

Application Number: 15/11654 Full Planning Permission

Site: Land at MEADOW VIEW, THE BICKERLEY,
RINGWOOD BH24 1EJ

Development: House; access

Applicant: Mr & Mrs D Cole

Target Date: 22/01/2016

1 REASON FOR COMMITTEE CONSIDERATION

Member request

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Flood Zones 2 and 3
Ringwood Conservation Area
Green Belt
Site of Special Scientific Interest(SSSI)
River Avon Special Area of Conservation (SAC)
Avon Valley Special Protection Area (SPA)
Ramsar Site

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
2. Climate change and environmental sustainability
3. Housing
6. Towns, villages and built environment quality
7. The countryside
8. Biodiversity and landscape

Policies

CS1: Sustainable development principles
CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS6: Flood risk
CS10: The spatial strategy
CS15: Affordable housing contribution requirements from developments

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites
DM20: Residential development in the countryside

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework:

Chapter 7: Requiring good design
Chapter 9: Protecting Green Belt Land
Chapter 10: Meeting the challenge of climate change, flooding and coastal change
Chapter 11: Conserving and enhancing the natural environment
Chapter 12: Conserving and enhancing the historic environment

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

Ringwood Local Distinctiveness

Ringwood Conservation Area Appraisal

6 RELEVANT PLANNING HISTORY

6.1 14/10265: Raise roof height; front infill extension to create porch
(Meadow View)
Permitted: 14 April 2014

6.2 01/71118: Detached dwelling with integral double garage
(Meadow View)
Permitted: 19 Sep 2001

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: Recommend Permission but would accept Officer's decision: In principle the Committee supported the proposed development subject to the following issues being addressed:

- Justification of development within the Green Belt;
- Meeting the requirements of the Environment Agency in respect of flooding;
- Meeting the requirements of Natural England in respect of Habitats Regulations.

8 COUNCILLOR COMMENTS

8.1 Cllr Thierry has requested that this application be referred to the Development Control Committee for consideration

9 CONSULTEE COMMENTS

9.1 Land Drainage: more information required

9.2 Natural England: Objection - further information required

- 9.3 Southern Gas: statutory comments
- 9.4 Conservation Officer: objection
- 9.5 Ecologist: objection
- 9.6 Planning Policy: objection
- 9.7 Hampshire County Council Highways Engineer: No objection subject to conditions
- 9.8 Environment Agency: objection
- 9.9 Environmental Health (Contaminated Land): no concerns

10 REPRESENTATIONS RECEIVED

One letter received raising no objection and stating that the site is built up either side and that an additional property as proposed would not impact on the area.

11 CRIME & DISORDER IMPLICATIONS

Not Applicable

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwelling built, the Council will receive £1152 in each of the following six years from the dwelling's completion, and as a result, a total of £6912 in government grant under the New Homes Bonus will be received.

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Based on the information provided at the time of this report this development has a CIL liability of £17,600.00.

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

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.

- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case, the application did not benefit from pre-application discussions and the objections to the proposal are considered to be too significant to be overcome through negotiation.

14 ASSESSMENT

14.1 Introduction

14.1.1 The application seeks full planning permission for a four bed detached chalet style dwelling (the large storeroom proposed has been identified as a bedroom) to occupy a part of the garden area currently associated with the neighbouring property 'Meadow View'. The site lies off The Bickerley beyond the defined built up area for Ringwood within the Green Belt. The site is within the Ringwood Conservation Area and adjoins Bickerley Mill Steam which is designated as a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). The site straddles a high flood risk area with the site of the new dwelling primarily designated within flood zone 2 and with the end of the proposed rear garden designated flood zone 3.

14.1.2 The Design and Access Statement cites that the proposal has been designed to meet '*design and planning policies contained in the New Forest District Local Plan First Alteration and Hampshire Country Structure Review Plan*'. Both of these policy documents have been superseded.

14.2 Green Belt

14.2.1 The site falls within the Green Belt beyond any settlement boundary. National planning policy advises that there are five purposes of the Green Belt inclusive of the need to check the unrestricted sprawl of large built-up areas, to assist in safeguarding the countryside from encroachment and to preserve the setting and special character of historic towns.

14.2.2 The construction of a new dwelling within the Green Belt does not fall within any of the exceptions defined by national policy where new development in the Green Belt might be acceptable and thus the proposal comprises inappropriate development within the Green Belt.

Inappropriate development is, by definition, harmful to the openness of the Green Belt and should not be approved except in very special circumstances (which will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations). No case for very special circumstances has been submitted. This application is contrary to Green Belt policy and refusal is recommended on this basis.

14.3 Countryside

- 14.3.1 New housing development in the countryside is very tightly restricted. Planning policy DM20 advises that new residential development in the countryside will only be permitted where it is for an agricultural or forestry worker. This proposal does not fall into this category and refusal is recommended on this basis.

