

**Application Number:** 21/10042 Outline Planning Permission

**Site:** LAND NORTH OF, HIGHTOWN ROAD, HIGHTOWN, RINGWOOD BH24 3DY (PROPOSED LEGAL AGREEMENT)

**Development:** Outline planning application for up to 400 dwellings and 3 hectares of employment (Class E c and g and B2), access, open space, landscaping, alternative natural recreational greenspace (ANRG) and drainage attenuation (Outline Application with details only of Access)

**Applicant:** Taylor Wimpey Ltd

**Agent:** Barton Willmore

**Target Date:** 03/05/2021

**Case Officer:** Mark Wyatt

**Officer Recommendation:** Service Man Planning Grant

**Reason for Referral to Committee:**

- The applicant has made submissions related to the deliverability and viability of the scheme such that the application now proposes a reduced quantum of affordable housing which requires reassessment; and
- The section 106 agreement was not completed by March 2024 and so a further agreement by the committee is needed to complete this process;

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## 1 INTRODUCTION

- 1.1 This planning application last came before the Planning Committee in March 2023. At that meeting the Committee resolved to grant a planning permission subject to the prior completion of the necessary legal agreement pursuant to Section 106 of the Town and Country Planning Act by March 2024. The report to the March 2023 committee is provided at **Appendix A**. The update paper is at **Appendix B**.
- 1.2 The application is brought back before Members for two main reasons:
- The applicant has made submissions related to the deliverability and viability of the scheme such that the application now proposes a reduced quantum of affordable housing which requires reassessment; and
  - The section 106 agreement was not completed by March 2024 and so a further agreement by the committee is needed to complete this process
- 1.3 The planning policy landscape has also changed since March 2023 which Members need to be mindful of in their decision making. First is the adoption of the Ringwood Neighbourhood Plan. Second is the amended National Planning Policy Framework (NPPF). Third is the Councils adoption of the Climate Change Supplementary Planning Document (SPD) and commencement of work on a Local Plan Review and lastly the implementation of the Levelling up and Regeneration Act (LURA) with regards to the relevant tests on development impacts to National Parks and

protected landscapes.

- 1.4 In addressing the above matters, the applicant has submitted:
- Amendments to the Parameter Plans;
  - Updated ecology reports;
  - A flooding technical note;
  - A statement in response to the policies of the now adopted Ringwood Neighbourhood Plan; and
  - A viability assessment
- 1.5 Furthermore, since the resolution from Planning Committee in March 2023 the Planning Authority is also in receipt of submissions from Ringwood Town Council (RTC) detailing recent surface water flooding events that have taken place over the winters since the Committee last considered the application.
- 1.6 This report is provided as a supplementary report in addition to the documents provided at appendices A and B. This report is to update Members on matters that have changed since the Committee last considered the application. As such if matters are not referred to in this covering report, the situation remains as it was in the March 2023 committee report as set out at Appendix A. This report should be read alongside the two appendices.

## **2 CONSULTATIONS**

- 2.1 Ecology: No objection subject to conditions
- 2.2 Hampshire County Council (Countryside Service): (received post committee in March 2023): Comments:
- HCC seeks a contribution of £117k for the ongoing maintenance (in perpetuity) of the footpath through the site and agreement to the standard that the developer will leave it
- 2.3 NFDC Strategic Housing: Comments awaited

## **3 TOWN COUNCIL COMMENTS**

- 3.1 Ringwood Town Council (response to consultation on the amended Parameter Plans – October 2024): Recommend Refusal (PAR 4):
- Reducing the area of employment land and ANRG, additional amended plans have been submitted which alter the flood mitigation measures and building height parameters
  - This Council has previously submitted evidence to show that the groundwater levels on the site and surrounding area have risen and of property flooding in the immediate area that does not appear to have been formally recorded. The Council requests a review of the proposed flood mitigation measures to ensure they are fit for purpose
  - We therefore seek assurances that the mitigation proposed has been modelled on accurate data.
  - It is not clear if the proposed reduction in ANRG is now policy compliant.

In addition, the Ringwood Neighbourhood Plan has been adopted since the submission of the original application and, as a decision notice has not yet been issued, the Council requests that the applicant be required to undertake an assessment to demonstrate how the application complies with the RNP

3.2 Comments in response to the consultation on additional documents submitted in March 2025: Recommend Refusal (PAR4):

- Ringwood now has a fully made Neighbourhood Plan. The Town Council would like to remind Members that the Ringwood Neighbourhood Plan and its policies are now an integral part of the NFDC Development Plan.
  - The Neighbourhood Plan policies are based on more up-to-date evidence than the Local Plan Part 1 policies.
  - We reiterate that since it was voted for in a referendum on the same day as a general election it has the greatest democratic mandate of any of the policies in the Development Plan.
  - As such it has full weight and should be fully taken into account in regard to any application in the parish of Ringwood
  - The Applicants document submitted in response to the Neighbourhood Plan claims that either they comply or that the policies are not relevant, or they may do something about them later. The applicant has not provided an acceptable response to the adopted policies.
  - We ask that the applicant engages properly with these policies and any amendments to this application are not granted until this is done.
- Concern remains at the environmental changes that have led to increases in flooding at the application site.
  - The Town Council has responded directly to the applicants Technical Note addressing flooding matters.
  - The EA response to the Snails Lane application refers to the data being 5 years old and recommends the applicant updates the hydrology and modelling. The data for this site is 8 years old, supporting our request for new data to be collected and full re-modelling.
  - Our previous objection, made on 4 October 2024, is not superseded and we continue to have concerns
  - We are disappointed that the applicant, its agents and officers have not engaged with the Town Council to discuss our many concerns
- there are some fundamental issues with the viability documents from the applicant. There are two key points:
  - 1. That the growth in house prices is not as expected by the applicant, however this appears to be in relation to larger properties and hence we question whether the applicant has considered an R5 policy compliant housing mix which might mitigate this?
  - 2. The Land value, changing from about £5M to about £13M and resultant increase in interest payments. But it is important to point to Government guidance on viability: “Where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.”
  - we do not believe that the applicant’s desire to reduce the amount of affordable housing should be accepted. More detailed observations are provided in appendices to the comments.

