale of the development
- Density of development contrary to Ringwood Local Distinctiveness SPD

### Environmental Issues

- Effect on wildlife
- Object to loss of silver birch tree
- Effect on watercourse and ancient brook on site
- Excess run off and drainage issues could cause flooding and waterlogging to gardens.
- EIA should be required
- How is a CEMP implemented?

### Other matters

- Effect of construction works on existing properties with possible subsidence
- No liaison with the developer and local community
- Planning application filed incorrectly.
- Impact on local infrastructure
- Damaging impact on local community
- Condition of road and potential damage could lead to compensation claims (non-planning matter)
- Bin collection point unacceptable
- Need answers to questions raised prior to committee
- Effect on mental health

## **10 PLANNING ASSESSMENT**

### Introduction:

This application follows a refusal in October 2020 for 8 dwelling on the site. This application was refused under delegated powers for the following 5 reasons

*1. The site is located in a sensitive location within the Ringwood Conservation Area, and a detailed heritage assessment has not been submitted. The proposed development, by reason of its layout, disproportionate size and scale, its height, massing, depth and proportions would be over dominant within the street scenes of Nursery Road and Hightown Road. It would be out of scale with the existing character of traditionally proportioned properties and would erode key distinctive gaps between existing buildings. Furthermore, the rear terrace would appear cramped within the site due to its size, scale and proximity to the side boundaries, adding to this unacceptable impact. As a result, the development would have an detrimental impact on the character and local distinctiveness of the area and would fail to improve the character and quality the Ringwood Conservation Area, leading to less than substantial harm to the setting of the Ringwood Conservation Area and non-designated heritage assets. There are no public benefits identified that weigh against this harm. As such, the proposed development would be contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy, Policy DM1 of the Local Plan Part 2, the Ringwood Local Distinctiveness Supplementary Planning Document, and Chapter 16 of the National Planning Policy Framework (NPPF), failing the tests of paragraph 189.*

*2. The proposed development by reason of its layout, height and massing, and consequent relationship with adjoining residential properties would lead to harmful impacts on reasonable amenity by reason of overlooking, loss of light and over dominant impact. Furthermore, the layout would not safeguard reasonable levels of*

*amenity for prospective and adjoining occupiers, by reason of the close proximity of car parking and manoeuvring space to amenity areas, leading to the potential for noise and disturbance. As such, this would be contrary to Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.*

*3. The proposed development is located in an area where parking problems currently exist. The shortfall of parking provision on the site would lead to an additional demand for parking in the vicinity of the site, which would exacerbate existing pressures for on street car parking and consequently lead to an unacceptable and harmful impact on highway safety. As such, this would be contrary to Policy CCC2 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.*

*4. 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 and air quality pressures on these sensitive European nature conservation sites, contrary to Policy DM3 of the New Forest District Local Plan Part 2: Sites and Development Management.*

*5. 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 proposal will result in new units of residential accommodation which will potentially have an adverse impact through greater phosphates being discharged into the River Avon, thereby having an adverse impact on the integrity of the River Avon Special Area of Conservation (SAC), the Avon Valley Special Protection Area and the River Avon Ramsar site. A precautionary approach is required to be adopted and, in this case, an Appropriate Assessment has been carried out, with it not being possible to rule out adverse impacts on the integrity of the SAC, SPA and Ramsar site. As such, the proposal does not accord with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 in that, at present, there is no proof that the new dwellings will be phosphate neutral or that there is adequate mitigation in place. The proposal is therefore contrary to the provisions of the Conservation of Species and Habitats Regulations 2017 and Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District (outside of the National Park).*

The changes made in the current submission can be summarised as follows:

- Reduction in the number of dwellings (8 to 7)
- Reduction in size of dwellings proposed - now all 2 bed units. (Previously 6 no. 3 bed and 2 no. 2 bed)
- Provision of 10 unallocated parking spaces with a more limited parking shortfall (½ space shortfall).
- Amendments to the layout and design, to include a reduced gable depth and re-orientation of Plot 7 to fronting Nursery Road

The following planning assessment needs to consider whether the revised proposals have addressed the concerns set out in the previous reasons of refusal and if so whether the revised scheme is acceptable so that planning permission can be approved on the site. Within this context the relevant considerations are:

- 1) Principle of development
- 2) Design, site layout, impact on local character and appearance and conservation area impact.
- 3) Residential Amenity



- 4) Highways and parking matters
- 5) Ecology, Biodiversity net gain and Habitats mitigation.