14.4 Design/ Visual Amenity

- 14.4.1 The proposal would comprise a four-bedroom chalet style dwelling that would be similar to 'Meadow View' albeit with a shorter double garage. The Design and Access Statement cites that this design approach *'was discussed with planning and conservation officers at the time (at the time Meadow View was built) resulting in a building that does not form a dominant intrusion into the Green Belt, existing street scene, forms a backdrop to the green Belt, encloses Bickerley Common and reflects the character of the area'* (para 2.16).
- 14.4.2 Notwithstanding the policy objections to the principle of new housing on this site, the pattern of development within the immediate vicinity comprises a mix of age and design with no prevailing grain, style or plot size. The proposal is of no particular architectural merit and although it seeks to reflect the design of 'Meadow View', it fails to respond to its sensitive position as required by current planning policy and guidance and fails to address the cumulative impact of a further dwelling in this position. Comments from the Conservation Officer also highlight some awkward design features (not included as a part of Meadow View) with attention drawn to the chimney and the hipped apex to the gables that would appear incongruous and are not reflective of the precedent for hipped roofs in the vicinity. As such, there is an objection to the proposal on this basis.

14.5 Conservation Area

- 14.5.1 The application site lies between two, relatively recent chalet style bungalows in an attractive location on the edge of the Ringwood Conservation Area. It is on the edge of the village green and would have historically been the edge of Bickerley Common. Bickerley Mill Stream runs to the rear of the application site and there are clear views across the village green through this gap to the high ground and tall trees in the distance. This is an important view given the open plan character of this part of the Conservation Area with these far reaching views adding to the sense of space. The extensive garden space associated with the low density of dwellings further contributes to this open plan character.

14.5.2 The proposal to introduce a new chalet style dwelling in this position, infilling this gap between the two existing properties, would close these views through the site and be at odds with the character of the Conservation Area in this location. The Conservation Area Appraisal mentions that there are limited opportunities for long distance views and thus where they do exist, they should be maintained.

14.5.3 The proposal would further erode the sense of space through the increased density of development, with limited space between the three properties and with the proposal and Meadow View on relatively limited plot sizes; this would be at odds with the historic character and grain of development and an erosion of the special character of the Ringwood Conservation Area at this point. For these reasons, this is a further objection to the proposal.

14.6 Residential Amenity

14.6.1 'Meadow View' to the north is a chalet style dwelling with one ground floor window (understood to serve a bathroom) and two rooflights (understood to serve a landing and bathroom) facing the application site. The proposal would align with this neighbouring dwelling with the attached double garage to this side and with one high-level facing window. The proposed relationship between these dwellings is considered to be acceptable with no significant adverse impacts caused to residential amenity.

14.6.2 'Riverside' to the south is also a chalet style dwelling which is screened by a mix of a coniferous hedge, a wall and close-boarded fence up to 1.8m high (approx.) on the boundary. The property is understood to reflect the layout of Meadow View with its attached double garage closest to the boundary and with the first floor side facing window on the boundary understood to serve a storeroom. Accordingly, and having regard to the design and positioning of the proposal and with only a side facing bathroom rooflight and a ground floor wet room/ cloakroom window proposed, it is not considered that any significant impact would be caused to residential amenity.

14.6.3 All other dwellings are positioned at an appreciable distance from the application site and thus there is no objection to the proposal on this basis. There is also no objection in respect of the residential amenities of the future occupiers of the proposal.

14.7 Flood Risk

14.7.1 The Environment Agency advise that the application site primarily falls within flood zone 2 but is very close to flood zone 3, with this encompassing the end of the proposed rear garden. The National Planning Policy Framework requires that development in areas of flood risk should generally be avoided and should be subject to the Sequential Test which is intended to steer development to areas of lower flood risk. Development should not be permitted if there are reasonably available alternative sites for development which are at a lower risk of flooding. The applicant has not undertaken the Sequential Test to demonstrate that there are no other suitable sites. The proposal is contrary to national policy and policy CS6 of the Local Plan and there is an objection to the application on this basis.

14.7.2 National policy further advises that applications should be supported by a flood risk assessment; no flood risk assessment has been submitted. In the absence of a flood risk assessment, the flood risk resulting from the proposed development is unknown. The lack of a flood risk assessment raises a further objection to the proposal.

14.8 Highway Safety

14.8.1 Access to the new dwelling would be via the access to the existing dwelling and comments from the Highway Engineer advise that intensification of this use would be unlikely to have a severe impact in terms of the operation or safety of the local road network. An acceptable level of car parking would also be provided and thus no highway objection has been raised subject to conditions in respect of the provision and retention of car parking spaces and in respect of the hardstanding in the event that planning permission was granted.

14.9 Ecology

14.9.1 The application site is adjacent to the River Avon Special Area of Conservation (SAC) which is a European site. The site is also notified at a national level as the River Avon System Site of Special Scientific Interest (SSSI). In addition, the site is in close proximity to the Avon Valley (Bickton to Christchurch) SSSI, and the New Forest SAC, SPA, Ramsar and SSSI sites.

