

Application Number: 23/10707 Full Planning Permission
Site: OPEN SPACE ADJACENT TO CROW LANE
(PROPOSED LEGAL AGREEMENT)
Development: The change of use of agricultural land to publicly accessible open space to facilitate Alternative Natural Recreational Green Space ('ANRG'), with associated landscaping, footways and access points

Applicant: Crest Nicholson South
Agent: Savills
Target Date: 10/11/2023
Case Officer: Robert Thain
Reason for Referral to Committee Decision deferred from September Planning Committee

BACKGROUND

This planning application was included within the reports for Planning Committee at its meeting on 11th September 2024. However, following the deferral of the associated application reference 21/11723 this application was also deferred and was not presented by Officers.

The Officer Report for that meeting is attached at **Appendix 1**.
The written update paper is provided at **Appendix 2**

Further Information:

Robert Thain
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Planning Committee 11 September 2024

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Officer Recommendation: Service Manager - Grant

Reason for Referral to Committee: Contrary to Town Council view.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Ecology
3. Landscape and Trees
4. Flood Risk and Drainage
5. Other Matters
6. Planning Balance and Conclusions.

2 SITE DESCRIPTION

The application site is situated to the south-east of Ringwood in open countryside located between Crow Lane to the west and the Castleman Trail and Hightown Lake to the west. To the north is a detached dwelling with a large outbuilding in a large plot. To the south is a dwelling, several outbuildings with paddocks. Beyond the site is Ringwood to the north and west and the New Forest National Park to south and east. The application site abuts the New Forest National Park Authority boundary to the south-east.

The application site is broadly trapezoidal in shape and generally flat. The site is currently open greenfield land comprising arable farmland and has a size of approximately 2.51 hectares. The perimeter boundaries of the are comprised of hedgerow of mixed native species which curtail some views into the site from the adjoining public highways. There are two trees with preservation order on the site boundary: one on the boundary with Crow Lane and one on the southern boundary. There are no existing buildings or structures within the application site.

There are no statutory designated sites for nature conservation on the Site. The closest statutory nature conservation sites are the Avon Valley RAMSAR, SPA and

Site of Special Scientific Interest (SSSI) located approximately 868.5 metres to the west (at its closest point to the Site) and the New Forest SAC, SPA and Ramsar site located 1.7 kilometres east (at its closest point to the Site).

3 PROPOSED DEVELOPMENT

The application seeks planning permission for the Change of Use of land to publicly accessible open space to facilitate both Alternative Natural Recreational Green Space ('ANRG') and informal open space, with associated landscaping, footways and access points. The proposal will provide two points of non-vehicular access from the Castleman Trail to the north and a looped 2m footpath around the interior of the open space. The size of the proposed public open space is 2.45ha of which 1.33ha is ANRG and 1.12ha is informal open space.

The proposed landscaping includes species-rich grass meadow, new tree planting, flowering lawn and new native shrub planting. A series of swales created along the development periphery will be primarily covered with a species-rich meadow mix sowed to the banks. Informal pockets of planting will be included along the banks of the swales with the aim of enhancing ecology. The base of the swales will include a gravel trench.

The proposal will include a dog agility area but does not include dedicated children's play areas and equipment. The proposal also includes some benches and picnic benches. In the south-east corner of the application site, the existing timber footbridge is proposed to be replaced with a new GRP footbridge with approximate dimensions of 1.5m width, 3m span and two-rail parapets.

4 PLANNING HISTORY

No known planning applications within the application site.

The application reference 21/11723 Land at Moortown Lane, Ringwood (Local Plan Strategic Site 13) is linked to this proposal. That proposal is for the residential-led mixed-use development of part of the Local Plan Allocation Site 13: Land at Moortown Lane, Ringwood. The proposal is submitted as a hybrid planning application with planning permission sought for the following:

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

5 PLANNING POLICY AND GUIDANCE

Relevant Government advice

National Planning Policy Framework December (NPPF) (December 2023)
Planning Practice Guidance (PPG)

Core Strategy 2009 (Saved Policy)

CS7: Open Spaces, Sport and Recreation

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

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

Local Plan Review 2016-2036 Part One: Planning Strategy

STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining new Forest National Park

STR9: Development within a mineral safeguard area

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

ENV2: The South West Hampshire Green Belt

ENV3: Design quality and local distinctiveness

ENV4: Landscape character and quality

CCC2: Safe and Sustainable Travel

IMPL1: Developer contributions

Strategic Site SS13 Land at Moortown Lane, Ringwood

Supplementary Planning Guidance and other Documents

- SPD Mitigation Strategy for European Sites (2021)
- Ecology and Biodiversity Net Gain Interim Advice Note
- Ringwood Town Access Plan (March 2011)
- Ringwood Local Distinctiveness (July 2013)

Neighbourhood Plan

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

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

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

- R1: A Spatial Plan for Ringwood
- R2: Maintaining a Successful and Prosperous Town Centre
- R3: Making Better Use of Opportunity Areas in the Town Centre
- R4: Shops and Parades Within and Outside Defined Local Centres
- R5: Smaller Housing
- R6: First Homes
- R7: The Ringwood Design Code

- R8: Building for a Healthy Life
- R9: Creating a Green Infrastructure and Nature Recovery Network
- R10: Zero Carbon Buildings
- R11: Encouraging Active and Healthy Travel

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

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council

July 2024

There is a disconnect here between the two applications that fall to be considered. Application 21/11723 is only (arguably) compliant with policies requiring ANRG etc if application 23/10707 is also granted. Conversely, 23/10707 only becomes necessary if 21/11723 is granted. 23/10707 is also lacking in significant respects – for example: The new survey is out of date; The plan does not secure the use “in perpetuity” (which somewhat contradictorily is defined as 90 years!); The location of the site “does not relieve pressure from (on) the NFNP but in fact does the opposite”; “Overall, it is considered that the creation of the proposed ANRG.... would be detrimental to the setting of the NFNP and its landscape character”; “This parcel of land does not meet the criteria for Alternative Natural Recreational Greenspace as set out in Policy ENV1 para 4.ii.a.....” “The layout submitted does not have sufficient features of interest to provide an incentive to visit for any length of time”.

The NFNP “has set out that the creation of the ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character”. The Officer’s Report also accepts that in terms of the Mitigation SPD (paragraph A4.1.13: “The proposal has not met one of the criteria (but has met the other criteria. Hence, when addressing the guidance in A4.1.3 an on-balance decision could be made”. It is RTC’s strong view that the “on-balance” decision is that the application should be refused as being non-compliant with policy.

February 2024.

Ringwood Town Council recommends Refusal (4) (updated comments agreed by Full Council 28 February 2024). The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13). Loss of Green Belt and Agricultural Land. The development is inappropriate and would lead to a loss of Green Belt and further loss of agricultural land, in addition to that already allocated for SS13.

Road Safety

The proposed location of the crossing in Crow Lane is not safe. Although on paper

the road appears to be fairly straight, there is a curve in the road and visibility for and of pedestrians would be compromised. The creation of an access to Crow Lane at this point would encourage pedestrians/cyclists to take this route to walk/cycle to Crow Farm Shop; a route that would not be safe without improvements unlikely to be achievable in this narrow road.