#### Principle of Development

Although located in the built up area where development is acceptable in principle, given the existing use of the site as a contractor's yard, Policy ECON2 - which seeks to retain employment uses- needs to be considered.

Policy ECON2 (ii) provides for the loss of employment uses if it is demonstrated that it is no longer suitable for continued use or viable to refurbish the buildings for an alternative employment use. Proportionate evidence is required to show that the condition of the building makes it unsuitable and/or the site has been actively marketed for employment use on unrestricted terms for a minimum of 12 months. No marketing has been undertaken, but as part of the previous application, justification was submitted for the loss of this use based on the limited number of part time employees, the seasonality of the use and advances in technology. The rear sheds are in very poor condition and would need work to bring them into good repair in the near future. Furthermore, the site is surrounded by residential development on all sides and has a poor access for alternative employment uses. These factors, together with the poor state of the existing buildings, would require considerable investment to be able to continue a viable employment use on the site, thereby leading to a conclusion that the loss of the existing use can be justified.

The principle of residential development on this site was considered to be acceptable as part of the previously refused application and the acceptability of residential use on the site has not changed. Assessment of the relevant material considerations are set out below:

#### Housing Land Supply

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

#### Design, site layout and impact on character and appearance of area and Conservation Area impact

The application site is located in the Ringwood Conservation Area and the existing frontage building – which is proposed to be converted - is considered to be a Non-designated Heritage Asset (NDHA). An assessment must therefore be made against the NPPF and relevant policy guidance as both a designated and non-designated heritage asset.

Planning (Listed Buildings and Conservation Areas) Act 1990 places the following statutory duty on Local Planning Authorities. Section 72 - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area. Chapter 16 of the NPPF relates to conserving and enhancing the historic environment. The Framework states that the significance of the asset should be considered in a proportionate way in order to understand the potential impact of the proposals on significance. Where a development proposal will lead to less than substantial harm this should be weighed against the public benefits of the proposals including seeking its optimum viable use.

NPPF Para 195 requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal and take this into account when considering the impact of a proposal on a heritage asset in order to avoid or mitigate any conflict between the heritage assets conservation and any aspect of the proposal.

NPPF Para 197 sets out the considerations a LPA must take into account in determining applications, including the desirability of sustaining and enhancing significance; the positive contribution the asset makes to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF Para 203 requires the effect of an application on the significance of a non-designated heritage asset to be taken into account and where there is a direct or indirect impact a balanced judgement should be made on the scale of any harm or loss to the significance of that asset.

The impact of the proposal on the character and appearance of the area also needs consideration under the provisions of Policy ENV3 and Chapter 12 of the NPPF which relates to achieving well designed places.

The site is located in Area 2 of the Ringwood Local Distinctiveness SPD. Character Area 2 is the Victorian/Edwardian quarter and is located within walking distance of the town centre. Nursery Road is specifically referenced in Para 4.2.6 - 4.2.7 where the SPD refers to the line of red brick dwellings that exhibit a consistency of roof forms and decorative buff brickwork features. The SPD refers to the recent infilling at Towngate Mews, indicating that this has brought a strong sense of enclosure and surveillance to the street. Hightown Road properties adjoin the boundaries of the application site, which the SPD refers to as being characterised by a collection of older buildings with a tight rhythm along the terrace, rich decoration, a variety of materials and architectural details. Properties to the north of the application site are identified as larger gardens or groups of tranquil garden space.

Previous concerns were expressed about the layout, size, scale, height, massing, depth and proportions of the dwellings and that the proposals would be over dominant within the street scenes of Nursery Road and Hightown Road. The proposals were considered to be out of scale with the existing character and would erode key distinctive gaps between existing buildings. Objections were also made to the cramped appearance of the rear terrace due to its size, scale and proximity to the side boundaries, adding to this unacceptable impact.

