

Application Number: 19/11369 Full Planning Permission

Site: 25-27 SOUTHAMPTON ROAD, RINGWOOD BH24 1HB
(SUBJECT TO LEGAL AGREEMENT)

Development: Convert first-storey to residential use; add two additional storeys to create six residential apartments; Improvements to front and rear elevations; Improvements to rear service yard including demolition of existing cold store and rebuild to form new cold store, bicycle and bin store with associated planting

Applicant: Mr Urel

Agent: Chapman Lily Planning Ltd

Target Date: 08/01/2020

Case Officer: Stephen Belli

Extension Date: 02/05/2023

UPDATE REPORT

This application was first considered by Planning Committee on 11 March 2020. The Committee resolved to approve the application as follows

Delegated Authority be given to the Chief Planning Officer to GRANT PERMISSION subject to:

- i) The completion within 6 months of the date of this resolution, of a planning obligation entered into by way of a section 106 Agreement to secure appropriate habitat mitigation measures: and
- ii) The imposition of conditions as set out in the report

A further resolution was then taken by Committee to extend the period for the Agreement to be completed until March 2021.

The reason for the delay in processing the application has been due to phosphate mitigation. Until recently there has been no strategic solution and applications for residential development in the Avon Valley have been on hold.

The position has now changed with the introduction of the Bickton Fish Farm mitigation scheme. This means the application can be approved subject to the imposition of a Grampian condition requiring the applicant to provide a phosphate mitigation scheme (with an understanding they can purchase phosphate credits from the owners of the mitigation scheme). Natural England have agreed this new approach to dealing with phosphates. A revised Appropriate Assessment under the Habitat Regulations 2017 has now been carried out to take this into account.

The other change relates to the Policy background. In July 2020 the new Local Plan 2016-2036 was adopted. The policy changes however do not have any impact on the principal matters for consideration, with two exceptions both relating to air quality. A contribution is now required based on £91 per dwelling to allow for air quality monitoring and this can be collected through the same S106 referred to above. The second change relates to the new SPD on Air Quality adopted in June 2022. The applicant has provided the necessary Air Quality Statement in which he confirms no solid fuel appliances will be used, gas boilers to meet minimum

standards of less than 40mgNOx/kWH, and an electric vehicle charging point will be located in the rear courtyard.

PREVIOUS REPORT

The previous report is set out below. The Recommendation has been amended to take the above into account and the phosphate mitigation condition to deal with phosphates has been added.

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this planning application:

- Principle of development including 5 year housing land supply
- Impact on Conservation Area
- Highway safety and parking
- Impact on local residential amenities
- Ecological matters

This application is before Committee due to the objection of the Town Council

2 THE SITE

The application site comprises two adjacent properties in the same ownership. They are located within Ringwood town centre on the western side of Southampton Road, which, in this part, is a two-way road linking the B3347 to the north, and High Street / Christchurch Road to the south. There is no entry to vehicles accessing the road from the north from the B3347. There is some limited vehicular parking on the public highway opposite. Southampton Road is predominantly lined with commercial (retail) properties on the west side, which have large, modern shopfronts, vertical plain brick facades topped off by flat roofs. The buildings here are tall and generally two storey but some elements are three storey. In addition the property to the south has a 2nd floor roof extension which is partially visible from the street.

The pavement here is wider than normal and the applicants have taken the opportunity to provide an outdoor seating area (on land which appears not to be public highway) to serve the restaurant and adjoining building which has recently been given planning permission under reference 19/11228 for a change of use from shop to café. Whilst the two buildings were formerly separate they are now joined internally as the applicant has removed the dividing wall between the two.

The site lies within the Ringwood Conservation Area, but there are no Listed Buildings in close proximity.

The site has the use of an open service yard /parking court to the rear, accessed off Meeting House Lane. At first floor, the two units are separate, and are generally used for storage purposes related to the café/restaurant uses.

3 THE PROPOSED DEVELOPMENT

The application seeks full permission to convert the existing first storey across the two formerly separate premises to residential use and add two additional storeys to

create six residential apartments on three floors above the restaurant/cafe. The front elevation facing Southampton Road will be provided with new windows and doors and a re-painted façade.