The road regularly floods at this location, meaning access to the site would be compromised at certain times of the year (Note: photograph of flooding in Crow Lane included in representation).

Flood Risk

There is considerable concern about the impact the proposal would have on an area already susceptible to flooding.

Crow Lane regularly floods after heavy rainfall and is impassable as a result at least twice a year. The photograph below shows flood water running into the application site and at the proposed location of the road crossing and access into the site.

The proposed site adjoins Crow Stream on the east side where it too bursts its banks a few times a year with implications for site drainage. It is important to ensure that no more water goes into the Stream as it cannot cope. Ringwood Town Council and its Flood Wardens have a great deal of knowledge regarding the flooding and drainage in this area, having undertaken works to re-gravel and widen Crow Stream (downstream of the application site), and keeping it regularly maintained, to reduce the frequency and severity of flooding in the area.

It is highly probable that the developers do not understand the dynamics of the local drainage relevant to the site development. They need to take a catchment view of the system in order to understand the causes of existing flooding to address the issue through mitigation so that the situation is not worsened.

Specific issues with regard to the application are as follow:

- We need to be sure the infiltration tests are made in February when the water table is highest. Under SUDS rules the bottom of the drainage cages need to be at least a metre above the ground water level. Evidence shows that, in the flood season, this might be difficult to achieve.
- Gentle releveling of the site” is proposed by the applicant to effect satisfactory drainage. Additional detail is required to assess any unintended consequences.
- The red line on the plans includes the stream to the south of the site. We would like to understand what is proposed here.
- We need assurance that no extra water will get into the Crow Stream as a result of the proposed development.
- Crow Stream to the south-east of the site breaks its banks a few times a year. This will have implications for development in this corner of the site. For example, the footpaths would become impassable.
- The consequences of the backflow from the Crow Stream into the Crow Lane Ditch (which runs alongside Crow Lane) need to be understood and considered. In flooding events, the water in the Crow Stream at Streets Lane is 2 or 3 feet higher than the pipes on the north side of the wetland which drains the Crow Lane Ditch. The stream water therefore has always backed up into the Crow Lane Ditch. As it is, during flooding events, water will still back up from the Crow Stream into the Crow Lane Ditch which will then always flood. Several remedial actions have been identified to stop the backflow, including removing some flow restrictions in the Crow Lane Ditch.

Should permission be granted, this is an opportunity for those measures to be implemented.

- The Council would appreciate the opportunity to meet with developers to share local knowledge and discuss these concerns.

Should permission be granted, an enforceable condition (financial penalty?) should be imposed to ensure all the agreed flood mitigation measures are implemented prior to completion of the development of SS13.

Rights of Way

The Council notes the updated response from HCC Countryside Service and supports the proposed improvements to Footpath 45 and the Castleman Trailway, as well as the replacement footbridge on Footpath 41a.

Biodiversity

No biodiversity study has been provided with the application – this should be requested.

Viability

It is noted that a Financial Viability Assessment has already been submitted by the applicant in relation to 21/11723. There are concerns the additional costs to create this ANRG will impact further on the proposed development and affordable housing provision.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Natural England

No objection subject to appropriate mitigation being secured.

ANRG Layout

The area of Area of Natural Recreational Greenspace (ANRG) which is a total of 2.51 ha will provided mitigation to the planning application (23/11732) which is connected to the site via a 3 m wide footpath/ cycle lane.

A detailed Landscape Ecological Management Plan detailing habitat creation, seed mixes and management has been submitted to support the application is recommended to accompany the Landscape strategy drawing (Environmental Dimension Partnership LTD) to fall in line with Appendix 4 of the SPD.

However, the LEMP only include management up to 10 years, however ANRG is required to managed and monitored for 90 years.

On review of the proposed plans for the area of ANRG, Natural England raise the following points for consideration:

- The amenity grassland provides good opportunities to exercise dogs off the lead

along with recreation sport activities. These areas are recommended to feature dog bins and benches. The area of grassland could be enhanced with permanent dog agility equipment to encourage and make the area more attractive to dog walkers.

- Dog bins and litter bins to be located at the entrance and road access points.
- Seats and benches provided at an average of the one, two person seat for every 50 new resident.
- Interpretation board for each space or at the entrances to a combined network of spaces. These will show connected routes as well as explain the purpose of the recreational mitigation land, any expectations regarding behaviour, and indicating any dog management requirements, such as dog off lead areas.
- Pathways made of substrates that can be used all year round.

Phasing of ANRG

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

Future Management of ANRG

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

ANRG and Biodiversity Net Gain Guidance

ANRG can be included in developers' BNG calculations up to a maximum value of no net loss, as calculated by the biodiversity metric. This means that 10% of a developer's BNG units must come from other, additional activities.

Additional habitat creations or enhancements within a ANRG, which go over and above the site's existing requirements to function as a ANRG in perpetuity, could contribute to a developer's BNG beyond no net loss.

Any proposed habitat enhancements or creations within a ANRG must not undermine the ANRG original design principles and purpose, such as deflecting people and pets from visiting New Forests designates sites. Consideration should also be given to other ecosystems services provided by the ANRG. Careful design and an appropriate management plan will make sure BNG does not compete with these.

The area of ANRG is required to be secured for 90 years in perpetuity, whereas BNG is required to be secured for 30 years. It is recommended that management

plans are carefully set out according to the time scales and requirements. Biodiversity net gain assessments should be accompanied by a management and monitoring plan outlining management requirements for 30 years.

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

Landscaping

The proposed development is for a site close to the New Forest National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Biodiversity Enhancements

The New Forest District Council Policy ENV1 outlines that all applicants will be required to demonstrate the impacts of their proposal on biodiversity. For certain types of development by submission of an Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity. Additional measures to enhance biodiversity across the area of ANRG, could include the following;

- Retaining hedgerows and trees along the boundaries.
- Retaining and enhancing hedgerow with native species planting.
- Plant native tree species characteristic to the local area within including fruit trees such as cherry, apple and pear and those with early spring blossom such as hawthorn and blackthorn.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. Species list can be found at Bumblebee Conservation Trust.
- Planting night blooming plants to attract bats and insects, species lists can be found within the Encouraging Bat guide from the Bat Conservation Trust. Seed mixes including Bats in Garden Wildflower Mix to attract bats and insects can be found at John Chambers.
- Creating highway and by ways in connecting fences, with sign-posts for hedgehog and other species, guidance found at RSPB Hedgehog Highways document.
- Bat and bird boxes on retained trees along the boundary.

- Create a pond (Link to Froglife Guidance here).
- Retain and create deadwood habitats e.g. log piles.

Sensitive Lighting Strategy

A sensitive lighting scheme should be designed and implemented to maintain and retain dark corridors used as an important commuting corridor for bats as well as other protected and notable species. The Bat and Conservation Trust have produced a guidance document Bats and Artificial Lighting in the UK. Further general advice on the protected species and other natural environment issues is provided at Annex A.

New Forest National Park Authority

The District Council will be aware that national policy set out in paragraph 176 of the NPPF (2023) states, "The scale and extent of development within all these designated areas [National Parks and AONBs] should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." This development is within the setting of the New Forest National Park and there is an opportunity to ensure an appropriate landscape transition from the developed area of the town of Ringwood to the nationally protected landscape to the east.