In addressing these concerns, the layout has been changed, the number of units reduced along with the size of the properties. The overall scale and depth of the buildings has also been reduced. Street scene elevation have been submitted to demonstrate how the development would integrate within its setting without harming it. The properties on Plot 3 and 4 would provide a backdrop to the remainder of the development on the site, not appearing to be over dominant within the street scene of Nursery Road, from Hightown Road or in wider views around the site. Furthermore, the proposed development would be of a traditional design, scale and form with detailing including timber windows, chimneys and string courses. In this respect the proposals are acceptable in terms of their form and quality which would improve the character of the site within its setting.

The Conservation Officer has been consulted and raises no objection to the current proposals. He considered that the scheme now begins to take the opportunities available for improving the character and quality of the site and the Ringwood

Conservation Area. The planning officer concurs with this view and considered that that the current proposals overcome the previous design and heritage concerns. As such less than substantial harm would not result, and proposals comply with Policy DM1 and NPPF.

The layout on the site with a central courtyard including landscaping and tree planting responds to previous concerns. The dwellings would enclose this courtyard with a strong frontage to it with parking tucked between and to the side of the proposed dwellings. The character of the courtyard area would be acceptable with parking not being over dominant and a number of street trees and planted areas incorporated within it to soften its appearance. This arrangement enhances the appearance of the overall development ensuring that the new planting would make a positive contribution and the parking would not predominate views into the courtyard.

The proposed dwellings would have private rear gardens along with small private frontages. In the case of Plot 1 - 4 rear gardens are more limited in depth but are relatively wide. As such they would provide for an appropriate level of amenity for prospective occupiers within this close knit urban area. The addition of garden trees will contribute to the pleasant setting for these gardens and as they mature will also provide wider public amenity value area. Provision for bin collections is made in a convenient location close to Nursery Road to the rear of Plots 6 and 7. It is however considered that permitted development rights should be removed safeguard garden areas from being diminished by extensions/outbuildings, to protect adjoining residents from any consequent amenity impacts that could result and also to retain the design integrity of the development. Subject to this condition the proposals are acceptable.

Overall, proposed development in design, form and layout would be acceptable within the Ringwood Conservation area, respect the designated and non-designated heritage assets and accord with Local Policy and the Ringwood Distinctiveness SPD.

#### Highway safety, access and parking

Nursery Road is a narrow unmade single width road; however, the existing access is considered to be appropriate for the development and the level of traffic generated by the proposed development is not material when considered against either the existing employment use on the site or in isolation.

HCC Highways have raised no objection to the parking provision on site, and this is a matter for the LPA to consider. In making this assessment the characteristics of the site and existing pressures on car parking need careful consideration. Revised parking standards were adopted in April 2022. Although the site is located relatively close to the town centre is it not located within the main town centre of Ringwood

It is proposed to provide 10 parking spaces for the 7 dwellings on the site. All of the spaces would be unallocated and as the dwellings are small 2 bedroom units this would give a parking requirement of 10 ½ spaces.

The current proposals would therefore result in a parking shortfall of ½ space. This very limited shortfall can be justified in this location, in the interests of achieving a site layout that achieves an appropriate balance between hard and soft landscaping within its courtyard and judged in the context of its location and the need to deliver housing this limited parking shortfall is acceptable.

Parking concerns have been raised in third party representations, with comments made that demand for parking particularly acute at evenings and weekends. During the day, spaces are used by nearby employment uses and at school drop off/pick up times. Whilst acknowledging this, the very limited parking shortfall would not lead to unacceptable additional pressures on parking on nearby roads and or lead to unacceptable and harmful impact on highway safety. For reference, the previous refusal for 8 dwellings on the site provided 11 unallocated spaces with a shortfall 3.4 parking spaces.

It should be noted that Policy IMPL2 related to development standards places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles and details would be secured by a planning condition

### Residential amenity

Policy ENV3 states that new development shall not have unacceptable impacts on the residential amenity of existing and future occupiers, in terms of visual intrusion, overbearing impact, overlooking, shading, noise or light pollution. Also, proposed development would provide sufficient private open space arrangements for occupiers of the existing and proposed dwellings.

This is an irregularly shaped site which is surrounded by existing mainly residential properties. As such, there are a number of neighbouring residential properties that would be affected by the proposal.

The previous refused application was considered to have unacceptable amenity impacts due to its layout, height and massing, leading to harmful amenity impacts by reason of overlooking, loss of light and over dominant impact. Concerns were also expressed about the close proximity of car parking and manoeuvring spaces to boundaries and amenity areas due to the potential for noise and disturbance.