There are also proposed enhancement works to the rear service yard to provide a dedicated planting area, bin storage, cycle storage and new replacement cold store, along with re-painted facades. The floor areas are broken down as follows:

First floor - 2 x two double bedroom flats
 2nd floor - 2 x two double bedroom flats
 3rd floor – 2 x one double bedroom flats

The first-floor flats will be provided with Juliet style balconies fronting Southampton Road but no outdoor seating areas. The second and third floor flats will be provided with an outdoor seating area which will front onto Southampton Road. The 2nd floor block will be mostly hidden from street view by a solid parapet wall. The 3rd floor block will be more prominent from street level, however, and will appear as a roof extension. The existing building has a height from street level of 8.4 m (including the existing parapet wall). The 2nd and 3rd floor extensions will increase the overall height of the building to 12 metres. The second and third floor extensions are staggered back from the front elevation plane of the building to reduce their impact when viewed from the street.

Internally, the plans show new customer toilets and baby change facilities and improved staff welfare facilities contained within the buildings.

Pre application discussions took place and the Case Officer gave generally positive advice that the principle of the development would be acceptable but that the architectural detailing needed to be good quality, reflecting the position of the site in the Ringwood Conservation Area.

Amended plans submission

Amended plans have been submitted which set out various alterations to the façade of the building and further improvements to the rear service yard. The plans have been amended to address concerns raised about the original scheme. These have been the subject of a re-consultation exercise which is due to end on 6th March. Any comments will be included in the update sheet. Members are referred to the applicant's planning support statement and the amended plans received on 20th September which set out in more detail the proposed works along with perspective drawings showing how the extension will look from the front and rear.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
19/11228 Change of use of premises from A1 to A3 & A5	17/01/2020	Granted
15/10752 Use of part of first floor as 1 flat (Prior Approval Application)	08/07/2015	Prior Approval not required
03/78643 Use for sales of food and drink for consumption on premises and hot food for consumption off premises (Certificate of lawfulness for existing use) (Class A3)	27/08/2003	Granted
00/69978 2 storey additions & alterations	25/01/2001	Granted Subject to Conditions

5 THE DEVELOPMENT PLAN AND OTHER CONSTRAINTS**Core Strategy****CS1** – Sustainable development principle**CS2** – Design quality**CS3** – Protecting and enhancing heritage and nature conservation**CS9** – Settlement hierarchy

- Level 1 – Larger towns and service centres – Totton & Eling, Hythe and Dibden,
- Lymington and Pennington, New Milton and Barton on sea, and Ringwood
- Level 2 - Small towns and employment centres – Fordingbridge, Marchwood
- Level 3 – Defined villages – Ashford, Blackfield & Langley, Bransgore, Everton,
- Fawley, Hardley & Holbury, Hordle, Milford, & Sandleheath
- Level 4 – rural villages (countryside) – Breamore, Damerham, Elingham, Harbridge, Ibsley, Martin, Rockbourne, Sopley, & Whitsbury

CS10 – Spatial strategy in aff. Housing, settlement hierarchy, employment, accessibility, green belt**CS13** – Housing types, sizes and tenure**CS25** – Developer contributions (see later CIL and govt. advice on tariffs)**Local Plan Part 2 Sites and Development Management Development Plan Document**

DM1 Heritage and conservation

DM2 Nature conservation, biodiversity and geodiversity

DM3 Protecting and enhancing our special environment

The Emerging Local Plan

The Local Plan Review 2016-2036 is in what can be considered an 'advanced stage' in its preparation, in that it has been submitted to the Secretary of State and the Examination has been concluded. The Local Plan Review sets a housing target of 525 dwellings per annum and will allocate sufficient land to meet this new housing target. The Local Plan Inspectors have indicated that, subject to modifications, the plan be made sound. Public consultation on modifications ended on 31 January 2020.

It is therefore a material consideration which can be given weight in decision-making.

The following policies are considered to be relevant.