It is noted that the proposed 'Accessible Natural Recreational Greenspace' (ANRG) provision is linked to the NFDC Local Plan (2020) strategic site allocation 13 (Policy SS13 - Land at Moortown Lane, Ringwood. This policy allocates the site for 'at least 480 dwellings'. The concept plan taken from the NFDC Local Plan (2019) envisaged that the 480 dwellings and required ANRG would be accommodated within the allocated site. The area of land subject to this NFDC application is outside the Council's Local Plan allocation. It is noted that Ringwood Town Council has objected to this in principle, stating: The application is contrived. It is an artificial device to increase the number of houses and housing density within Strategic Site 13 (SS13).

For the ANRG provision to work and perform its required function in mitigating recreational impacts from the planned development on the New Forest's internationally designated sites, it must be accessible from the new development. The submitted Planning Statement states, "The ANRG sought herein is intended to provide mitigation for the residential development at Land North of Moortown Lane (21/11723) to which the site would be linked by way of a 3m footway/cycleway. To this end the two applications should necessarily be 'read together'." Figure 2 in the submitted Planning Statement shows this link from the development site to the ANRG provision, which is detached from the main development site. NFDC will need to be fully satisfied that this link is safe, attractive and usable for the ANRG to perform its legal function.

The Authority's Landscape Officer has been consulted and has provided the following comments:

"The proposed additional ANRG to the east of Crow Lane sits immediately adjacent to the New Forest National Park (NFNP) boundary at its southern and south eastern boundary, with the Public Right of Way at the southern tip of the ANRG forming the southerly site boundary, also bordering the NFNP boundary.

Therefore, it can be reasonably assessed that the ANRG sits within the immediate setting of the NFNP.

In the Landscape Strategy document submitted it is stated 'To relieve pressure from

(on) the NFNP an additional 9.57 Ha of open space has been provided as an ANRG'. A 3-metre wide tarmac cycle/footpath is shown in the Landscape Detailed Design drawings that runs across the north west of the ANRG, linking to the Castleman Trail running along the north east boundary to the ANRG.

I would comment that the close proximity of the proposed ANRG to the NFNP boundary and the direct link to the Castleman Trail does not 'relieve pressure from (on) the NFNP' but in fact does the opposite. A right turn onto the Castleman Trail takes recreational users directly into the NFNP, first to the enclosed landscape and then onto the Open Forest landscape less than 2 kilometres away. On a practical basis, the 3-metre wide tarmac cycle/footpath is shown on the Detailed Landscape Design drawings as running along the existing mature hedgerow and tree boundary between the car parks of the Liberty's Centre and the adjacent WI Hall, with no indication that there would be any 'existing vegetation to be removed' (as per the key to the drawing). There is also a roadside ditch to Crow Lane, and it is not detailed how the 3-metre wide tarmac cycle/footpath would cross the ditch, also with the roadside hedge having to be removed to accommodate the 3 metre wide path. Although this area falls outside the NFNP boundary, retaining mature trees and hedgerow close to the NFNP boundary is of importance.

Overall, it is considered that the creation of the proposed ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character. I would also note that the intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNP and its most sensitive landscapes.

Hampshire County Council (HCC) Countryside Services, February 2024)

Hampshire Countryside Service (the Service) acts as Highway Authority in respect of Public Rights of Way (PROW) and Commons Registration Authority. We also manage Country Parks and Countryside Sites throughout Hampshire.

Consultation response to both applications (23/10707 and 21/11723): No objection subject to obligations and conditions (as set out).

Following the submission of further information from the applicant the Service provides the following comments.

Ringwood Bridleway 509/Castleman Trail improvements

The wider development shall cause a significant increase in user volume on this route and, therefore, a contribution for surface enhancement is seen as justifiable and is specified in the Obligations section below. It is noted that the section directly adjacent to the site shall not form part of the financial obligation – it is used by vehicles associated with the neighbouring fishing club and discussions between the Service and the club regarding vehicle damage to the surface of the PROW are ongoing. It is advised that any internal footways, where they are proposed to connect to the public bridleway, are designed and constructed to Hampshire Countryside Service design standards to ensure no detrimental impact to the surface of the PROW. The applicant shall provide the Service with a specification for the footways where they are proposed to connect to the PROW, for the Service's approval in advance.

Ringwood Footpath

41a footbridge This bridge, located on the southeast boundary of the 'Open space

adjacent to Crow Lane' site is proposed to be upgraded, as per point 17, page 14 of the Green Infrastructure Strategy. The Service is supportive of this and, prior to works taking place, it shall be provided with a specification and details of the work for its approval in advance.

HCC Highways Authority

The Highway Authority previously responded to this application dated 27th October 2023, with no objections. This recommendation therefore still remains.

HCC Lead Local Flood Authority

As there is minimal development proposed that would generate additional surface water runoff, the LLFA has no comments.

Nature Space

It is recommended that the great crested newt survey data is updated as it was conducted in 2021 so it is now considered out of date and unreliable. Therefore, the applicant can either: - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through New Forest Council's District Licence (more details can be found at www.naturespaceuk.com); or - - Provide further information (for example, updated survey information on nearby ponds), in line with Natural England's Standing Advice, to rule out impacts to great crested newts, or demonstrate how any impacts can be addressed through appropriate mitigation/compensation proposals.

New Forest District Council (NFDC) Tree Officer

Further to the previous comments the access point of the cycleway from the main road (Crow Lane) has been revised/removed from the proposal with access for a 2m secondary footway utilising the existing right of way (Castleman Trail) to the east of the site. A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

In terms of the important and protected trees on site this is a preferred option. The new access points into the ANRG as shown are located outside of the root Protection Areas (RPA's) of trees to be retained. A small number of trees require removal (within G59) on the southeast corner to facilitate the new surface (2m secondary footway). This would be acceptable, and the loss of these trees can be mitigated within an approved landscaping scheme with replacement tree planting.

A minor incursion into the RPA of a mature Oak (T61) is required to facilitate a replacement footbridge. The site topography at this point is such that the majority of the root system will not be affected by this as the tree sits on the bank of the water course. Provided sufficient care is taken to install a replacement bridge there is unlikely to be any significant adverse impact. An Arboricultural method statement would be required to detail the methodology of construction within the RPA. Overall, there are no objections subject to conditions

NFDC Open Space Officer

The site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths and ANRG near to

the proposed development with a possible connection. However, the applicant will need to demonstrate within their separate application that the new development is compliant to NFDC Policy CS7 and delivers the size of each type of open space for number of new occupants.

The layout of paths within the site and the surfacing of these appears appropriate. Further detail on the construction method should be submitted, including ensuring the gravel paths have suitable foundation and a camber to the edges to shed surface water.

The applicant should give further details how this site interfaces with the PROW running to the south east of the site. The current watercourse crossing is unsuitable for all users and a proper durable replacement (suggested to be in GRP to ensure anti-slip) should be included in the plans. Further detailed comment on design and maintenance also provided.

NFDC Ecologist

Designated sites: No significant adverse impacts on designated sites are anticipated.

BNG: The proposals would result in a net gain for biodiversity.