The existing properties to Hightown Road adjoin the eastern boundary of the site and would be relatively close to Plots 3 and 4. These two proposed dwellings would have rear gardens of between 8.5 and 6.5 metres long. The separation distances to these Hightown Road properties would be between 14 and 16 metres which is less than the 21m that is usually sought. In addition, existing properties on Hightown Road are at a slightly lower level, and some gardens are relatively narrow and contain outbuildings, patios and private amenity space with an aspect towards the site boundary.

When compared to the refused scheme, the rear gardens proposed were between 11 and 7 metres and the separation distances to Hightown Road properties would have been a little over 16 metres in some cases.

Whilst these rear garden depths and separation distances have been reduced since the previously refused application, the number of dwellings proposed to the rear has also been reduced to 2. Furthermore, there would only be 2 rear facing first floor windows serving ensuite bathrooms and a condition is proposed to ensure that they are obscurely glazed. Consequently, the potential for harmful overlooking and resultant loss of privacy would be limited.

Plots 3 and 4 would be located to the north-west of existing properties on Hightown Road. Concern was previously expressed about dominant impact and loss of light due to the height and width of the rear terrace which would have filled almost the entire rear boundary when viewed from Hightown Road properties.

In the current scheme, the width of the block has been reduced and layout has been amended so that the footprints have a slight "V shape" that is orientated away from the rear boundary. The overall width of the built form would be 18 m (a reduction of 3 m compared to 21m in the previous scheme). There would be a separation of 3.8 m from the northern boundary and 4.5m from the southern boundary (compared to a 1.2 m and 3 m from these respective boundaries on the refused scheme). The proposed ridge height would remain as 7.7 m with a ridge length of 12.5 m with hips to both ends.

This length is reduced by 7.5m compared to the refused scheme where there was a ridge length of 21 m with gables at both ends

Whilst the height of the ridges are the same as previously proposed, changes have been made to Plots 3 and 4 particularly with respect to boundary separation, ridge length and roof form. As a consequence, the impact is considered to be acceptable and would ensure that any loss of light to adjoining gardens would be limited.

It is acknowledged that the outlook from Hightown Road properties would change as a result of this development. However, given the existing open aspect over the contactors yard, it is not considered that these new dwellings would have a harmful or over dominant impact on the outlook from the rear of properties on Hightown Road.

No.11 Barrow Mews is located to the north-west of the site and has a very small garden which is angled to its rear boundary rear and conservatory. The new development would replace existing workshop buildings on the site that are located close to this boundary but the existing buildings are predominantly single storey. The refused scheme was considered unacceptable due to its proximity to this property leading to a loss of light, overlooking and over dominant impact.

The proposed properties on Plots 3 and 4 are set back slightly within their plots compared to the refused scheme which changes the relationship with the boundary with No 11. Plot 3 is the closest dwelling to No 11 but it would be set away from the common boundary by a minimum of 3.5 metres. This gap was 1.2m in the refused scheme and therefore this would result in a more spacious relationship. Furthermore, Plot 3 would be of a shallower depth of 5.4 m compared to the refused proposals of a 9.6m depth.

There would be a separation distance of 9.8m from the north eastern rear corner of No. 11 and Plot 3 but this is an angled and offset relationship. Whilst there would be an impact on light to this property in the afternoon, the increased separation from the boundary, the shallower depth of the property and its hipped roof form would make this acceptable and would not lead to unacceptable loss of light or dominant impact.

With respect to potential for overlooking, the closest rear window in Plot 3 would serve an ensuite bathroom and there would be no first floor windows in the side facing elevation. Additional windows can be controlled by condition and as such this makes the proposals acceptable.

No 4 Nursery Road adjoins the application site to its northern boundary. The front of Plots 3 and 4 would be separated from the rear of No 4 Nursery Road by 20 m. There would be first floor bedroom window in this front elevation, but the outlook would be slightly oblique and there is an acceptable separation so the potential for mutual overlooking is limited and impact on amenity is acceptable.