The documents are not all clearly legible and corrected versions should be provided

**4 REPRESENTATIONS RECEIVED**

4.1 One further letter of objection has been received:

- The applicants plans are not in compliance with the Ringwood Neighbourhood Plan that have been adopted by NFDC into their development plan

4.2 One further letter of support has been received:

- There isn't a more suitable area in Ringwood which could comfortably accommodate a large number of homes.
- I look forward to it so I can stop renting and get my own home locally.

I support the Town Council's opinion that the development needs to provide a good level of affordable housing

## **5 PLANNING POLICY AND GUIDANCE**

5.1 NPPF 2024

5.2 New Forest District – Local Plan Review

The Cabinet of 7 February 2024 approved the start of a full review of the adopted Local Plan. The 'Issues and Scope' stage of Local Plan consultation is the first step in shaping the next Local Plan. A consultation was held into the "Issues and Scope" document from Monday 17 February 2025 until Friday 4 April 2025. The next stage in the plan making process would be the Draft Plan consultation which is expected to be undertaken in the autumn/winter of 2025.

5.3 Climate Change Supplementary Planning Document

5.4 Ringwood Neighbourhood Plan

The Ringwood Neighbourhood 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 Plan and agreement that the Neighbourhood Plan could 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.

## **6 Planning Considerations**

The key planning considerations in the determination of this application are:

- Housing Land Supply, the NPPF and the approach to decision making;
- Amended Parameter Plans;
- Surface Water and Flood Risk;
- Development Viability and the Affordable Housing Offer;
- The Ringwood Neighbourhood Plan;
- Ecology;

- Public Transport;
- Rights of Way;
- Impacts upon the New Forest National Park;
- Addressing Climate Change;
- Revisions to conditions;
- Tilted Balance

## **6.1 Housing Land Supply, the NPPF and the approach to decision making**

6.1.1 In determining planning applications there is a presumption in favour of the policies of the extant Development Plan unless material considerations indicate otherwise (Section 38(6) of the Act). Material considerations include the National Planning Policy Framework (NPPF).

6.1.2 The NPPF (December 2024) in paragraph 11 clarifies what is meant by the presumption in favour of sustainable development. It states that for decision making it means:

- *c) approving development proposals that accord with an up-to-date development plan without delay; or*
- *d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

6.1.3 For reference, NPPF Footnote 8 clarifies what is “out of date” and sets out:

*This includes, for applications involving the provision of housing, situations where:*

- *the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or*
- *where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also NPPF paragraph 232.*

6.1.4 The adopted Local Plan (2016 – 2036) sets out a spatial strategy for the area which outlines how development is distributed across the area for at least 10,420 dwellings. This is set out in policy STR5.

6.1.5 However, to fulfil the government’s priority of boosting the supply and delivery of housing, the amended NPPF in December 2024 requires local authorities to calculate the housing need for their area using a ‘standard method’ which

identifies a housing need for each district. For the entirety of New Forest District (including the National Park) and using the most recent data, a housing need of 1,507 dwellings per annum is identified. This is a near three-fold increase above the existing housing target for the district and far above levels previously delivered in both the Plan Area and the National Park. The exact level of housing need for the area of New Forest District that falls outside of the National Park will need to be confirmed through the preparation of the Local Plan.

- 6.1.6 The strategy for meeting what is likely to be a significantly increased housing need will also be addressed through the Local Plan process. However, even before this potential increased housing requirement is applied the Council is facing an unprecedented housing shortfall. The Council cannot demonstrate a five-year supply of deliverable housing land. The latest published housing land supply figure is 2.39 years.
- 6.1.7 Paragraph 11 of the NPPF, including footnote 8, is clear that in such circumstances where a five-year supply of deliverable housing sites is not demonstrated, those policies which are most important for determining the application are to be considered out-of-date. This means that the presumption in favour of sustainable development in paragraph 11(d) is engaged.
- 6.1.8 Taking the first limb of paragraph 11(d), as this report sets out, in this case there are specific policies in the NPPF which protect areas of assets of particular importance referred to within footnote 7 of the NPPF, for example habitat sites and heritage assets. Therefore, a judgement will need to be reached as to whether policies in the NPPF provide a strong reason for refusing the development. Where this is found to be the case, the development should be refused.
- 6.1.9 The second limb of paragraph 11(d) will only apply if it is judged that there are no clear reasons for refusing the development having applied the test at Limb 1. In the absence of such clear reasons, the decision taker is required to consider whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole (the so called 'tilted balance'). The paragraph goes on to highlight the need for particular regard to be given to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 6.1.10 The following sections of the report assess the application proposal against this Council's adopted local planning policies and considers whether it complies with those policies or not. Following this Officers undertake the Planning Balance to weigh up the material considerations in this case.

## **6.2 Amended Parameter Plans:**

- 6.2.1 The applicant has established that a small amendment was needed to the previously considered parameter plans. This amendment is to alter the boundary of the highway land, employment land and the Alternative Natural Recreational Greenspace (ANRG) in the north east of the site. All of the amendments remain within the red line of the application site, the amendment is simply required to omit land that has been confirmed as 'highway' from the employment land and ANRG area. The resultant change in area is as follows:

- ANRG – reduction of 0.09ha
- Employment land – reduction of 0.16ha

- Highway land – increase of 0.25ha

- 6.2.2 Policy ENV1 of the Local Plan specifically requires that at least 8 hectares of ANRG per 1000 population be provided on the allocated strategic development sites in order to mitigate the recreational impacts of development on designated New Forest European sites. Further guidance on the implementation of this policy is provided in the 'Mitigation for Recreational Impacts On New Forest European Sites' Supplementary Planning Document (SPD) which adopted in May 2021.
- 6.2.3 The applicant proposes on-site ANRG and habitat mitigation areas seeking to comply with Policy ENV1 and the SPD. These ANRG areas are necessary particularly in relation to dog walkers (but also the general new resident population created) to reduce the number of trips into the sensitive sites. ANRG provided on site is therefore a mechanism to deflect additional visits which might affect European protected areas.
- 6.2.4 As a result of the outline nature of the application, and because the precise dwelling mix is not yet agreed, it is not possible to specify precisely what quantum of ANRG land needs to be provided. However, using the Council's ANRG calculator the proposal for up to 400 dwellings would generate an ANRG requirement of around 8.42 hectares, which is based on an estimated population of 1,052 people.
- 6.2.5 The amendments to the Parameter Plans reduce the quantum of ANRG from 8.42ha down by 0.09ha (900sqm /0.2acres) to 8.33ha. The area in question is, as set out above, identified as 'highway'. As it exists now the land is part of the highway landscaping and it is expected to remain as such in reality.
- 6.2.6 Whilst just below the required ANRG standard at this outline stage, it should be noted that if the applicant provides a housing mix which shows a higher proportion of smaller homes at the reserved matters stage (a matter to be considered further in this report), this will result in a reduction of the estimated population and therefore in any event would result in a smaller area of ANRG being required.
- 6.2.7 To ensure that there is policy compliant level of ANRG provided by the development, condition 7 of the recommendation (as it was in March 2023) is included. Furthermore, a proposed draft S106 agreement will also include a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
- 6.2.8 If the number or mix of dwellings change, and increases the amount of ANRG land that is needed to be policy compliant there is a mechanism in the draft S106 for the applicant to submit an amended plan for approval with submission of Reserved Matters.
- 6.2.9 The legal agreement will also include a requirement to secure the long-term management and maintenance of the ANRG land and associated maintenance contributions as well as ensuring it is kept open to the public at all times free of charge in perpetuity. On this basis the proposal is considered to be acceptable despite the changes to the Parameter Plans.
- 6.2.10 Policy SS14 expects the site to provide *“around three hectares of employment land”*. The small amendment to the area of employment land on the parameter plans provides for 2.88 hectares of employment land. The reduction of 0.16ha means that the provision drops from 3.04ha. However, the language in the policy provides for some flexibility by seeking *“around”* three hectares. The overall

quantum could be greater than or less than three hectares. In this case, it is considered that the reduction in the quantum of 0.16 hectares (0.39 acres / 1,600sqm) would still be “around” three hectares and there is no conflict with the policy in that regard.

- 6.2.11 The increase in highway land has no meaningful bearing on the delivery of the access given that, as described previously, the land is already part of the highway landscape.
- 6.2.12 Overall, it has been necessary to omit land that has been established as being ‘highway’ from the area of the site being delivered for ANRG and employment purposes. In considering the representation from the Town Council, the changes to the parameter plans do not affect the building height parameters and there is no change made to the flood mitigation measures that were previously considered to be acceptable when the Committee last considered the application in March 2023.

### **6.3 Surface Water and Flood Risk**

6.3.1 In June 2024 Ringwood Town Council submitted to the Planning Authority a document titled “*Flood Mitigation Measures for the Lynes Farm Development, Land north of Hightown Road*”. The report is prepared by Councillor Janet Georgiou. The Town Council also requested that the Planning Authority:

- Arrange for the developers flood mitigation calculations to be checked by an independent flood risk engineer; and
- Review the costs and procedures for maintaining the proposed flood mitigation measures to make sure that they are sufficient.

6.3.2 The applicant, in response to the Town Council submission has prepared a further “Technical Note” with regard to the flooding matters on the site. This Technical Note prepared by PFA Consulting was prepared to not only provide a response to the Town Council submission but also to provide further commentary with regard to the application of the sequential test and the exception test.

6.3.3 In considering compliance with the sequential and exception tests first, it is noted that within the NPPF paragraph 180 it clearly sets out that:

*“Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account”.*

6.3.4 The site has been through the plan making process and adopted as an allocation. The evidence base for the local plan included a strategic flood risk assessment. The NPPF requires all plans to apply a sequential, risk based approach to the location of development (para 172). In this case the site is allocated and there is no requirement to re-consider the site through the sequential test.

6.3.5 Having applied the sequential test (through the plan making process) the need for an exception test is dependant on the vulnerability of the site and the development proposed. The previous recommendation to the committee was that the proposed flood mitigation scheme was acceptable. However, in light of the Town Council’s flood document which clearly shows photographs of surface water flooding in the town, it is appropriate to have regard to the advice in paragraph

180 of the NPPF with reference to the exception test:

*“...the exception test may need to be reapplied... if more recent information about existing or potential flood risk should be taken into account”.*

6.3.6 The Applicants Technical Note cross refers to paragraph 178 of the NPPF which advises that:

*“To pass the exception test it should be demonstrated that:*

*a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and*

*b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall”.*

6.3.7 Both elements of the exception test should be satisfied for development to be permitted.

6.3.8 It is clear from policy SS14 that the site specific considerations for development include:

*“Wherever possible, development should be directed to flood zone 1 and will only be considered in flood zones 2 and 3 where it is possible to mitigate flood risk. Preparation of a detailed flood risk assessment (FRA) demonstrating how the proposed development will be made safe over its lifetime will be required” (SS14, (iii)(a)).*

6.3.9 The application is supported with a FRA as required by the policy and the scheme has been the subject of extensive dialogue with the Environment Agency. In considering the exception test it is important to have regard to the current flood mitigation proposals (which remain unchanged from when the proposal was last considered by the Committee) as set out in Appendix A from paragraph 10.11.11.

6.3.10 For ease of reference, the March 2023 committee report sets out:

*The proposed strategic flood mitigation measures for the site entail the lowering the banks of onsite watercourses in combination with the lowering of adjacent land to create additional flood storage. Ground levels will be raised in the areas surrounding the strategic flood mitigation measures to ensure floodwaters are contained in these areas. The most significant part of the mitigation works will take place to the east of the site within the Green Infrastructure area and will comprises 5 flood storage areas that will appear as large depression areas both to hold back flood waters and to prevent the shallow overland flows. The proposed strategic flood mitigation measures seek to ensure the onsite watercourses will not overtop and therefore will no longer pose a flood risk to the proposed development and will ensure the proposed development is appropriately safe. Essentially the implementation of the flood mitigation strategy will remove the site from Flood Zones 2 and 3.*

6.3.11 The flood mitigation scheme had, and continues to have, “no objection” from the Environment Agency. The March 2023 committee report sets out that some areas of the site currently in Flood Zones 2 and 3 are proposed for ground reprofiling prior to being developed for housing and thus would be Flood Zone 1. It is to be noted that ground raising is not a universal solution because it must be

demonstrated that it doesn't increase risk of flooding elsewhere, which the modelling has shown for this application.