Recommend that a Biodiversity Management Plan (BMP) is secured by condition. This should include enhancement measures e.g. bird and bat boxes and management and monitoring of habitats on site to ensure the delivery of BNG including (as listed).

The Natural England comment on lighting is noted. It is understood that the site will not have lighting. Further detailed comments on surveys, great crested newts, Ecological Construction Method Statement.

As identified by NE, the ANRG use should be secured in perpetuity and a phasing plan is sought to understand when the ANRG will be provided relative to the linked development across the road if granted.

NFDC Landscape Officer (Updated comment - May 2024)

This parcel of land does not meet the criteria for Alternative Natural Recreational Greenspace (ANRG) as set out in Policy ENV1 para 4.ii.a which requires: Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it.

The application site is not on, directly adjoining or well-connected to the site it is intended to provide ANRG for (Strategic Site 13) and as such is not acceptable. The comments below therefore relate only to the application for change of use from agricultural land to public open space and should not be taken to imply that this site is considered acceptable as ANRG to mitigate impacts caused by the development at SS13 (Moortown Lane).

The Landscape and Visual Appraisal is thorough and well-organised. It concludes that the landscape effects on the site, and the immediate surroundings (15 years after completion) would be minor beneficial). The wider Landscape Character Type is predicted to experience a minor-negligible beneficial effect. Whilst the study does not appear to explicitly refer to the 'setting' of the New Forest National Park (NFNP), whose boundary forms the eastern site boundary, as a landscape receptor, views

from the adjacent NFNP are assessed and predicted to result in a moderate-minor beneficial effect upon maturation of the proposals. Other receptors are predicted to experience either beneficial or neutral effects.

he layout submitted does not have sufficient features of interest to provide an incentive to visit to for any length of time. Opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Additional secondary and tertiary paths should be added to provide a variety of routes for walkers. The dog activity equipment could be located alongside the path to create a trail, rather than confined to one area.

The drainage feature serves to cut off a slither of the site and render it nearly inaccessible. Breaking the swale into shorter lengths, or installing a crossing would create a feature of interest for visitors. Additional paths to the south of it could provide alternative routes. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

The site is known to be seasonally wet, particularly along its boundary with the Castleman Trail. Proposals should ensure that the paths remain firm and dry throughout the year. Primary routes should be of bitmac and secondary routes of hoggin. Tertiary routes of mown grass can also be provided. Lengths of boardwalk may be required to bridge wet areas and link different levels. Any constructed slopes or ramps should be accessible for wheelchair and mobility scooter users. Details of these and proposed levels should be provided.

Tree and shrub species should be native, selected for their ability to cope with seasonal waterlogging, and reflect those found locally. Opportunities exist on this site for planting Black Poplar. White-barked birch is not considered suitable for open countryside. Downy birch could be planted in addition to Silver Birch if variety is required. The ornamental planting to the north of the proposed drainage ditch is considered inappropriate and should be replaced with native planting or species-rich meadow. Wheelchair accessible picnic benches should be positioned so that children will not run into the overhanging table-top. Grass/meadow mixes specified should be suitable for the local soil conditions and take into account potential waterlogging. Opportunities exist to plant native bulbs to increase biodiversity and seasonal interest.

Artificial grass is not considered suitable around the dog activity items. A hoggin surround should be installed. NFDC currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Details of proposed planting details are required for native shrubs and trees. For construction and planting details refer to 'A guide to Performance Specifications and Standard Details for Public Accessible Spaces' by NFDC which sets out the minimum standard required. If the committee is minded to grant consent to for this application it is recommended that revised Detailed Landscape Design plans are secured by condition.

NFDC Conservation

No comment.

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

10.1 Principle of Development

South West Hampshire Green Belt

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

The National Planning Policy Framework (NPPF) (December 2023) Paragraph 155 sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

- a. mineral extraction
- b. engineering operations;
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Essentially, the proposal is in line with criterion (e) as a material change of use for public open space. The proposal does not include any new buildings and as such the openness of the Green Belt will be preserved.

NPPF paragraph 143 sets out the five purposes of Green Belt:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Again, given that the proposal does not include any new buildings the proposal would not conflict with any of the purposes i, ii, iii and iv set out in NPPF paragraph 143. Purpose (v) is not applicable given that the land in the application is neither derelict nor urban.

As such, the proposed public open space is an appropriate form of development in the South West Hampshire Green Belt and therefore accords with Local Plan Policy ENV2.

Alternative Natural Recreational Greenspace

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation sites) criterion 4 (ii) sets out that the approved mitigation measures for residential developments currently include for developments of 50 or more net additional residential dwellings:

- a. Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it; and
- b. A financial contribution towards Access and Visitor Management and Monitoring

The Mitigation of Recreational Impacts Supplementary Planning Document (SPD) (May 2021) provides supplementary planning guidance to Local Plan Policy ENV1

The linked mixed-use application (21/11723) includes sufficient Alternative Natural Recreational Greenspace (ANRG) within that application site to meet its needs. This separate application would provide additional ANRG over and above that.

This application site is not adjoining the application site for 21/11723. There is a clear gap between the two application site boundaries comprising Crow Lane itself and land on its western side. Neither is this application site adjoining the boundary of the Local Plan Allocation Site SS13 (Land at Moortown Lane, Ringwood). The boundary of SS13 extends only as far as the western side of Crow Lane.

However, given both existing access provision adjacent to this application site and the package of on-site and off-site access improvements set out in conjunction with 21/11723 it is considered that this application site is well connected to both the Local Plan Allocation Site SS13 and the 21/11723 application site. The application site is adjacent to the existing Castleman Trail which is an established bridleway connecting the land immediately to the north of the application which extends westwards bisecting the RING3 public open space and hence on towards Ringwood Town Centre.

Access improvements proposed in 21/11723 which could assist in facilitating access to this additional public open space include:

- Improvements to the existing Public Rights of Way (PROW) in the eastern portion of the linked application site 21.11723
- Financial contribution towards improving access within the RING3 land;
- Off-site access works at the junction of Crow Arch Lane and Crow Lane which seek to improve the connections along the Castleman Trail;
- Further off-site access works at the western end of Crow Arch Lane which seek to link the Castleman Trail and the public open space in Phase 1 of 21/11723

As such, it is considered that this application, in conjunction with existing access arrangements and proposed access improvements sought through 21/11723 can demonstrate that it would be well-connected.

The supporting text to Policy ENV1 (Paragraph 5.23) sets out that:

In some instances, it will not be possible to provide recreational mitigation land on or adjoining sites of 50 or more homes, for example on redevelopment sites in existing built-up areas. In these circumstances the developer should put forward the required eight hectares per 1,000 population of land for recreational mitigation in an alternative location that will provide equivalent benefits to the settlement where the site is located, preferably in close proximity to the site.

As such, the Local Plan supporting text sets out a degree of flexibility in terms of the location of recreational mitigation land. Paragraph 5.23 is clear that redevelopment sites in existing built-up areas is an example. The principle of alternative locations is not exclusive to larger urban regeneration projects.

In this instance, the proposed public open space is in close proximity to both the Local Plan Allocation Site SS13 and the 21/11723 application site. For example, using the existing public right of way in the eastern portion of Local Plan Allocation Site SS13 there is a direct link from the public open space in the linked application 21/11723 to the Ring 3 public open space north of Crow Arch Lane and hence the Castleman Trail which bisects it.

