

COMMITTEE UPDATES

Item 3a: SS13 Land off Moortown Lane, Ringwood (Application 21/11723)

Amended Plans

The applicant has undertaken a review of all the proposed housing in Phase 1 and has forwarded amended plans and elevations to ensure that all bedrooms exceed the National Design Space Standards (NDSS) and conversely that all first-floor study rooms fall below the NDSS thresholds. This includes minor amendments to 17 homes for the Ripley and Stratford house types.

Ringwood Town Council representations

A detailed representation from Ringwood Town Council (RTC) was received after the main agenda had closed. This is publicly available on the NFDC website and is summarised below.

RTC set out that it remains the case that the main application does not comply with at least 11 different policies in the Local Plan, NPPF and the Ringwood Neighbourhood Plan.

RTC asks that the applications (21/11723 and 23/10707) be refused. To assist the NFDC Planning Committee RTC set out the following grounds for refusal below:

- i. Vehicular access
- ii. Walking and Cycling Access
- iii. First Homes
- iv. Housing Mix and Study Rooms
- v. Sustainability
- vi. Design and Layout
- vii. ANRG

RTC conclude that were it the case that the proposals were non-compliant with relevant policies in a few minor respects, it would accept the argument that the need to build more housing is such that the applications should be granted. However, in this case, the sheer number and scale of deviations from Policy are such that the weighted balance must tip in favour of refusal.

RTC set out detailed appendices in the representation to support their argument with regard to the seven grounds for refusal set out above,

A further detailed representation from Ringwood Town Council (RTC) was received on Thursday 7 November 2024. RTC set out detailed appendices in the representation to support their argument with regard to the seven grounds for refusal set out above,

The representation sets out further detailed commentary on Ringwood Neighbourhood Plan (RNP) policies R5 (Smaller Housing), R6 (First Homes), R7 (The Ringwood Design Code) and R10 (Zero Carbon Buildings).

In summary RTC set out in this representation that:

- the proposed study rooms (in some dwellings) should be treated as bedrooms.
- implementing RNP Policy R5 (smaller units) is financially viable and would be beneficial to all parties.
- No evidence has been prepared to show that Policy R6 (first homes) will adversely impact viability.
- RTC believe that implementing RNP Policy R10 (building sustainably) is financially viable.

RTC conclude that if the applicant withdraws the application it strongly urges them to work closely with RTC and NFDC to draft a revised application that is compliant with RNP policies whilst still maintaining or improving viability. If they do not withdraw, the Town Council urge the Planning Committee to reject this application.

RTC set out detailed appendices in this representation to support their argument with regard to study rooms, ANRG, First Homes and design.

A further representation from Ringwood Town Council was received at 11 November 2024. It set out RTCs view on the material consideration influencing the NPPF paragraph 11 'tilted balance'.

Public representations

One additional public representation was received on 7th, 8th and 11th November from a former member of the Ringwood Neighbourhood Planning Steering group. The representation set out detailed comments on the application 21/11723 and Ringwood Neighbourhood Plan policies R5 (Smaller Homes) and R6 (First Homes),

Planning Considerations:

The representation received from the member of the public sets out that housing types and sizes are for a later Reserved Matters application and can therefore be altered.

There are a number of Appeal decisions where Inspectors have set out that housing mix is a matter properly considered at the Outline stage and that the matter does not fall under the rubric of scale or appearance at reserved matters. As such, it is considered appropriate to secure a suitable market housing mix for the outline phase 2 through suitable conditions and a s106 planning obligation. In the event of any subsequent applications to vary conditions or obligations these will be taken to NFDC Planning Committee as a strategic site application.

The matters raised by the Town Council in their further representation are matters of difference between the parties and these matters are addressed in the main report.

Recommendation:

Additional and/or Amended Conditions and s106 Planning Obligation Clauses

NFDC Officers have continued to discuss suitable conditions with the applicants.

An additional condition is recommended as follows to assist in addressing Ringwood Neighbourhood Plan Policy R10 (Zero Carbon Buildings):

“No development shall take place above slab level within each phase (or part thereof) of the development until a statement demonstrating compliance with the approved Energy and Sustainability Strategy (AES, Rev0, 06.11.2023) has been submitted to and approved in writing by the Local Planning Authority. The strategy will include details such as (but not limited to):

- *The space heating demand of each home;*
- *energy efficiency measures incorporated in the approved House Types*
- *the use of low carbon technologies or demonstration of how the approved House Types are zero carbon ready*

The development shall be undertaken in accordance with the approved details.

Reason: To ensure an appropriate and sustainable form of development”

An additional condition is recommended as follows to secure in line with the details set out in the letter from the applicants dated 7 October 2024 to larger (3 and 4+ bedroom houses) in Phase 2 (Outline):

“The open market housing in Phase 2 (Outline) shall be provided in accordance with the approved housing mix which includes sixty (60) three-bed homes and fifty-eight (58) four plus bed homes”.