- 1 Achieving sustainable development
- 3 Strategy for locating new development
- 4 Settlement hierarchy
- 5 Meeting our housing need
- 6 Sustainable economic growth
- 10 Mitigating the impact of development on International Nature Conservation sites
- 11 Heritage and conservation

- 13 Design quality and local distinctiveness
- 14 Landscape character and quality
- 16 Housing type, size and choice

Supplementary Planning Guidance and other Documents

SPD Mitigation Strategy for European Sites

SPD Parking standards

SPD Housing design, density and character

SPD Ringwood Conservation Area Appraisal

SPD Ringwood Local Distinctiveness

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Planning and Compulsory Purchase Act 2004

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

Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

Listed Buildings and Conservation Areas Act 1990

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

S72 duty – special attention to the desirability of preserving or enhancing the character or appearance of the area:

- Significance of the heritage asset
- Setting - wider rather than narrower meaning
- Substantial harm (complete loss) – exceptional circumstances
- Less than substantial harm – weighed against the public benefit

Relevant Advice

National Planning Policy Framework 2019

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 6 Building a strong, competitive economy
- Section 7 Ensuring the vitality of town centres
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

National Design Guide 2019

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: Recommend refusal

The Committee had no objection to one additional storey, but considered that the resulting height created by a second additional storey would be out of keeping with the surrounding buildings. Members also supported the Planning Officer's comments with regard to the cycle store and bin shed.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received:

NFDC Building Control

Recommends that internal layout is changed to ensure that position of kitchens is not an issue for means of escape. Stairwell needs proper ventilation and fire appliance access should be factored in.

NFDC Conservation

Initial Comments - Whilst the building is of limited architectural value, it occupies a key and prominent position within the Conservation Area. Views gained of the new roof extension will be limited. That said the proposals should be improved in terms of detailing of windows, doors, cladding and railing details to ensure a good quality finish. Rear yard area also important and should ensure that there is better treatment here for cycle and bin storage with appropriate hard and soft landscaping. Overall, there are several design issues and the quality of the proposal should be improved. However, bulk and scale of the proposed extensions are acceptable.

Further Comments - have looked through the submitted information and drawings. The design approach shown on the revised drawings has improved greatly. The applicant has clarified and addressed the majority of the issues raised. The application is therefore now supported. There is a need for a set of robust conditions to ensure that quality is carried through into the details and materials on site.

Conditions should cover the following:

- All external materials as samples and not just details
- Large scale drawings of all external windows and doors
- Large scale detail of the canopy and supporting posts.
- Landscape details and materials for agreement.

New Forest Ecologist

No objection - notes the agent's comments in respect of potential for bat species - all parties should note that the weight that can be ascribed to such opinion is limited due to lack of professional knowledge, and it should not be relied upon for defence in law. Bats can use crevices and features in even flat roofed buildings. However, would accept that for the purposes of planning the risk and potential of presence is sufficiently low not to require further information at this stage. Notes the immediate environs are urban in nature, although with the River Avon within 500m and open greenspace within 250m, due diligence should be shown.

The location is likely to be suitable for provision for swifts and if the Council were minded to approve would recommend that details of a scheme of swift bricks informed by professional ecological advice at a rate of one per new unit of accommodation be provided either prior to commencement or prior to development processing past demolition phase. Mitigation is also required for protected areas and species in the locality in the normal way.

NFDC Environmental Health (Pollution)

Initial comments – objects due to lack of detail relating to noise transfer between floors and harm to new residents. Requests acoustic survey and mitigation report. Also concerned about potential cooking fumes, extraction system and potential impact on new flats.

Further comments – following receipt of acoustic report and other details, withdraws objection and recommends approval subject to noise limitation conditions and times of plant operation.

Hampshire County Council Highways

No objection - Access to the proposed flats is to be from the rear of the building from Eastern Service Road, which is an unclassified road. No car parking is proposed. The suitability of this lack of provision is a matter for the district council to consider as the Local Parking Authority. The provision of well-designed cycle parking is essential for supporting the development of cycling as a practical transport choice. A cycle store for 6 bikes is proposed in the service yard area. For the two end stands to be accessible, the doors of the store will need to extend across the full width. The applicant may wish to amend the application drawings to address this issue.

Wessex Water Authority

No objection – offers standard advice relating to dealing with surface water drainage and connection to water systems.

Comments in full are available on website.

10 REPRESENTATIONS RECEIVED

No comments received

11 OFFICER ASSESSMENT

Principle of development including 5 year land supply

The site lies within a central town centre location and within the settlement boundary of Ringwood, as shown in the Local Plan Part 2, and is within reach of a range of facilities and alternative transport options. To that end, the site lies in a generally acknowledged sustainable location.

However, paras 7 and 8 of the NPPF define sustainable development as also taking into account economic, social and environmental objectives. All three must be balanced to determine whether or not a development is sustainable and not just its location within a settlement boundary.