The NFDC Mitigation SPD (May 2021) sets out (paragraphs A4.1.7 - A4.1.8) that: *Normally new residential developments on large-scale sites should deliver ANRG in accordance with guidance set out in this document and show this at the planning application stage within a clear rationale for green infrastructure as part of comprehensive layout designs. Where it is agreed that this is not possible, delivery of an alternative offer of ANRG, that best fits this guidance in all other ways, and provides ANRG of any equivalent effectiveness and quality should be proposed.*

As set out, in this instance the delivery of the alternative ANRG is in addition to that proposed within the application site (21/11723). Notwithstanding this, the SPD sets out – reflecting Local Plan paragraph 5.23 - that in principle the delivery of an alternative offer of ANRG can be considered by the Local Planning Authority (LPA).

The Mitigation SPD also sets out (paragraph A4.1.13) that (emphasis added):

It may be possible in some circumstances to extend the offer of ANRG beyond the development site boundary provided that:

- The land in question can provide easily accessible and effective recreational mitigation;
- The land in question is within the control of the site developer; and
- That its inclusion would support the principles of an integrated green infrastructure approach (being adjoining and well-connected to the site)

However, it will not normally be acceptable to offer an area of land nearby as ANRG simply in order to expand the proportion of built land within the allocation site to an unreasonable degree or to the detriment of landscape character.

The ANRG in the application site is, as set out, accessible to both the future occupiers of the proposed residential development in 21/11723 and the wider local community. The land is within the control of the site developer – both applications (21/11723 and 23/10707) are from the same developer. As such, the proposal meets the first two provisions in paragraph A4.1.3 of the Mitigation SPD.

As set out, the application site is not adjoining the main application site but is well-connected. As such, the proposal has not met one of the criteria but has met the other criteria. Hence, when addressing the guidance in A4.1.3 an on-balance decision could be made.

The linked application site (Ref: 21/11723) includes a sufficient level of ANRG to meet the needs arising from the proposed housing. It also has increased coverage of public open space including ANRG than set out in the Local Plan Concept Masterplan and is below the minimum number of dwellings the Allocation Site is seeking to provide. As such, it is considered that this proposal does not support an unreasonable degree of built development in the main application site.

The Mitigation SPD also sets out (Paragraph A4.4.5) the following guidance:

- *For an area to be considered as spacious enough to offer a sense of being in the countryside at least part of the provision should consist of a space of at least*

120 metres across in all directions.

- *Secondary spaces should have a diameter of at least 60m and are properly linked to the main space, with the links being spacious (minimum 15m width).*
- *Secondary spaces cannot be disconnected from the main space.*
- *Provided that ANRG spaces meet the dimensional criteria, additional public open spaces uses should be integrated within the design of the development.*

The submitted Alternative Natural Recreational Greenspace (ANRG) Strategy (edp, 22/1/2024, Ref: edp5444_d114b) sets out that the ANRG in this application would be at least 120 metres in diameter and as such meets the Mitigation SPD dimensional criteria guidance and is classified as a 'main space' in line with Paragraph A4.4.5).

Therefore, the secondary space guidance in Paragraph A4.4.5 of the Mitigation SPD does not apply in this instance.

For reference, it should be noted that several of the Local Plan Strategic Site Allocations have all or part of their on-site ANRG severed from areas identified in the supporting Local Plan Concept Masterplan by roads of various sizes. This includes SS1 in Totton and SS8 in Hordle.

The proposal is for a combined public open space provision informal open space and ANRG. As such, in line with the Mitigation SPD paragraph A4.4.5, the principle of having a combined function public open space is acceptable.

As set out, the proposed ANRG is well-connected to the linked development (21/11723) by virtue of the existing and proposed access arrangements. The ANRG is not adjoining to either Local Plan Allocation Site SS13 or the 21/11723 application site.

However, as set out, Local Plan paragraph 5.23 sets out that alternative locations for ANRG in 'close proximity to the site' can also be considered. Essentially, it is considered that the proposed additional ANRG is in 'close proximity' to the linked main site despite not being adjacent.

The proposed ANRG would also be a main space as defined in the Mitigation SPD and hence would not be discounted by virtue of the severance element of the guidance. Public open spaces combining ANRG and informal open spaces are acceptable in line with the Mitigation SPD guidance. The main application (21/11723) has sufficient ANRG and as such this is not a proposal to sought to overcome overt deficiencies in that application.

The Local Plan and Mitigation SPD provide scope for the LPA to consider alternative sites for ANRG provision. On balance of considerations, whilst the proposed ANRG open space is not adjacent to the application site (and Local Plan Allocation Site) it is well-connected through existing public rights of way, public open space (Ring 3 land) and the Castleman Trail and hence in close proximity. As such, the proposal is acceptable in principle.

Commentary on the management of the proposed ANRG in line with the response from Natural England is set out below (Section 10.2 Ecology (ii) Habitats Mitigation).

Therefore, it is considered that the proposed ANRG is acceptable in principle and as such satisfies Local Plan Policies ENV1 and the Mitigation SPD.

ii. Informal Public Open Space

Local Plan Policy CS7 (Open spaces, sport and recreation) sets out that the aim is to provide, as a minimum standard, the equivalent of 3.5 hectares of public open space per 1000 population to serve the district's towns and larger villages. This provision will be supplemented by support for the community use of sports pitches on educational land and by private provision. There will be a presumption against any development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development. Improvements will be made to enhance recreation, play and sports facilities within communities. Outdoor opportunities to improve the physical fitness of all age groups will be enhanced by providing accessible green spaces within our towns and villages, especially where new development takes place, and by creating safe environments for walking and cycling within and adjoining our towns and villages, where access is compatible with environmental designations. The improvement of play, sports and other public open space provision will be implemented in a number of ways.

The application is supported by a Green Infrastructure Strategy (edp, January 2024) which sets out that the proposal would provide an additional 1.12 ha of informal open space. This proposed provision would address the shortfall of 1.03 ha informal open space identified in the linked main application.

The proposed informal open space would have the same access arrangements as the proposed ANRG i.e. from the Castleman Trail. The NFDC Open Space Officer has set out that the site provides a suitable location for delivery of the proposed mitigation benefits, forming a wedge between existing recreation activities and paths, the proposed ANRG, and is near to the proposed development with an existing pedestrian connection.

The proposed informal public open space has been designed primarily for dog walkers. The proposed informal open space includes dog agility equipment. The dedicated children's play spaces for the linked main application are all within that site and it is not intended to replicate or provide additional play equipment here.

The appropriate long-term management and monitoring of the proposed public open space, both ANRG and informal open space, will be secured through a s106 planning obligation linked to the main application (21/11723). The proposed public open space will be managed by a management company appointed by the site promoters.

Essentially, there are no specific planning policy restrictions in providing informal public open space in principle at this location and as such the proposal satisfies Local Plan Policy CS7.

10.2 Ecology

i. Protected Species and Biodiversity Net Gain

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

The application is supported by an Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b), Reptile Mitigation Strategy (edp, March 2024, Ref: edp5444_r031e) and Ecology Baseline (joint with the site in application 21/11723) (edp, January 2024, Ref: edp5444_r009e).