14.9.2 In considering the direct impact of the development on the internationally designated sites, the only ecological data submitted in support of this application is dated 2001. Natural England and the Ecologist has raised objections on this basis given that there is insufficient information to determine whether the likelihood of significant detrimental effects can be ruled out. There is a further objection in respect of the impact on Nationally Designated Sites with the proposal likely to damage or destroy the interest features for which these have been notified. Further details are again required to demonstrate impacts and proposed mitigation.

14.10 Affordable Housing

14.10.1 In line with Core Strategy Policy CS15, it is considered that the development is one that would not be acceptable unless it were to make appropriate provision towards affordable housing. In this case, because the dwelling is outside of the defined built-up area, Policy does not stipulate exactly what rate of affordable housing should be secured. In these circumstances, it is felt the most appropriate rate to apply is the rate that would apply to the nearest built-up area (i.e. Ringwood), where a 40% rate of provision is sought. In these circumstances, it is considered that an affordable housing contribution of £38,100 would apply. The applicants have not entered into a Section 106 legal agreement to secure such a contribution, and therefore the proposal would not be consistent with the Council's Policies and Objectives for seeking additional affordable housing.

14.11 Habitat Mitigation

14.11.1 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the

recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard.

14.12 Conclusion

14.12.1 In conclusion there are significant objections to this proposal in respect of the development being inappropriate development in the Green Belt which would be harmful in the countryside. The proposal would detract from the Conservation Area by blocking an important viewpoint and through having an inappropriate design. The site lies within Flood Zones 2 and 3 and the dwelling is not appropriate in this location as the application is not supported by a Sequential Test. There are also concerns about the impact of the development on nature conservation interests and no affordable housing has been secured. In these circumstances, refusal is recommended.

14.13 Human Rights

14.13.1 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 this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution	£38,100	0	£38,100
Habitats Mitigation			
Financial Contribution	£5350	0	£5350

CIL Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	220	0	220	£17,600.00

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The application site is located beyond the built up area of Ringwood within the Green Belt and the proposal does not fall within the limited categories of development normally considered to be appropriate within the Green Belt. This proposal is therefore, by definition, harmful to the Green Belt and its openness and would be contrary to the purposes of including land within the Green Belt. The applicant has not demonstrated that very special circumstances apply such that the normal presumption against inappropriate development within the Green Belt should be overridden. The proposal is therefore contrary to the provisions of the National Planning Policy Framework and Policy CS10 of the Core Strategy for the New Forest District Outside the National Park. (Adopted October 2009).
2. The application site is located within the countryside beyond the defined built up area of Ringwood where new residential development is tightly controlled. The proposal does not fall within any of those exceptions where new residential development might be permitted within the countryside and is contrary to the provisions of the National Planning Policy Framework, Policies CS1 and CS10 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009) and Policy DM20 of the Local Plan Part 2: Sites and Development Management Document (Adopted 2014).
3. The application site is situated within the Ringwood Conservation Area, the character and appearance which must be preserved and enhanced. The proposed dwelling, in this position, would demonstrably harm, rather than preserve the open rural character and appearance of the Conservation Area in this location. The proposed development would infill an important viewpoint through to open countryside beyond the Conservation Area and would intensify the level of development contrary to the open distinctive character and appearance of the Conservation Area. The proposal is therefore contrary to the provisions of the National Planning Policy Framework, Policy CS3 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009) and Policy DM2 of the Local Plan Part 2: Sites and Development Management Document (Adopted 2014).
4. The design of the dwelling proposed fails to demonstrate that it has proper regard to this sensitive location and fails to enhance the character, distinctiveness and amenity of both the site and its locality. The proposal is therefore contrary to the provisions of the National Planning Policy

Framework, Policies CS1, CS2 and CS10 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009) and Policy DM20 of the Local Plan Part 2: Sites and Development Management Document (Adopted 2014).

5. The application site lies primarily within Flood Zone 2 and very close to Flood Zone 3 which is identified as being at high risk of flooding. The application is not supported by a Sequential Test or a Flood Risk Assessment. In the absence of the Sequential Test, it has not been demonstrated that there are no suitable alternative sites for the development and in the absence of the Flood Risk Assessment, it has not been demonstrated that the flood risk to the proposed development would be adequately mitigated and managed. The proposal is therefore contrary to the provisions of the National Planning Policy Framework and Planning Policies CS1 and CS6 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009).
6. The application fails to demonstrate that its impact on Internationally, Nationally and locally designated sites of nature conservation interest would be acceptable and that any associated impacts would be acceptably mitigated. The proposal is therefore contrary to the provisions of the National Planning Policy Framework, Policies CS1 and CS3 of the Core Strategy for the New Forest District outside the National Park (Adopted October 2009) and Policy DM2 and DM3 of the Local Plan Part 2: Sites and Development Management Document (Adopted 2014).
7. The proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Planning Policies CS15 and CS25 of the New Forest District Core Strategy (Adopted October 2009).

Notes for inclusion on certificate:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case, the application did not benefit from pre-application discussions and the objections to the proposal are considered to be too significant such that they might be overcome through negotiation.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee
February 2016**

Item No: 3j
Land at Meadow View
The Bickerley
Ringwood
15/11654

Scale 1:1250

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