Reason: To ensure an appropriate mix of market homes in Phase 2”.

The additional 19 two-bed market homes in Phase 2 will be secured through a specific clause in the s106 planning obligation attached to any Outline permission. The applicants have agreed to this approach in order to provide greater comfort to NFDC Planning Committee that the revised quantum of smaller market homes in Phase 2 will in fact be delivered.

The applicants have also agreed to a new condition which relates specifically to the five Parameter Plans only that are currently set out within Condition 4. The residual detailed plans and elevations in Condition 4 will remain as set out.

“The development shall be carried out substantially in accordance with the following approved drawings:

- *Building Scale Parameter Plan, Pegasus, 19/1/2024, P21- 1078-DE-004-0110 Rev. A;*
- *Land Use Parameter Plan, Pegasus, 19/1/2024, P21-1078- DE-004-0107 Rev. A;*

- *Movement and Access Parameter Plan, Pegasus, 19/1/2024, P21-1078-DE-004-0108 Rev. A;*
- *Building Density Parameter Plan, Pegasus, 19/1/2024, P21- 1078-DE-004-0109 Rev. A;*
- *Landscape Parameter Plan, Pegasus, 19/1/2024, P21-1078- DE-004-0112 Rev. B.*

Any variations to any or all of these Plans must first be submitted to and approved in writing by the Local Planning Authority.

Reason: The distribution of land uses on the parameter plans is the subject of an Environmental Impact Assessment and any material alteration to the layout may have an impact that has not been assessed by that process. To ensure a comprehensive and appropriate form of development and to avoid any doubt over what has been permitted”

The reason for this to assist HCC in delivering their portion of the residual Local Plan allocation site by setting out a reasonable degree of flexibility on internal access arrangements on the boundary between the two elements.

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

Ringwood Town Council (RTC) sets out in their further representations that the application 23/10707 be refused. To assist the NFDC Planning Committee RTC set out grounds for refusal including the proposed off-site public open space in this associated application.

The matters raised by the Town Council in their further representation are matters of difference between the parties and these matters are addressed in the main report.

Item 3C: Land North of Cooks Lane, Totton (application 22/10219)

Amended condition.

13. Updated Ecology Surveys

Prior to the commencement of development hereby approved updated ecological surveys and mitigation strategies shall be undertaken and submitted to and approved in writing by the LPA. This should have regard to CIEEM’s April 2019 Advice Note on the lifespan of ecological reports. The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guideline. The development shall not be carried out other than in compliance with any survey findings and mitigation measures required.

Reason: To ensure the development is in accordance with advice and other legislation governing protected species

Amended recommendation.

Replace the second part of the recommendation to read:

- ii) The imposition of the Conditions 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.

Item 3d: Land West of Hill Street, Calmore, Netley Marsh (Application 22/10854)

Additional S.106 Obligation.

Secure £100,000 towards sustainable transport infrastructure within the vicinity of the development.

Amended conditions, to reflect updated list of approved plans (Condition 2).

20. Ensure minimum finished floor levels

The finished floor levels of the dwellings hereby approved shall be in accordance with that shown on the MJA Consulting Drainage Strategy Layout plan ref:6717-MJA-SW-XX-DR-003-C rev **P15 received 29/02/24**.

Reason: In order to protect the properties from the risk of flooding over the life of the development and in accordance with policy CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

25. On site visibility splays.

Prior to occupation of the penultimate dwelling on the north parcel of development hereby approved, the on site visibility splays in the north parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 **P5 received 29/02/24** shall be provided.

Prior to occupation of the penultimate dwelling on the south parcel of development hereby approved, the on site visibility splays in the south parcel as shown on MJA consulting plan 'Visibility Splays' ref:6717-MJA-SW-XX-DR-C-510 **P5 received 29/02/24** shall be provided.

Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land within the splays as shown.

Reason: in the interest of on site highway and pedestrian safety and in accordance with policy CCC2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

29. Deleted as duplication of condition No.25

Item 3e: Land adjacent to 15 Lucerne Road, Milford-on-Sea SO41 0PL (Application 24/10630)

Receipt of Ecologist's comments advising:

- recreational habitat mitigation is required
- BNG deficit should be provided through credits or off-site units
- Ecological enhancements should be provided in line with Appendix G of the Ecology Report

Item 3h: Durban House, 3 Ashleigh Close, Hythe S045 3QT (Application 24/10557)

Throughout the report the references to 1 Warrys Close are incorrect and should be substituted with 1 Ashleigh Close

Correction to Section 10, 10.2 (4th Paragraph). reference to 2 Warrys Close should read 2 Ashleigh Close.