- 6.3.12 Following the review of the applicants modelling by the Environment Agency (EA), it was deemed that all proposed houses, following the ground reprofiling, were sequentially located into Flood Zone 1. However, the EA note that this is dependant on the mitigation scheme which heavily relies on ponds and swales. These would need to be subject to ongoing maintenance to ensure that they perform as planned over their lifetime and would need to be secured through the S106.
- 6.3.13 On the basis that the FRA and drainage solution can adequately mitigate the impact of the development proposals, the delivery of the scheme will ensure the delivery of much needed housing on an allocated site in the development plan. This, it is considered, would satisfy the first part of the exception test on flood risk.
- 6.3.14 Part (b) of the exception test would be satisfied by the technical information reviewed and considered by the technical consultees to ensure that the scheme is safe for the lifetime of the development and would not increase flood risk elsewhere.
- 6.3.15 The Town Council submissions on recent flood events is considered in the applicant's Technical Note. The Town Council submission refers to the areas of the site within all three flood zones. As set out above, the FRA and the planning assessment acknowledges this point, as does the site specific planning policy for allocating this site (SS14). The proposed solution is to reprofile land currently within Flood Zones 2 and 3 and to create a sustainable drainage system on the eastern part of the site to intercept and hold water. The proposal will also manage the water that flows off site.
- 6.3.16 The Technical Note from the applicant concludes that the identified flood events in the Town Council submission are consistent with the outputs of the flood modelling in the Strategic Flood Risk Assessment (SFRA) and the application site specific FRA.
- 6.3.17 The flood mitigation measures are designed to intercept flows and hold water with a gradual release which will thereby slow the flow from the east to the west. The new Sustainable Urban Drainage System (SUDs) will deliver greenfield run off rates. The applicant's modelling demonstrates that the developable areas of the site are protected and that there is even some betterment to locations off site that could be achieved as a result of the on-site mitigation measures.
- 6.3.18 To that end, the proposal remains acceptable and would comply with the requirements of the NPPF with regards to flood risk and also the development plan policies SS14(iii)(a) and CCC1.
- 6.3.19 Specific regard is given below to the two Town Council requests, namely:
- Arrange for the developer's flood mitigation calculations to be checked by an independent flood risk engineer; and
  - Review the costs and procedures for maintaining the proposed flood mitigation measures to make sure that they are sufficient.
- 6.3.20 It is considered that the developers flood mitigation scheme and calculations were fully considered by the specialist technical consultees advising the Council. There is no objection to the proposal from the Environment Agency or the County

Council in its role as the Lead Local Flood Authority. There is no requirement for any further review of the flood model given the advice of “no objection” from the two relevant consultees.

- 6.3.21 With regards to the costs and procedures for the ongoing flood maintenance these matters will be secured through the recommendation as both conditions and planning obligations to ensure that the mitigation measures are delivered, managed and maintained in accordance with the agreed details to ensure that they function and operate as they are designed to.
- 6.3.22 Within the most recent representation from the Town Council the age of the flood model is also challenged. The Town Council cites the Environment Agency (EA) comments towards the planning application at Snails Lane (for SS15 north of Ringwood – 25/10114 refers). Within the advice to the Snails Lane application the applicant is invited by the EA to consider updating the hydrology and modelling given that the results used are five years old.
- 6.3.23 The Town Council is of the view that as the flood model used for this application is now more than eight years old it should be also be updated in light of the advice given by the EA on the Snails Lane site.
- 6.3.24 It is noted that the sites in question (Hightown Road and Snails Lane) are different sites but are located within the same geographical area. However they each have different flood risks, mitigation measures and levels of development proposed. Hightown Road (the application site) initially proposed development with a high amount of land within Flood Zone 3 (the area of highest risk) and consequently the EA took the approach of a detailed review of the applicants modelling. The applicant subsequently has proposed measures which would lower the flood risk and would change the flood zone to the site.
- 6.3.25 The query, therefore, as to whether it is reasonable to require an update to the flood risk hydrology is, according to the EA, affected by any recent history of flooding in the area. When the EA last provided a response on this application, the modelling was deemed as fit for purpose. There have not been any changes with the application proposal since, so the EA position remains unchanged.
- 6.3.26 Whilst the age of the flood model is noted, those advising the Council on flood matters have raised no objection to the proposal on flooding matters. There has been no change to the application proposal and as such the Environment Agency has confirmed that their position continues to remain the same. Whilst the EA has not currently asked the applicants to update their hydrology modelling, there is a requirement for post construction modelling and it is at this stage that the EA would most likely expect to ask for the hydrology to be checked and updated.

#### **6.4 Development Viability and the Affordable Housing Offer:**

##### **Strategic and non-strategic policies:**

- 6.4.1 Policy HOU2 of the Local Plan sets out a target that at least 50% of the dwellings within the development should be for affordable housing. The policy also requires that the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership
- 6.4.2 In March 2023 when Members of the Planning Committee last considered the proposal the application proposed a policy compliant level (50%) of affordable housing.

- 6.4.3 However, because the application is in outline, the actual housing mix (i.e., 1, 2, 3 or 4 bedroom houses/ flats), distribution of affordable housing across the site and types of housing was, and remains to be, unknown and is not a matter to be considered at this stage.
- 6.4.5 Since the previous consideration of the application the Ringwood Neighbourhood Plan has been made and now forms part of the Development Plan. As such in addition to policy HOU2, Policies R5 and R6 of the Neighbourhood Plan are part of the Development Plan and its policies are relevant to the matter of housing delivery on the application site.
- 6.4.6 Policy R5 seeks provision, in developments of five or more new homes, for more than 50% of units to be provided as smaller dwellings with one and two bedrooms.
- 6.4.7 Policy R6 supports the delivery of affordable housing as required by policy HOU2. The policy also seeks a minimum provision of 25% of new affordable homes to be provided as 'first homes'.
- 6.4.8 The Town Council, in the most recent set of comments, sets out that the policies of the Neighbourhood Plan are based on more up-to-date evidence than the Local Plan Part 1 policies and the Neighbourhood Plan has the greatest democratic mandate (for the neighbourhood plan area) of any of the policies in the Development Plan. The Town Council challenges the suggestion made by the applicant that the HOU policies should take precedence over policy R5.
- 6.4.9 If regard is had to paragraph 31 of the NPPF which says:

*Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.*

Then the key question is whether the HOU policies of the Local Plan are "strategic" policies or not and whether the policies of the neighbourhood plan would take precedence over these or not.