Plot 2 would face the side boundary of No 4 Nursery Road and would be separated from this boundary by a minimum of 6.6 m. This dwelling would replace the existing workshop building that directly adjoins the whole of this residential boundary. Due to its orientation to the south of No 4 there could be some impact on light, but when considered in the context of existing relationships, the separation would mitigate this to an acceptable degree. There would be no rear facing first floor windows in Plot 2 as rooms have a front aspect only and so no overlooking or loss of privacy would result.

An acceptable relationship would be provided between the converted frontage building (Plot 1) and Plot 2. Although rear amenity space of only 5.8 m deep is provided the first floor bedroom windows would look towards the blank flank elevation and the rearmost part of the garden of Plot 2 making the relationship acceptable in a tight knit urban area were a level of mutual overlooking will naturally occur.

Plot 7 (fronting Nursery Road) would address the road frontage on Nursery Road and the relationship to existing properties on Nursery Road and Hightown Road is acceptable with respect to amenity impacts.

To the southern boundary of the site are properties on Hightown Road, some of which are divided into flats. Amenity space to these existing Hightown Road properties is limited and some of these properties have rear patios and balcony space. Amendments have been made to the layout since the previous refusal to address the relationship to the southern boundary to ensure that there would be no dominant impact on adjoining properties or their outside amenity areas.

The proposed development would have its most direct relationship with No 1 and No 1a Nursery Road. Plot 5-7 would be located to the north of these properties so impact on light would be acceptable and there would be minimum depth of 8.5 m would be provided from the southern boundary (Plot 7) increasing to 12 m (Plot 5). There are a number of rear facing first floor windows in Plots 5 - 7 but given the separation of over 20m no unacceptable loss of privacy or other amenity impacts would not result.

The courtyard layout provides an acceptable relationship between parking and manoeuvring areas which would respect the amenity of both the adjoining properties and prospective residents. Whilst parking space P1 is located next to the flank wall of Plot 2 this elevation has no fenestration and separated from the property on Plot 1 by approximately 3 m. Parking spaces P5 and P6 abut Plot 2 and 3 and No 4 Nursery Road and the manoeuvring areas also adjoin the boundary with No 4. However these areas are located next to the rear most part of the side boundary of No 4 and replace existing workshop buildings. These relationships are acceptable particularly in the context of the previous use of the site.

Part of the eastern and southern boundary of the site abuts the Railway Inn where there is a pub garden with children's play equipment. There is potential for this existing use to lead to noise and disturbance for future residents. A noise impact assessment has been submitted to quantify this impact, which is generally acceptable although further details would be required to provide a full assessment. Despite this, the pub garden has existed for some time within a close knit urban area, and close to residential properties. The relationship with the new development would not be particularly different from the relationship with existing properties on Hightown Road where a boundary to the pub garden already exists. An objection on this basis could not therefore be substantiated.

It is inevitable that the redevelopment of this commercial site within a built up area will have some impact upon the amenity of adjoining properties. However, it is considered that the amended scheme has resulted in satisfactory relationships with adjoining properties and is acceptable in terms of amenity impacts and as such would comply with Policy ENV3.

#### Landscape impact and trees

This site is within the Ringwood Conservation area and therefore all trees with a stem diameter greater than 75mm at 1.5m above ground level are protected. There is one Silver Birch tree within the site frontage to Nursery Road which offers a good level of amenity to the surrounding area which would be removed a part of the current proposals. A number of trees that are growing in adjoining properties could also be affected by the proposal. An Arboricultural Impact Assessment and Method Statement has been submitted. Overall, the Silver Birch tree, does have higher individual importance due to the relatively reduced tree cover in this area, however the tree is fairly young, and its loss could be relatively quickly replaced through planting advanced nursery stock and replacing this tree with a silver birch that will front Nursery Road.

Eleven new trees are shown in on the submitted plans, with seven of these trees shown to be within the private garden plots.

The proposed planting within the site would mitigate the loss of the silver birch tree, ensure a pleasant landscape setting to the courtyard and rear gardens and assist to increase the overall tree cover in this area of Ringwood and add to biodiversity in the area.

#### Ecology

##### On Site Biodiversity, protected species and Biodiversity Net Gain

The Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats. Development Plan policy, Government advice and emerging legislation all require an enhancement to on site biodiversity wherever possible.