The Council has now progressed the Local Plan Review 2016-2036 Part 1: Planning Strategy to a very advanced stage. The Inspectors examining the Local Plan 2016-2036 Part 1 have confirmed that they consider that the Local Plan can be found 'sound' subject to main modifications being made. Public consultation on the Main

Modifications concluded on 31 January 2020. The Local Plan 2016-2036 Part 1 is anticipated to be adopted in Spring 2020. The Local Plan 2016-2036 Part 1 is thus at a very advanced stage and, as proposed to be modified, is a significant material consideration in the determination of planning applications. The Council has published a Housing Land Supply Statement which sets out that the Council is able to demonstrate a five-year housing land supply based on the Local Plan 2016-2036 Part 1 (as modified) for the period 2020/21-2024/25 and so will be able to demonstrate a five year housing land supply upon adoption of the Local Plan.

Impact on Ringwood Conservation Area including design and site layout

S72 of the Listed Buildings and Conservation Areas Act 1990 places a duty on all Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Paragraph 189 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting, confirming that the level of detail should be proportionate to the asset's importance. Para 192 states that LPAs should take account of the positive contribution that proposals can bring in enhancing local character and distinctiveness. Where development would lead to harm, paragraphs 195 and 196 require development proposals to demonstrate whether the level of harm would be substantial or less than substantial. Where there is harm, this should be weighed against the public benefit. Paragraph 200 notably goes on to state:

'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'

Core Strategy policy CS2 has now been added to by Policy 13 of the Emerging Local Plan. Development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive.

Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management, and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits, which is also referred to in the National Planning Policy Framework (NPPF) 2019.

The Ringwood Conservation Area Appraisal is also relevant and underlines the need to ensure that development in the Conservation Area is not harmful and where possible brings improvements and reflects local character and distinctiveness. The Appraisal also encourages improvements to often overlooked but potentially ugly service yard areas.

With this proposal, there are considered to be three key issues in terms of the development's design, layout and Conservation Area impact. Firstly, the impact of the proposed roof extensions, secondly the overall impact of the works to the front façade, and thirdly the impact of the works on the rear elevation and service yard area. These are discussed in turn below.

Roof Extension - Dealing first with the roof extensions, the Ringwood Conservation Area Appraisal recommends that no buildings within the Conservation Area are greater than 3 storey in height (i.e. there should not be four floors, as would be the case here).

However, whilst this advice is relevant, it is also considered that each proposal needs to be judged on its merits, having regard to the immediate context. In this case, there is another building close to the site with a similar roof extension (albeit raising the building to three storeys in total) two doors to the south. The new roof extension will be seen in context with that extension and also with other tall buildings to the north of the site. Coupled with this local context the roof extensions have been angled such that they do not follow the current front facade of the building but are set back. This will result in views of the extensions from the street being more limited. The 2nd floor extension will be mostly hidden by the existing parapet wall. The 3rd floor extension will, however, project higher than the nearby roof extension and will be seen from street level. This point has been picked up in the objections of the Town Council. However, the 3rd floor extension has been set back further and staggered above the 2nd floor. This limits significantly the impact.

Given that there are other tall building blocks nearby there are no objections to the 3rd floor extension on this occasion. The applicant's agent in their re-submitted plans provides further perspective sketches to provide an indication of local impact. The impact here will be very localised, and both the Case Officer and the Conservation Officer consider the proposal does not harm the Conservation Area and is acceptable in principle. Whilst the Conservation Area Appraisal recommends no four storey buildings, this has to be balanced against the direct impact of the proposal on that part of the Conservation Area. On this occasion a balanced view is taken that there is no harm and the higher building is acceptable, taking into account also the following points.

Front façade alterations – the existing front façade has received different treatments between the two premises, being formerly in two different ownerships but originally built in the 1960s as one new building. No. 27 has an exposed brick frontage but No.25 has had some of its bricks painted white, which results in a strident jarring appearance. The section of walling above the windows has been rendered with a concrete colour finish which underlines the poor appearance. The poor window detailing helps to underline the need for some renovation of this dated and tired elevational treatment. The applicant, following his acquisition of No. 27, has now started to unify the two properties by introducing signage above the shop fronts. This proposal now seeks to take that design approach forward.