- 6.4.10 The reason why NPPF para 31 is limited to "non-strategic policies" is because a neighbourhood plan must be in general conformity with any strategic policies. If the HOU policies are considered "strategic" and there is a "conflict" with HOU2 then this raises a question of how the Ringwood Neighbourhood Plan was found to be in general conformity with the Local Plan. Clearly, the Examiner into the Neighbourhood Plan did not find any conflict and the Neighbourhood Plan is now adopted.
- 6.4.11 When considering the planning application for SS13 at Moortown Lane (21/11723) in November 2024 the Officer report clarified the position of the HOU policies relative to the policies of the Neighbourhood Plan. The Moortown Lane committee report set out that there is no definitive document that addresses whether the policies HOU1 and HOU2 are strategic or non-strategic policies. It is not clear from the Local Plan if the policies are "strategic" or not and therefore it was concluded that where it is not possible to comply with both policies there is a balance to be found between the policies of the Local Plan and the Neighbourhood Plan taking account of the Development Plan as a whole as well as other material considerations.

- 6.4.12 Clearly, there is difficulty in complying with both Local Plan HOU policies and Ringwood Neighbourhood Plan Policies R5 and R6. However, if a precautionary approach to policy implementation is adopted and it is assumed that the requirements for small homes, (as set out in policy R5 of the Neighbourhood Plan), would take precedence over policy HOU1, this conflict needs to be acknowledged. The implications for this are subsequently weighed in the planning balance.
- 6.4.13 Of course, if these housing policies are considered to be the “*most important for determining the application*” as set out in paragraph 11(d) of the NPPF, then they would in fact be considered as “*out of date*” in terms of the NPPF when applying the tilted balance.
- 6.4.14 The remainder of this report will therefore consider the compliance, or otherwise, with the relevant policies and any conflicts will need to be weighed in the balance by the decision maker.

*Development viability:*

- 6.4.15 The Committee report in March 2023 set out that:
- “...the applicant has advised that, as the application is in outline, the overall development costs including significant infrastructure and off site mitigation is still being assessed and reviewed as part of all abnormal costs of the development. If following further costing the development is unviable, the applicant will need to submit a financial viability assessment (FVA) to demonstrate why they cannot make the development viable if the policy level of affordable housing is delivered. In the event that the applicant seeks to make a financial viability assessment, this will need to be done as through a new planning application or prior to the determination of the application (in which the application will need to be re-assessed and brought back to committee)”* (Appendix A, para 10.15.4).
- 6.4.16 Since the resolution from committee in March 2023, the applicant has put forward such a viability case to the Planning Authority. This essentially contends that as a result of an increase in the scheme costs, and changes to expected values of sales receipts, the scheme can no longer afford to deliver a quantum of affordable housing at 50% as required by HOU2.
- 6.4.17 The applicants offer now is that the scheme will deliver a tenure compliant level of affordable housing against the requirements of policy HOU2 (70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership). However the overall quantum of affordable housing reduces from 50% down to 28%. The scheme also proposes zero ‘First Homes’.
- 6.4.18 The implications of this reduction in quantum, the proposed tenure mix and the omission of First Homes alongside the consideration of the scheme viability is discussed further below.

*Establishing a housing mix and small homes:*

- 6.4.19 Policy HOU1 of the Local Plan does not specifically set out or prescribe a housing mix. Rather the policy objective is to improve the diversity of housing choice and to achieve a balance of housing provision in general accordance with the housing needs evidence.

- 6.4.20 Figure 6.1 of the Local Plan is not part of a policy, rather it supports the policies and provides an indicative range for each tenure and size of home. This figure seeks a range for 1 & 2 bed units combined, three bedroom homes and four bedroom plus homes.
- 6.4.21 The Neighbourhood Plan policy requirement is based on more recent surveys prepared as part of the Plan evidence base for the Neighbourhood Plan from 2021. These surveys indicated a need for more 1 & 2 bed units in the Ringwood Plan area on the basis of trying to provide smaller and lower cost units for single people, young families and retirees.
- 6.4.22 Policy R5 of the Neighbourhood Plan seeks greater than 50% of units to be one and two bedroom dwellings of the total number of dwellings on housing schemes of 5 or more dwellings. That would equate to 201 units of the proposal needing to be a mix of one and two bedroom units in order to be compliant with this policy.
- 6.4.23 The applicant has, in the submitted statement, referencing the review of the Neighbourhood Plan policies, cross referred back to the text in policy HOU1 of the Local Plan which identifies that strategic site allocations are identified to meet the plan-area wide housing need and re-affirmed that the exact housing mix will be determined at reserved matter stage.
- 6.4.24 Officers note the content of the Neighbourhood Plan and the aspirations of the Neighbourhood Plan to provide more smaller homes to help residents of Ringwood buy their first home or downsize.
- 6.4.25 There is some synergy between the evidence of need for the Neighbourhood Plan and the Local Plan in that regard. Within the Local Plan supporting text paragraph 6.5 (page 58) sets out that

*“Current evidence... suggests a need for a greater proportion of new stock to be smaller-to-medium-sized homes”.*

Paragraph 6.6 also advises that:

*“Provision of more, smaller homes will help to meet the needs of newly forming households, including those not eligible for affordable housing. Smaller homes should be designed to be affordable and to meet the needs of newly forming households, or to be attractive to ‘down sizers’ when they no longer need their family home”.*

- 6.4.26 It is clear, therefore, that there was (at the time the Local Plan was examined and adopted) a plan-area wide need for smaller homes. This plan-area wide need is reflected to an extent with the identified local need within Ringwood and reflected in policy R5.
- 6.4.27 Figure 6.1 clearly identifies a bias towards the provision of smaller homes, especially in the affordable categories. However the upper range of smaller units in the local plan (Figure 6.1) varies dependant on tenure with market homes being 40% (ten percent different to the Policy R5), affordable rent being 70% (in excess of policy R5 by 20%) and shared ownership 65% (15% above policy R5).
- 6.4.28 Whilst the housing mix is not fully known at this stage, the applicant has submitted a viability assessment which is considered further below. The modelling for this assessment has included an indicative housing mix on which to

base its assessment (Appendix 9 of the Viability Report).