The NFDC Ecologist has set out that the proposals would result in a net gain for biodiversity and recommends that a Biodiversity Management Plan (BMP) is secured by condition. The NFDC Ecologist is content that the ecological baseline provided has adequately set out enough to make an informed planning decision with respect to ecology and does not feel undertaking additional surveys at this stage would be proportionate given the amount of work done to date.

The NFDC Ecologist is also content with regard to Great Crested Newts (GCN) that even if present an offence is highly unlikely in the work area and that favourable conservation status of the GCN is unlikely to be affected. The Reptile Mitigation Strategy also includes a hibernacula in the additional ANRG land which can be secured through a suitable condition.

The NFDC Ecologist has also set out that an Ecological Construction Method Statement (ECMS) should be provided through a suitable condition which is acceptable.

A phasing plan for the additional ANRG is requested by Natural England and the NFDC Ecologist. This can be secured through a suitable condition.

The proposal does not include any outdoor lighting and as such there is no need for suitable condition.

In line with the above, subject to necessary mitigation secured through suitable conditions, the proposal has addressed the material ecological considerations of biodiversity net gain and protected species.

Therefore, suitable conditions, the proposal accords with Local Plan Policy DM2.

ii. Habitats Mitigation

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

Natural England has set out that as submitted, the application could have potential significant effects on the below designated sites:

- Avon Valley Special Protection Area (SPA) / Ramsar • New Forest Special Area of Conservation (SAC)
- New Forest SPA / Ramsar site
- Dorset Heathlands SPA/ Ramsar sites
- Dorset Heath SAC
- New Forest Site of Scientific Interest (SSSI)

Natural England go on to set out that in order to mitigate these adverse effects and make the development acceptable, an Alternative Natural Recreational Greenspace (ANRG) Management and Monitoring Plan for the perpetuity (90 years) of the ANRG to be secured via a planning obligation clause.

Therefore, subject to a suitable conditions and planning obligation clause, securing the Management and Monitoring Plan and linked to the main application ANRG would be sought and hence the proposal would accord with Local Plan Policy ENV1.

10.3 Landscape and Trees

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

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

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

i. Impact on Setting of New Forest National Park and Access to the New Forest National Park

NPPF paragraph 182 sets out (emphasis added):

The scale and extent of development within all these designated areas (as set out) should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The application is supported by a Landscape and Visual Appraisal (LVA) for the additional ANRG Land East of Crow Lane, Ringwood (edp, May 2023, Ref: edp5444_r027a). NFDC Landscape has set out that the LVA is thorough and well-organised. NFDC Landscape has highlighted that the LVA concludes that as a landscape receptor, views from the adjacent New Forest National Park are assessed and predicted to result in a modest ('moderate-minor') beneficial effect upon maturation of the proposals.

However, the New Forest National Park Authority (NFNPA) has set out that the creation of the ANRG with its introduction of suburban style features to satisfy its recreational purpose, would be detrimental to the setting of the NFNP and its landscape character.

The view that the proposal would introduce suburban style features and hence

detrimental to the setting of the New Forest National Park and its landscape character is not shared by NFDC Officers. As set out, the proposal does not include any new buildings. The proposal does include new rural footpaths comprised of hoggin or similar materials and any public furniture (benches, dog agility equipment) would be modest in size and akin to those found in the National Park itself. The proposal includes new landscape planting (see commentary below) and would retain the essentially open character of the existing agricultural field.

The NFNPA also set out that the intended aim to redirect and contain recreational users from the housing area away from the NFNP would not be achieved, with Castleman Trail giving direct access in a short distance/time to the east to the NFNPA and its most sensitive landscapes. NFDC Officers do not agree with this comment given that as the NFNPA themselves state - it is the existing Castleman Trail itself which provides direct access, not this proposal. Essentially, people could continue access the NFNP through the Castleman Trail whether this public open space is there or not.

As such, the proposed public open space would not diminish the visual appreciation of the New Forest National Park from key viewpoints, nor would it be to the detriment of the special qualities of the National Park. For reference, other Local Plan Allocation site policies have set out in the supporting Concept Masterplans public open space including ANRG adjacent to the National Park boundary – including site SS14 Land to the north of Hightown Road, Ringwood.

Therefore, the proposal is, subject to suitable landscape conditions, sufficiently sensitively designed to avoid any notable adverse impacts on the setting of the New Forest National Park in line with NPPF paragraph 182.

ii. Landscaping Strategy

The proposal is supported by a revised Phase 1 Detailed Landscape Design (edp 11 April 2024 Ref: edp5444_do78c).

NFDC Landscape has set out updated detailed comments (10 May 2024) on the proposed landscaping. NFDC Landscape notes that opportunities exist to subdivide the space with native hedges, groups of native trees or shrubs to frame views and create a variety of distinct spaces, including an off-lead area for dogs. Thought should be given to planting the wet areas of the site and swale with suitable species that could benefit from the seasonally wet soil and enhance biodiversity.

Essentially, Officers agree with these views and the necessary amendments are not so fundamental that they would affect what is being considered. The amendments can be secured through a detailed planning condition.

NFDC Landscape suggest a trail of dog agility equipment. However, Officers are minded that these proposed facilities are better concentrated in one place as set out in the Detailed Landscape Design.

However, Officers do agree with NFDC Landscape that artificial grass is not considered suitable around the dog activity items and that a hoggin surround should be installed instead. Again, this can be secured through a detailed planning condition.

NFDC Landscape also set out currently operates on a 'combined bin' system with litter and dog waste collected in the same bin. Again, this type of bin can be secured through a suitable condition.

As such, subject to suitable conditions including a detailed landscape design condition, the proposal satisfies Local Plan Policy ENV4.

iii. Trees

A revised Arboricultural Impact Assessment (incorporating Tree Protection Measures) (edp, Ref: edp5444_r028b, January 2024) has been submitted to address any impact on trees and protection measures to be implemented.

The NFDC Tree Officer has no objection and notes in his revised comments of February 2024 that the revision to the access arrangements whereby the original access point from Crow Lane has been removed from the proposal and the Castleman Trail used instead.

The NFDC Tree Officer has suggested two conditions which are both agreed. The second condition relates to the need for a method statement for the implementation of the proposed new footbridge in the south-east corner of the site given the nearby mature oak tree.

As such, subject to suitable conditions, the proposal would satisfy Local Plan Policy ENV1 criterion 4(ii) and Local Plan Policy ENV4.

10.4 Flood Risk and Drainage

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

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

The Lead Local Flood Authority (LLFA) (Hampshire County Council) has raised no objection to the proposal. The site will be left largely greenfield in nature and therefore does not represent a flood risk with respect to surface water runoff. Given the open nature of the application site it would have reasonable resilience in terms of accommodating excess surface water from outside the site.

The applicants have submitted a Flood Risk Assessment (FRA) (Hydrock, January 2024). The FRA concludes that the proposed public open space is a water compatible development in line with NPPF Annex 3. As such, the site is not subjected to the NPPF sequential and exception tests.