The latest plans now show improved window and balcony detailing, along with better details for the roof extensions. The marrying of the two premises together with a new unified paint scheme (removing the strident white painted finish) will greatly assist in 'lifting' the quality of the building overall and will have a beneficial impact on the Conservation Area. This part of Southampton Road is specifically mentioned in the Ringwood Conservation Area as being an element of poor re-development from the 1930s onward. The Appraisal specifically requires proposals to make a positive contribution.

Service yard and rear facade improvements – the rear elevation of the building and the appearance of the existing service yard is poor. The rear elevation is cluttered with air conditioning units, flues and vents, along with makeshift structures used in connection with staff facilities and storage. The yard area has a hard and unwelcoming appearance. The proposals as now amended show significant improvements to the rear elevation, by removing the flues, vents and air conditioning units, along with the makeshift structures referred to. The new service yard building is appropriately located to one side and will contain all necessary cold storage and bin and refuse storage under cover, along with an undercover cycle store for the new residents. Added to this, an improvement to the surfacing of the yard, which is currently a mix of tarmac and concrete, with a new unified brick paviour and a dedicated pedestrian route to the

flats, together with new landscaping, will significantly improve the appearance of the service yard and this part of the Conservation Area. The proposed new 3rd floor extension will be more noticeable from the rear service yard but again will be seen in context with other tall structures nearby and will not therefore create an incongruous feature out of character with the area.

Highway safety and parking

With regard to highway safety, the rear service yard of the premises will still remain, albeit its surfacing will be improved and the appearance of the yard softened with new hard and soft landscape features. The buildings and business uses will retain the rear servicing ability, and there is sufficient room here for vehicles to reverse into the yard, area. The latest plans show a dedicated route for pedestrians to access the rear flats entrance.

With regard to car and cycle parking the site lies in a town centre location within easy reach of a range of transport options and public car parking. The Council's SPD on parking does, however, require 9 car parking spaces to serve the six new flats, along with 10 cycle parking spaces. In this case space at the rear is at a premium and no room is available for car parking. The proposal does, however, make provision for 6 secure cycle parking racks within the new service building. This building could be extended to increase cycle parking, but this would remove the potential for landscaping and make it more difficult for service vehicles to enter and leave the site safely. Government advice is that strict adherence to local parking standards, particularly in town centre locations should be avoided if there are other public benefits that flow from a development proposal. There needs therefore to be a balance between the overall public benefit of the scheme, the location of the site within reach of sustainable travel options, and the need to provide car and cycle parking set out in the 2012 SPD.

Impact on residential amenities

The plans have a limited impact on nearby flat residents on either side of the application site. No objections have been received. The outlook for all existing residents will be improved at the rear given the improvements set out above. Noise from the existing air conditioning units will be reduced, with a new air con unit located to the rear of the new service yard building. The new flat residents will benefit from outdoor seating space for the four flats on the 2nd and 3rd floor. The 1st floor flats will be provided with a number of Juliet style balconies to overlooking the main shopping street. The earlier expressed concerns of the Council's EHO in relation to the impact of noise and cooking smells on the new flat residents have now been overcome in the amended plans.

Ecological Impact

a) Habitat Mitigation and ecological impact off site

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. In this case, the applicant has been invited to enter into an Agreement under Section 106 prior to the grant of planning permission or to provide their own mitigation strategy. The applicant has agreed to enter into an agreement and this is currently being prepared. Planning permission will not be issued until the agreement is completed.

b) Impact on phosphates affecting water courses

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.

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, and therefore there is no further requirements on developments.

c) On site biodiversity enhancement

Development Plan policies require on site enhancement wherever possible. In this case, the Council's Ecologist has no objections to this application provided some on site biodiversity enhancements are made and suggests the introduction of 6 no. swift boxes. This can be dealt with via a planning condition requiring these to be in place prior to occupation of any of the units. In addition, the developer will be reminded of the need to take care not to disturb any protected wildlife species such as bats when carrying out works to the roof space. This will be covered by an informative.

12 CONCLUSION ON THE PLANNING BALANCE

In summary, the impact on the Ringwood Conservation Area and heritage asset is considered to be beneficial given the improvements to both the front and rear elevations of these buildings which at present have an appearance which do not support the better qualities of the Ringwood Conservation Area. On balance, it is considered that the additional height of new building will not have an adverse impact on the Conservation Area, taking into account the setback nature of the roof extensions, and the limited views of the extensions.