6.4.29 As set out previously, policy R5 of the Neighbourhood Plan seeks to secure a minimum of 50% of units as small homes. However even policy R5 doesn't break that down between and set out a level for one and two bedroom units.

6.4.30 The exact mix of homes will be provided at the reserved matter stage, but for the purposes of the viability report the table below shows the breakdown of dwelling sizes and tenure split measured in the assessment. This is set against the indicative mix aspirations of Figure 6.1 of the Local Plan.

<b>28% Affordable Housing</b>									
	<b>Market</b>	<b>%</b>	<b>Fig 6.1 (%)</b>	<b>Aff. Rent</b>	<b>%</b>	<b>Fig 6.1 (%)</b>	<b>Aff. Own'ship</b>	<b>%</b>	<b>Fig. 6.1 (%)</b>
<b>1-2 bed</b>	114	39.6	30-40	46	59	60-70	20	58.8	55-65
<b>3 bed</b>	121	42	40-50	25	32	25-30	10	29.4	30-35
<b>4+ bed</b>	53	18.4	20-25	7	9	5-10	4	11.8	5-10
	288	100		78	100		34	100	

6.4.31 It is clear that, on the whole, the proposed mix broadly aligns with the ranges in Figure 6.1 of the Local Plan. The main differences are that the number of four bedroom (plus) market homes is slightly lower than the range in Figure 6.1. The 1-2 bed affordable rented units are one percent off the lower end of the recommended range and the number of three bedroom shared ownership units is just outside the lower end of the percentage range. Finally the four bedroom (plus) shared ownership units is slightly higher than the range in Figure 6.1 of the Local Plan.

6.4.32 It is also apparent, that for the purposes of the viability modelling for this application that the indicative mix, when combining the one and two bedroom units, totals 180 units across all tenures. On a scheme of up to 400 homes (as this outline application seeks) this falls short of the policy R5 target to seek more than 50% as smaller units. The proposed mix would provide 45% of units as smaller homes and there is, therefore, some conflict with Policy R5 of the Neighbourhood Plan.

6.4.33 It is considered that given the outline nature of the application with all matters other than access for future determination, the provision of condition 7 will provide the mechanism to ensure that future reserved matter applications are designed with a suitable housing mix which may vary from that modelled in the viability report. The reserved matters will seek to meet the identified need at the time they are delivered. As details come forward each application will be considered against the requirements of the Local Plan and the Neighbourhood Plan to seek, where possible, compliance with the relevant policies.

6.4.34 Until the reserved matters come forward, there is clearly a tension between the applicants offer of 45% of "smaller homes" against the policy R5 requirement of the Ringwood Neighbourhood Plan.

6.4.35 However, it is also noted that the applicant is proposing up to 400 dwellings on the site. This is a greater quantum of development than the minimum figure set

out in the local plan policy SS14 (at least 270) and in real terms the consequence is that the site would likely deliver a greater number of smaller homes than the policy initially envisaged. The proposed 180 small homes (at 45% of 400 units) is greater than 135 small homes (50% of 270 units).

- 6.4.36 Therefore, whilst there is some conflict with R5, the objective of the policy, could be considered to be broadly met. Given that policy HOU1 does not prescribe a mix, the proposals are considered to be in general conformity with the Development Plan in this instance.
- 6.4.37 Given the comments of the Town Council regarding the neighbourhood plan policies taking precedence over the Local Plan policies, if a precautionary principle is adopted as set out earlier in this report over HOU policies being “non-strategic”, the requirements of policy R5 would take precedence over the housing mix requirements of policy HOU1 and HOU2 and the supporting text in figure 6.1 of the Local Plan. On this basis the proposal is contrary to policy R5 as submitted.
- 6.4.38 However, as set out above, there is no definitive document that qualifies the “strategic” nature of the HOU policies or not in terms of which has precedence.
- 6.4.39 As summarised above, to ensure a consistent approach to decision making, it is simply the case that it is not possible for a proposal to comply with both policies. Where a conflict arises this must be weighed in the balance as part of the decision making for this proposal given the identified need for such units.

#### *First Homes (Policy R6)*

- 6.4.40 As set out above, the provision of First Homes is a key component part of policy R6 of the Ringwood Neighbourhood Plan (RNP).
- 6.4.41 Since the adoption of the RNP the NPPF was amended in December 2024. The amendments to the NPPF relevant to First Homes is to remove the mandatory requirement for a prescribed 25 percent of affordable homes to be First Homes and to, instead, rely on the delivery of First Homes where local planning authorities judge that they meet the local need. The 2024 version of the NPPF is clearly an updated government position with regards to First Homes delivery and as such it is considered that weight is afforded to the requirements of the NPPF relative to the provisions of policy R6 of the RNP.
- 6.4.42 It is important to set out that the Local Plan directs through policy STR5 that the plan-area wide housing requirement for 10,420 dwellings between 2016 and 2036 will be met through a combination of housing sites including 6,000 homes to be delivered through a series of strategic site allocations; of which the application site is one. The housing delivery on the site is, therefore, contributing to the plan-area wide need as well as helping to address a local need.
- 6.4.43 The Council has set out in its “First Homes Advice Note” (which pre-dates the 2024 NPPF and the Ringwood Neighbourhood Plan) that it does not require First Homes to be provided and in this case the applicants proposal reflects this fact.
- 6.4.44 If First Homes – a specific kind of discounted market sale housing – were to be provided, the Council’s First Homes Advice Note is clear that First Homes could be an alternative to complying with the affordable housing tenure requirements of policy HOU2. This would have the effect of the numbers of homes for affordable rent and shared ownership being significantly reduced.