The FRA also confirms that the development includes a shallow depression/drainage ditch to the site's western boundary to contain surface water runoff within the site including any runoff generated from any new internal paths. The detailed design for these proposed features can be secured through a suitable condition.

The application site is bounded by land to the east and west by areas identified at risk of both fluvial and surface water flooding. The representations from Ringwood Town Council (RTC) have highlighted localised flooding issues along Crow Lane and have provided photographs showing recent flood events.

However, it is considered that the proposal will not increase flood risk elsewhere given that the application site will not be subject to any significant additional

impermeable coverage and, as set out, will include internal features to address surface water runoff. Access to the site is from the Castleman Trail which is outside the fluvial and surface water flood zones as set out in the NFDC Strategic Flood Risk Assessment (SFRA).

As such, subject to suitable conditions securing the proposed drainage features, the proposal accords with Local Plan Policy CCC1 (iv)(b) and NPPF paragraph 173.

10.5 Other Matters

Highways and Access

Local Plan Policy CCC2 (Safe and Sustainable Travel) sets out that new development will be required, inter alia, to prioritise the provision of safe and convenient pedestrian access within developments

The Highway Authority (Hampshire County Council) has no objection to the change of use.

The comments received from Ringwood Town Council (RTC) with regard to road safety are noted. However, the Highway Authority has no objection and the RTC comments appear to reflect the earlier proposal to provide an access link across Crow Lane in the area adjacent to the WI Hall. This earlier proposed access has been removed from the proposal and replaced with the proposed enhancements to the Castleman Trail at the junction of Crow Lane and Crow Arch Lane to the north (as set out in the Committee Report for the main application).

The proposed footpaths within the public open space will be made of hoggin or a similar material and as such, subject to suitable condition, would address the comments made by NFDC Landscape.

NFDC Landscape also highlight the need for detailed design for any necessary embankments associated with the two proposed access points. This is agreed and a suitable design can be secured through detailed design conditions.

Ringwood Neighbourhood Plan

Policy R9 (Creating a Green Infrastructure and Nature Recovery Network) of the Ringwood Neighbourhood Plan designates a Green Infrastructure and Nature Recovery Network (as shown on the Nature Recovery Policy Map) for the purpose of promoting ecological connectivity, outdoor recreation and sustainable movement.

The Nature Recovery Network shown on the Ringwood Neighbourhood Plan Nature Recovery Policy Map is located to the south of the application site and as such does not directly apply to this proposal. Nonetheless, it is considered the proposal broadly accords with the objectives of connectivity, outdoor recreation and sustainable movement.

Mineral Safeguarding

The supporting Planning Statement (Savills, June 2023) sets out that Hampshire County Council has confirmed (18/11/2022) that they will not require a Mineral Resource Assessment for a change of agricultural land to ANRG as there will be no sterilisation given the nature of the proposal.

Loss of Agricultural Land

The application site is noted as good agricultural land on the Natural England website. Essentially, the loss of approximately 2.5 hectares of agricultural land that is not classified as best and most versatile is not considered to be significant and hence its loss is considered to be acceptable.

Viability

RTC commented in February 2024 on the impact of this proposal on the viability of the linked main application (21/11723).

The Planning Agent has confirmed in writing that the cost plan for 21/11723 includes a significant allowance for landscaping, inclusive of the Land East of Crow Lane public open space/ARNG. As such, there should be no additional impact on development viability of the main application.

10.6 Planning Balance and Conclusions

The proposal will provide suitable public open space in the form of ANRG and informal open space. The proposal is acceptable in terms of the South West Hampshire Green Belt. On balance of considerations the proposal is acceptable in terms of ANRG provision. The long-term management of the proposed public open space can be linked to the main application and secured through suitable conditions and a planning obligation. The proposal is acceptable in terms of informal public open space and assists in meeting the identified shortfall in the linked main application. The proposal, subject to suitable conditions, is sufficiently sensitively designed to minimise any adverse impacts on the setting of the New Forest National Park.

The proposal, subject to suitable conditions and a planning obligation, would be acceptable in terms of ecology, flood risk and drainage, trees, landscaping and access. The proposal would result in the loss of approximately 2.5 hectares of agricultural land but this is considered to be outweighed by the benefit of additional public open space.

Therefore, subject to suitable conditions and a s106 planning obligation, the proposal accords with Local Plan Policies ENV1, ENV2, ENV4, CS7, DM2, CCC2 and NPPF paragraphs 173 and 182.

RECOMMENDATION

Delegated Authority be given to the Service Manager (Development Management) to GRANT PERMISSION subject to:

- i. the prior completion of an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:
 - Public Open Space Management and Maintenance framework
- ii. the imposition of the conditions set out below and any additional / amended conditions deemed necessary by the Service Manager (Development Management), having regard to the continuing Section 106 discussions to ensure consistency between the two sets of provisions.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

i. the completion of a planning agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following:

- Public Open Space Management and Maintenance framework

ii. the imposition of the conditions set out below.

Proposed Conditions:

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

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

2. Hard and Soft Landscaping Detailed Design

Before development commences a scheme of detailed hard and soft landscaping plans shall be submitted for approval in writing by the Local Planning Authority.

This scheme shall include:

- i. A schedule and plan of the existing trees and shrubs which have been agreed to be retained.
- ii. A schedule and specification for new tree planting (species, size, spacing, location, details of irrigation pipe) for the proposed public open space including informal open space, alternative natural recreational greenspace, including areas with open surface water drainage features (within and without the ANRG).
- iii. A schedule and specification for new soft planting (hedgerow, shrub, turf, lawns, bulbs and meadow) in terms of species, size, spacing and location for the proposed public open space including informal open space, alternative natural recreational greenspace, areas with open surface water drainage features (within and without the ANRG).
- iv. A schedule and specification of all hard landscaping including footpaths and raised access areas.
- v. A schedule and specification of ANRG interpretation boards relating to relevant ecological interests.
- vi. A schedule and specification of all dog agility equipment, benches, fencing, hibernacula, rock/boulders, feature logs and wooden direction posts.
- vii. All public bins within the public open space shall be wooden combined litter/dog waste such as Wybone or similar as agreed with

the Local Planning Authority and attached to a suitable concrete base.

All soft landscaping (trees and shrubs) proposals hereby approved under this condition shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for at least five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with others of similar size and species to those originally required to be planted. No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development provides a suitable soft and hard landscaping strategy and arboricultural strategy and to comply with Local Plan Policies ENV3 and ENV4.

3. **Public Rights of Way**

No vehicles, machinery, equipment, materials, waste or anything else associated with the works hereby proposed shall be parked, stored or positioned on or near to Ringwood Bridleway 509 as to cause an obstruction, hindrance or hazard to the public, who retain the right to use the PROW network at all times.

Reason: In the interests of public safety.

4. **Trees**

The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and works in accordance with the measures set out in the Arboricultural Impact Assessment (incorporating Tree Protection Measures) by The Environmental Dimension Partnership Ltd (Report Reference edp5444_r028b dated January 2024) and Tree Protection Plan (drawing Number edp5444_d085b dated 17th January 2024)

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

5. **Trees and footbridge**

No development, demolition or site clearance shall take place until a method statement for the design/installation for the GRP footbridge of the approved development has been submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

6. **Ecological Construction Method Statement (ECMS)**

No development shall take place including any works of demolition and site clearance, until an Ecological Construction Method Statement (ECMS) has been submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the approved ECMS shall be implemented and adhered to throughout the entire works construction period.