The Biodiversity Report, including a bat survey has been undertaken. Although these surveys were undertaken in June 2021 it is not considered necessary to update them following the delay in determination of the planning application. The report identifies the presence of a day roost for low numbers of common and soprano pipistrelle bats. The proposed development results in the disturbance/destruction of known roosts where a licence is required. As identified within the Biodiversity Report, a European Protected Species (EPS) licence from Natural England will be required prior to any works commencing. There is no reason to suggest that a licence would not be issued.

If the works are carried out in accordance with the submitted Biodiversity Report no objection is raised. Bird and bat boxes have been indicated on the submitted plans and their provision and retention along with the identified mitigation and enhancement measures can be secured by a condition.

#### Air Quality

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development' Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the

potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be provision of Electric Vehicle charging points, low carbon heating solutions and no installation of solid fuel appliances.

### 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 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 such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. In this case, the applicant will enter into a Section 106 legal agreement to secure the required habitat mitigation contribution.

### Air Quality monitoring and mitigation

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO<sub>x</sub>, 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. In this case, the applicant will enter into a Section 106 legal agreement, to secure the required air quality monitoring and mitigation contribution.

### Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw,



notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable to be offset. Such a project has now been secured and a Grampian style condition can be imposed that will secure the appropriate level of phosphate mitigation.

#### Developer Contributions

As part of the development, the following will be secured via a Section 106 agreement:

- Habitat's mitigation - non infrastructure: £ 4123
- Habitat's mitigation - infrastructure: £ 26390
- Air Quality monitoring: £ 637

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Dwelling houses	553	298	255	255	£80/sqm	£26,127.69 *
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Subtotal:	£26,127.69
Relief:	£0.00
Total Payable:	£26,127.69

## 11 CONCLUSION

The amended proposals are considered to address the previous reasons for refusal. They would respect the amenity of existing residential properties and would be of an appropriate scale form and quality in the conservation area. The marginal parking shortfall can be accepted given the other site constraints. This scheme would provide new homes on previously developed land in a sustainable location within one of the districts largest's settlements and would make a valuable contribution towards the Council's housing land supply.

A legal agreement is required to secure habitat mitigation and air quality and suitable projects are now place to secure mitigation against impacts on phosphate levels in the River Avon and this mitigation can be secured by a Grampian condition. As such, subject to the planning conditions set out below the proposals are considered to be acceptable and so planning permission is recommended.

## **12 OTHER CONSIDERATIONS**

Matters raised by third parties have been considered and addressed in the planning assessment.

Consideration of effect of construction works on existing properties, possible subsidence, the effect of the development on the condition of road, and potential compensation claims are civil matters that cannot be considered as part of the planning process. The lack of liaison between the developer and local community is not a requirement for a development of this scale. However, a full consultation exercise has been undertaken on the current planning application and the concerns raised by third parties have been considered in reaching this recommendation.

## **13 RECOMMENDATION**

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

- i) the completion of a planning obligation entered into by way of a S.106 Agreement or unilateral undertaking to secure Air Quality Monitoring and Recreational Habitat Mitigation and
- ii) the imposition of the conditions set out below

### **Proposed Conditions:**

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

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

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

9315/200 E Proposed site and block plan;  
9315/201 D Proposed Unit 1 Conversion of existing building -plans and elevations;  
9315/202 C Proposed Unit 2 Floor plans and elevations;  
9315/203 G Proposed Units 3 and 4 Floor plans and elevations;  
9315/204 D Proposed Units 5,6 and 7 Floor Plans and Elevations  
9315/205 D Street scene

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) facing and roofing materials,
- b) rainwater goods,
- c) chimney pots

The development shall only be implemented in accordance with the approved details and thereafter retained as such.

Reason: To ensure an acceptable appearance of the buildings, to protect the character of the Conservation Area in accordance with in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy and Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management). for the New Forest District outside of the National Park.

4. Before development commences, a sample panel of brickwork and wall capping showing the brick, bond, mortar and joint details shall be made available on site for the inspection and approval by the Local Planning Authority. Development shall only take place in accordance with those details that have been approved.

Reason: To protect the character of the Conservation Area in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

5. No works shall take place other than demolition and site preparation unless the following details (elevation and sections) have been submitted to, and approved in writing by the Local Planning Authority.