The scheme brings forward 6 no. smaller units of residential accommodation in a sustainable town centre location. This adds to local housing stock at the lower end of the housing market and will, it is considered, enhance and improve the vitality of the town centre.

The site does not provide any car parking for the new flats and underprovides cycle parking. That said the site lies in a sustainable location close to public transport options and public car parking.

Appropriate mitigation can be achieved to offset any harmful off-site impact on protected European sites through additional recreational pressure; any impact from additional nutrient enrichment of the River Avon can be mitigated through CIL; and further biodiversity enhancement can be made through an appropriate planning condition.

Therefore, the balance overall on this occasion is one of approval subject to the conditions as set out below.

13 OTHER CONSIDERATIONS

Crime and disorder

Not relevant on this occasion

Local Finance

If this development is granted permission, the Council will receive a New Homes Bonus of £7344.00 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.

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:

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

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	429	192	237	237	£80/sqm	£24,210.47 *
Restaurants and cafes	175	367	-192	-192	No charge	£0.00 *

Subtotal:	£24,210,47
Relief:	£0.00
Total Payable:	£24,210.47

* 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 2020 this value is 1.28 (rounded)

13 RECOMMENDATION

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

- i) the completion by 28 April 2023, of a planning obligation entered into by way of a Section 106 Agreement to secure appropriate habitat mitigation measures, and air quality monitoring contributions
- 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:

PL100 rev B - Site, location and existing floor plans, and proposed site layout

PL101 rev B - Proposed floor plans and section

PL102 rev B - Existing and proposed elevations

PL103 rev B - Existing and proposed elevations and sections

PL104 rev B - Existing and proposed elevations and sections

PL105 rev B - Proposed sections, cold store cycle and bin store

Environmental Noise Impact Assessment SA - 6333 submitted on 20 February 2020.

Air Quality Statement November 2022

Reason: To ensure satisfactory provision of the development.

3. Within one month of the commencement of development, samples of the facing and roofing materials to be used, along with large scale plans showing the details of all balconies, screen walls, brise soleil features including any canopy and support posts, and all windows and doors including finished colours and means of opening, to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the development in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. The residential development hereby permitted shall not be occupied until the cycle spaces shown on the approved plan have been completed and made available for all new flat occupants. Such spaces shall be kept available in perpetuity to serve the residents of the flats.

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

5. The development shall not be occupied until all new hard surfacing and planting beds have been laid and created in the rear service yard, together with the completion of the new service yard building.

Reason: To ensure appropriate provision is made for servicing and in the interests of the visual appearance and amenity of this part of the Ringwood Conservation Area.

6. Prior to the occupation of any part of the development hereby permitted, the development shall be completed and carried out in accordance with the measures and design details set out within The Environmental Noise Impact Assessment SA - 6333 submitted on 20 February 2020. There shall not be any deviation from this Noise Impact Assessment unless otherwise approved in writing by the Local Planning Authority beforehand.

Reason: In the interests of the amenity of new and existing residents and in accordance with Core Strategy policy CS2.

7. The combined Noise Rating Level from the kitchen exhaust flue, air conditioning units and any other plant or equipment shall not exceed the Background Noise Level between the hours of 07:00 to 23:00 at 3.5 metres from any noise sensitive premises in accordance with BS4142:2014. The plant shall not be operated between 2300-0700 hours.

Reason: In the interests of the amenity of new and existing residents and in accordance with Core Strategy policy CS2.

8. Within 3 months of the commencement of development a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) a specification for new planting including all shrubs and trees (species, size, spacing, location, planting methodology and means of protection and support for new trees);
- (b) areas for hard surfacing and the materials to be used, along with the materials to be used for the new planting bed enclosures;
- (c) any other means of fencing, walling or means of enclosure (including the planting beds);
- (d) a method and programme for the implementation of the landscaping 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 Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

9. All planting, comprised in the approved details of landscaping shall be carried out in the first planting season (i.e. October to March) 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 that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

10. 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) (adding, when it is in place and as applicable), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