All works shall be carried out in accordance with the methodology and details set out in the Phase 1 Landscape and Ecological Management Plan (LEMP) (EDP, February 2024, Ref: edp5444_r033c) and other relevant submitted ecological documents and include the following to be submitted for approval:

- Method for ensuring no wildlife is trapped during construction works
- Protective fencing and other arrangements during construction
- Delivery of toolbox talks to all operatives
- Storage of topsoil and other materials including tree protection measures
- Detail measures to avoid and mitigate construction impacts on species and retained habitats
- Sensitive lighting during construction on sensitive ecological receptors e.g. roosts, bat flight lines, retained vegetation etc.

Reason: To comply with Local Plan policies STR1 and ENV3 and in the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

7. Sustainable Drainage System Detailed Design

No development shall take place until a detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority.

The approved surface water drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the public open space commencing and maintained thereafter for the lifetime of the development in line with any allied planning obligation.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

8. Biodiversity Management Plan

Before any works commence on site, a Biodiversity Management Plan shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate this shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To safeguard protected species in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

9. **Landscape Ecological Management Plan (LEMP)**

The Additional ANRG Land off Moortown Lane, Ringwood Landscape and Ecological Management Plan (LEMP) (EDP, January 2024, Ref: edp5444_r036a) sets out a framework for the protection, establishment, management, maintenance and monitoring of the landscape and ecology features of the development as set out in the Ecological Appraisal (edp, January 2024, Ref: edp5444_r024b). The LEMP is to be read and enacted upon in conjunction with the following drawings and reports:

- All approved detailed Landscape Design plans (Condition 2);
 - Key features to be retained, enhanced and created should be fully addressed in line with Section 3 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - During the construction phase all habitat creation and approved landscaping planting should be undertaken in line with Section 4 of the LEMP (EDP, February 2024, Ref: edp5444_r036a)
 - For Years 1 to 5 following commencement of development the site developer should fully enact the Management Objectives and Maintenance Operations set out in Table 5.1 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - Monitoring and Timetable of works should be fully undertaken in line with Section 7 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).
 - For Years 6 to 15 following commencement of development the site developer should fully enact the Management and Maintenance tasks in line with Section 6 of the LEMP (EDP, January 2024, Ref: edp5444_r036a).

Reason: In the interests of the protection of landscape and ecological assets on site and their continued protection and enhancement, and to ensure that all public areas are properly managed.

10. **Further details of new PROW footbridge**

Detailed drawings at the scale of the proposed footbridge (1:250 scale or a another suitable scale agreed by the Local Planning Authority) of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) Public Right of Way footbridge.

Reason: In the interests of visual amenity and the character of the area.

Further Information:

Robert Thain

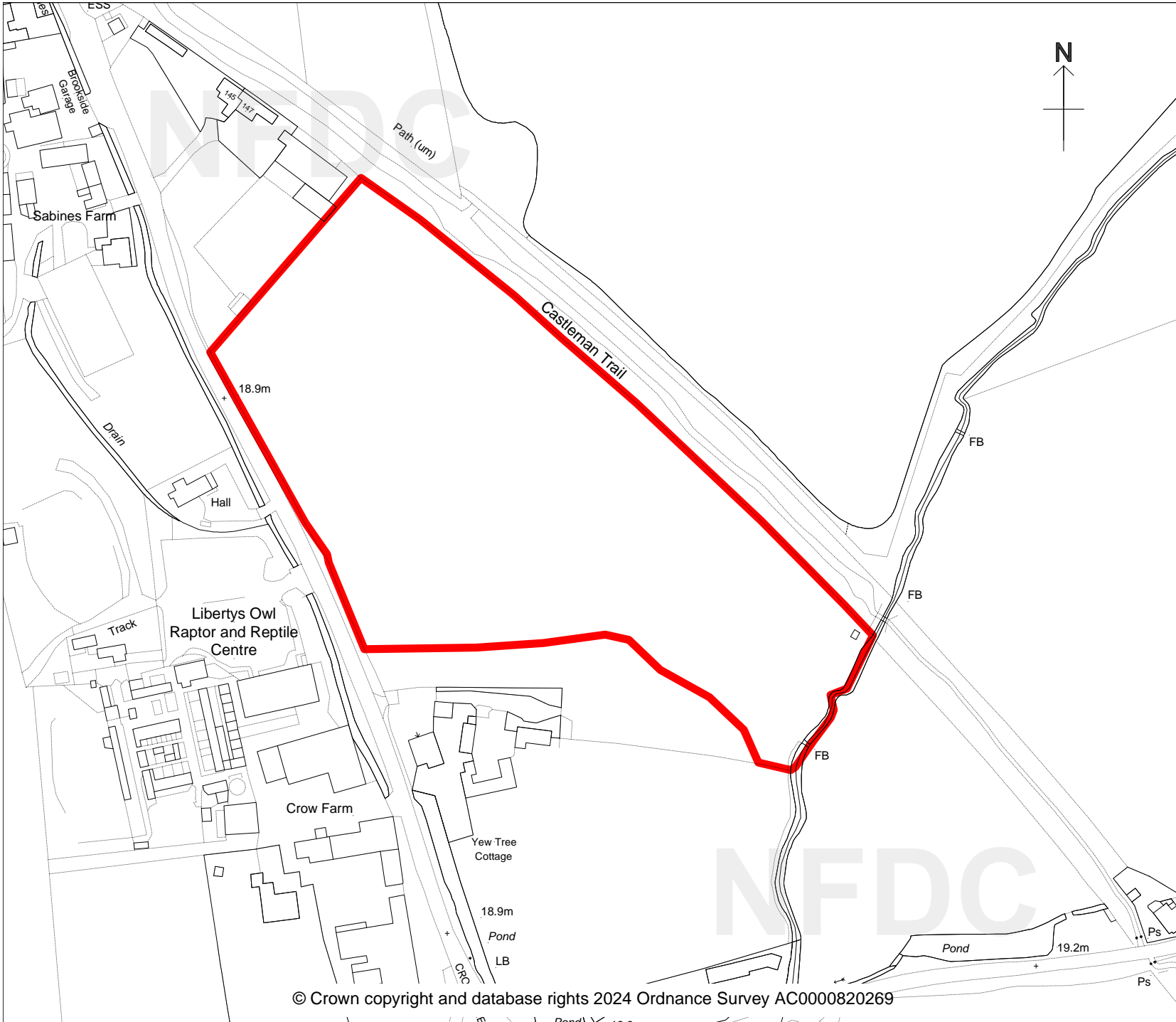
Telephone: 023 80 285116

Item 3b: Open Space adjacent to Crow Lane, Ringwood (Application 23/10707)

The revised Site Location Plan is attached.

Further Representations

A representation was received from Ringwood Town Council on 9 September 2024. The full representation is available to view on the NFDC website. The representation reiterates commentary previously made by Ringwood Town Council on application 23/10707.



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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

September 2024

Open Space adjacent to
 Crow Lane
 Ringwood
 23/10707

Scale 1:2000

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