- 1) Joinery details including timber window; timber doors, and porch details
- 2) Details of Chimneys, eaves, verges, and string courses
- 3) All external flues, ducts, vents and pipes showing exact locations with no flues ducts and vents to be placed on the front elevations of the approved dwellings.

Development shall only take place in accordance with those details which have been approved and thereafter retained as such.

Reason: To ensure the development is undertaken in an appropriate manner, protect the character of the Conservation Area in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

6. 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, outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In order to ensure that the quality of the overall development is retained and the amenity of adjoining residents are not adversely affected in view of the limited size of the site, its physical characteristics and location in the Ringwood Conservation Area in accordance with to Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy and Policy DM1 of the Local Plan Part 2 Development Management for the New Forest District outside the National Park.

7. No first floor windows other than those hereby approved shall be inserted into the rear or side elevations of dwellings on Plots 2, 3 and 4 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.

8. The first floor windows on the rear (east) elevation of the approved dwelling on Plots 3 and 4 shall be :

- (i) obscurely glazed, and
- (ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and the windows shall be retained as such in perpetuity.

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.

9. No works shall commence on site unless and until 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) new planting of 11 trees that should be of advanced nursery stock;
- (d) areas for hard surfacing and the materials to be used;
- (e) other means of enclosure;
- (f) a method and programme for its implementation and the means to provide for its future maintenance.

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

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

10. 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 and in accordance with Policy ENV3 of the Local Plan Part 1 Strategy for the New Forest outside of the National Park.

11. The development hereby approved shall be undertaken in strict accordance with the submitted Biodiversity report (dated 6 June 2021) unless otherwise first agreed in writing with the Local Planning Authority. Any works that impact on the bat roost(s) (day roost for common pipistrelle and soprano pipistrelle) identified in the Biodiversity Report undertaken by Philip Smith (Dated 6th June 2021) shall not commence unless either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) the relevant licensing body confirms in writing that does not consider that the specified activity/development will require a licence.

The specified biodiversity enhancements in the Biodiversity report in the form of bat enhancement features, bird nesting features, hedgehog highways, bee bricks and flowers with pollen bearing capability shall be undertaken. The bird and bat features shall be provided as indicated on the approved plan. All the specified biodiversity enhancements shall be implemented prior to first occupation of the dwellings hereby approved and thereafter retained in perpetuity.

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

12. The development hereby permitted shall not be occupied until the spaces shown on plan 9315/200 E for the parking of vehicles have been provided. The spaces shown on plan 9315/200 E for the parking of vehicles shall be provided on an unallocated basis and retained and kept available for the parking of vehicles for the dwellings hereby approved at all times.

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

13. 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 14 to 17 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 15 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).

14. 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).

15. 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).

16. Where a remediation scheme has been approved in accordance with condition 15, 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).

17. 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 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, 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 16.

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).

18. 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 each new dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided before the approved dwelling(s) have 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).

19. No development shall take place (including demolition and site preparation) 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:

- i) Development contacts, roles and responsibilities
- ii) Public communication strategy, including a complaints procedure.
- iii) Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- iv) Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- v) Use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- vi) Details of parking and traffic management measures.
- vii) Measures to control light spill and glare from any flood lighting and security lighting installed.
- viii) Pest control
- ix) Hours of working on site
- x) Measures to avoid the inadvertent entrapment of wildlife during construction.



The approved details shall be implemented throughout the duration of construction phase of development. The development shall only be carried out in accordance with the CEMP so approved.

Reason: To ensure that the development is carried out in an appropriate manner in the interests of residential amenity and highway safety given the location of the site and in accordance with Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest District outside of the National Park.

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

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

21. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method. In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

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

22. 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 and Policy ENV1 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.

23. 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.

24. Prior development above DPC level details shall be submitted to the Local Planning Authority of secure cycle storage facilities for each of the dwelling hereby approved these details to be agreed in writing with the Local Planning Authority. The cycle storage facilities as approved to be provided prior to first occupation of the dwellings hereby approved and thereafter retained for that purpose.

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

**Further Information:**

Judith Garrity

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# New Forest DISTRICT COUNCIL

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## PLANNING COMMITTEE

September 2022

2 NURSERY ROAD  
RINGWOOD  
BH24 1NG  
21/10668

Scale 1:1250

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