- 6.4.45 The Strategic Housing team has identified that there are 1,968 applicants on the Council's Housing Register covering both the plan-area of this local planning authority and the New Forest National Park. 47% of these applicants have a 1 bedroom home need and 32% have a 2 bedroom need. 267 of the 1,968 applicants have identified Ringwood as their area of choice, and of these 52% have a one bedroom need and 27% have a 2 bedroom need.
- 6.4.46 NFDC Housing caveat that this represents only those households currently positively identifying as being in affordable housing need (ie. they have applied to the NFDC Housing Register) and does not likely represent the full extent of the affordable housing need in the area. What is clear however, is the identifiable need for smaller, one bedroom rented units across the wider district, as well as in Ringwood, the supply of which would potentially be lost by the provision of First Homes.
- 6.4.47 Additionally, NFDC Housing has confirmed that there are high levels of interest (in excess of 1,000) households registered on the NFDC Shared Ownership interest list who have a confirmed interest in Shared Ownership with the Council.
- 6.4.48 As such, there is a very clear need for the proposed 112 affordable housing units across the three tenures set out in Local Plan Policy HOU2.
- 6.4.49 In this case there is also a clear and pressing need for smaller rented units in the plan area, wider district and also locally reflected in the Ringwood housing need statistics. The omission of First Homes from the scheme provides a conflict with policy R6 of the RNP. However, this is balanced against the revised NPPF from December 2024 and the offer to provide a tenure split compliant with policy HOU2 of the Local Plan, including the 70% of rented units which is considered to weigh in favour of the scheme and help meet the identified district wide and local housing need.

*Viability Assessment Review:*

- 6.4.50 Policy IMPL1 of the Local Plan requires developments to contribute proportionately to the provision of public amenities such as open space or facilities and the provision of affordable housing. The policy facilitates, in exceptional circumstances, and where it is demonstrated in a robust and independently tested viability study that if previously unknown development costs are identified that the Council will work with applicants to explore options to restore the viability of a scheme. The Policy sets out a hierarchy of steps to be considered:
- i) Vary the development if development costs can be reduced without unacceptably compromising the design quality or sustainability;
  - ii) Where possible, phase or defer contributions in whole or in part; and
  - iii) Vary, reduce or remove contributions that would have the least impact on the achievement of sustainable development.
- 6.4.51 As set out earlier in this report, the applicant has previously indicated that as the scheme developed and detailed costings were gathered that the viability would be kept under review. The applicant now seeks consideration of the proposal against the requirements of policy IMPL1. The applicant seeks agreement under this policy to reduce the quantum of affordable housing delivered with all other proposed amenities, infrastructure and facilities remaining as agreed.
- 6.4.52 The applicant's case for the reduction in affordable housing arises as a result of changes in a number of variables since March 2023. The applicant has

undertaken a review of the housing market and concluded that sales values have decreased over all house types but particularly for larger family house types. This has an impact on the likely income generated from the proposal.

- 6.4.53 There is currently a reluctance by Registered Providers to take on affordable housing secured by s106 agreements due to the limitation this has on other affordable housing funding streams. Consequently, it is proposed that affordable housing values have also dropped slightly.
- 6.4.54 The applicant's evidence is that in contrast to a fall in sales values, there has been a marked rise in construction costs when considering the standard BCIS build costs data. The applicant's submission sets out that in December 2023 the average equivalent rate when applied to the proposed unit mix was £129sq/ft yet at the start of December 2024 that had increased to £137sq/ft – an approximate 6% increase – and has continued to rise in the early part of 2025.
- 6.4.55 The applicant has set out that the enabling infrastructure costs for the proposed development are in the region of thirty three million pounds. These costs include high abnormal costs such as the provision of the main site access and the associated level change from the access down into the site along with the extensive ground works needs in order to deliver the flood mitigation works. These costs are significant abnormal costs when compared to other development sites.
- 6.4.56 The applicant sets out that in their view the benchmark land value – the level at which the land owner would typically be prepared to sell the land – is around £12.9 million.
- 6.4.57 When factoring the reduced sales values against the increased construction costs the applicant has put the case that a scheme delivering 50% affordable housing would put the benchmark land value well below the expected value the land owner would sell at.
- 6.4.58 By reducing the affordable housing offer from 50% down to 28% this enables the high value attributed to abnormal infrastructure costs to be accommodated and the benchmark land value becomes much closer to that which could be reasonably expected by the selling land owner. As such, it is the applicants case that at 28% affordable housing (and with the tenure split as per policy HOU2 of the Local Plan) the scheme is just about viable.
- 6.4.59 The applicant notes the matter of the quantum of small homes raised by the Town Council and the conflict of the scheme against policy R5 (as set out above). The applicant also notes the Town Council's comment that an increase in smaller units may assist with the viability of the scheme.
- 6.4.60 However it is the applicant's case that a greater number of smaller units doesn't actually help with the scheme viability. Rather, too many smaller units suppresses the values by having too many of the same product available.
- 6.4.61 Policy IMPL1 clearly requires any viability case to be independently tested. The Council has, in this case, instructed Bruton Knowles (BK) to review the applicant's viability case. The Council has also sought specialist development costs advice, to complement the BK advice, from Gleeds. The applicant notes that there are a number of areas where the relevant consultants agree. However, where there are differences, the applicant has responded to the BK advice. This response is included in the assessment below.

- 6.4.62 Using the same broad headings as those in the applicant's viability report the Council's independent review of the case has found the following:

*Sales values:*

The applicant has adjusted the values of the units in the viability assessment as a result of the increase in the average size and number of private units. Having reviewed the quoted prices and sales from nearby new-build housing schemes as well as re-sale evidence, BK concurs with the applicants blended expected sales rate.

- 6.4.63 With regard to the affordable residential values Bruton Knowles might still expect at least 50% of open market value to be achieved. The applicant applies 48.4% (£271 per sq ft) of open market value which is lower than what BK might expect. Given the timescales for the proposed development it would be reasonable to expect a return to normal affordable housing market conditions and BK adopt at least 50% of open market values.
- 6.4.64 In response the applicant advises that there is no justification by BK for their affordable percentage of 48.4% other than the fact that the market could improve. The applicant response sets out that the sales values for market and affordable used in their viability assessment are reflective of current market conditions and offers they are currently receiving from affordable housing providers. The applicant does not intend to amend their viability position in this regard.