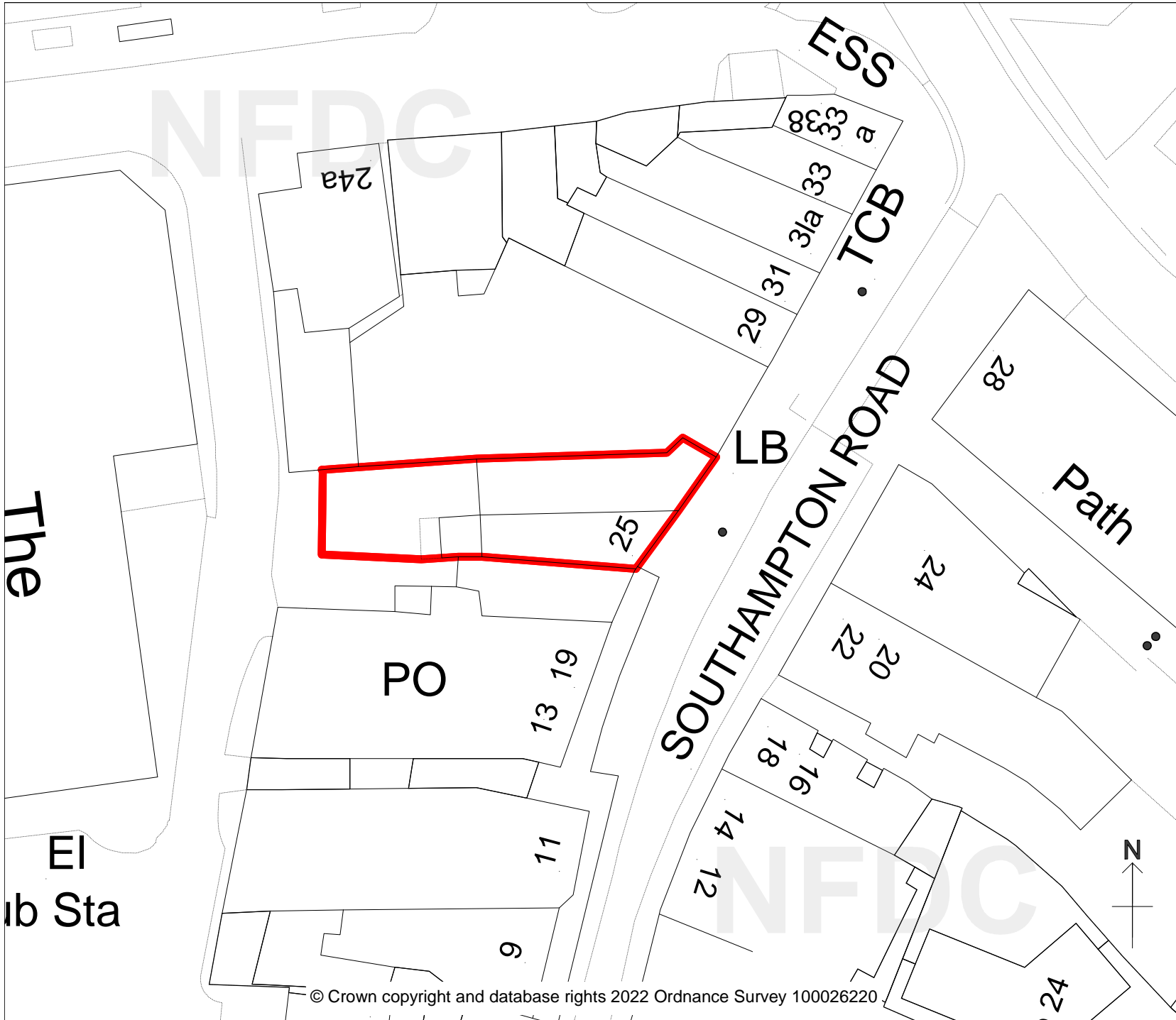
11. Within one month of the commencement of any part of the development, a scheme for the provision and installation of 6 no. swift bird boxes shall be submitted to and agreed in writing with the Local Planning Authority. The scheme as may be agreed shall be fully implemented prior to the occupation of any of the residential flats hereby approved and maintained as such thereafter.

Reason: To ensure the development makes provision for on-site biodiversity enhancement in accordance with Core Strategy policy CS3 and Local Plan policy DM2.

Further Information:

Stephen Belli

Telephone: 023 8028 5430



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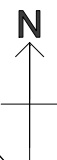
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SOUTHAMPTON ROAD

FSS

TCB

Path



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DISTRICT COUNCIL

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PLANNING COMMITTEE

December 2022

25-27 Southampton Road
Ringwood

19/11369

Scale 1:500

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