*Build costs:*

- 6.4.65 Ringwood Town Council has commented on the applicant's viability report in detail. The appendices to the Town Council's comments challenge the differences in both construction costs between the two scenarios. For example, in the model with 50% affordable housing the average value per square foot has increased compared to the model for 28% affordable Housing.
- 6.4.66 The applicant adopts an average BCIS Build cost of £137 per square foot. It is the BK advice that, with regard to build costs, this cost relied upon by the applicant is too high. Gleeds has advised that due to economies of scale reductions in build costs of between 12% and 16% are realised by housebuilders on projects of £20m or above – which the development subject of this proposal would be. It should also be noted that projects profiled in BCIS are generally of developments of no more than 100 units, nor are there any projects in the data base reflective of developments undertaken by volume housebuilders. They have therefore adjusted BCIS build rates downwards and Gleeds revised estimate of base build costs is £121.60 per sq ft for flats and £94.26 per sq ft for houses.
- 6.4.67 For the purposes of seeking common ground BK have reviewed BCIS build cost data as at May 2025, re-basing this to the New Forest and for estate housing generally. This provides a lower quartile build cost of £125 per sq ft. This is significantly higher than Gleeds base build estimate but it is £12 per sq ft lower than the Applicant.
- 6.4.68 Taylor Wimpey has set out that the build costs in their assessment are reflective of the BCIS average equivalent rate at December 2024 when applied to the proposed (but indicative at this stage) unit mix which is reflective of a general trend of exponential cost increases. BK has taken the default period. Default is an average of up to 15 years but it is the applicants case that this does not readily reflect the exponential increases over the last 3 years including the costs

needed to accord with Part L (Conservation of fuel and power) and Part F (ventilation requirements) of the Building Regulations.

*Infrastructure and abnormal costs:*

- 6.4.69 The application site has a significant infrastructure cost relative to the northern access point and the connection into the site from Southampton Road. The road connection is elevated from the main site level and there is significant engineering required to facilitate this access. This is an abnormal cost borne by the developer. The other abnormal cost on this site of some significance is that of the land levels and material movement needed in order to facilitate the flood mitigation and areas of Alternative Natural Recreational Greenspace (ANRG); this is also a cost for the developer to accommodate. Such costs have a significant material impact upon the viability of the rest of the scheme.
- 6.4.70 The Council instructed Gleeds, a cost consultancy, to work alongside BK when reviewing the construction costs. There has been lengthy discussion between Gleeds and the applicant's costs consultant (Arcadis) to reach, where possible, common ground over the value attributed to certain areas of work. There are, however, certain parts of the project where the two consultants have not agreed on the level of costs attributed to different aspects of the scheme; this has a bearing on the outcome of the viability assessment.
- 6.4.71 Through engagement, Arcadis has reduced the applicant's enabling infrastructure costs. The applicant's position is now settled at £33,099,543. Gleeds have costed the works at £22,303,092, some £10 million difference,
- 6.4.72 BK has advised that if the applicant's infrastructure/abnormal costs of £33,099,541 is applied to the model (and taking the BK calculated land value – see below) in this scenario a policy compliant (50%) scheme would not be viable.
- 6.4.73 BK, however, rely on the Gleeds cost estimate whereby the scheme would be able to provide a greater level of affordable housing as a result of the lower infrastructure bill. BK has re-run the viability appraisal based upon the Gleeds costs and the BK suggested Benchmark Land Value (BLV) as considered below. When re-modelled the residual land value (the total value of the completed development, minus all development costs, including the target profit) output is £14,143,630. This would suggest that the scheme can support 50% AH when applying Gleeds' cost estimate and compared against the BK estimate of BLV.
- 6.4.74 In order to sensitivity test the development, and in an attempt to reach some common ground, BK has also considered the scenario whereby if an assumption of infrastructure/abnormal costs were to be made in the middle of the range of the two cost consultant estimates and adopt £27,948,042, then when applying the BK residual land value the output is £10,632,383 which would still provide a surplus above Benchmark Land Value.
- 6.4.75 Taylor Wimpey, like BK, acknowledge that the most significant difference is between the infrastructure and abnormal costs. The applicant has re-emphasised that the abnormal and infrastructure costs reflect the significant infrastructure required on the site including a new roundabout and a graded road into the site as well as the attenuation features. It is the applicants view that the sensitivity testing at a 'meet in the middle' figure undertaken by BK isn't sound as its not based on any actual costs, rather it's a figure between the Arcadis costs and Gleeds costs.
- 6.4.76 BK confirm that if the applicant's figure is used a policy compliant affordable

housing level would not be viable. The BK advice does not, however, question or challenge the Gleeds cost report figures. The applicant claims, in response to the BK advice that as a major volume housebuilder, it has extensive experience of providing this type of infrastructure on sites and a detailed knowledge of the significant costs involved based on quotes and contractor pricing. It is the applicant's position that their (Arcadis) figures are reflective of this experience and knowledge and should be used as the basis of the viability assessment.

*Benchmark land value:*

6.4.77 The Benchmark Land Value (BLV) is a figure that is established on the basis of the existing use value (EUV) of the land plus a premium for the land owner. This premium should reflect the minimum return at which it is considered a reasonable land owner would be willing to sell their land.

6.4.78 The PPG (Paragraph: 013 Reference ID: 10-013-20190509) advises that:

*“To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner”.*

6.4.79 Within the most recent set of comments received from the Town Council the land value is challenged. The Town Council has also had regard to the Government Guidance in the Planning Practice Guidance (Paragraph: 014 Reference ID: 10-014-20190509) on land values. Specifically the Town Council note that the guidance sets out:

*“Where viability assessment is used to inform decision making under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.”*

6.4.80 The applicant has confirmed that they have yet to purchase the site. The price that can reasonably be expected to be paid for the land is a key part of the assessment and establishing a robust BLV will ensure that the price paid for the land is not too high. In the event that the BLV is too high then this may have implications for the ability of a proposal to comply with the relevant policies. It may be the case that the value of the land still has a bearing on the overall ability of a scheme to comply with policies, but paying too much for the land would not be a relevant justification for a reduction in affordable housing – as set out in the PPG and as identified by the Town Council.

6.4.81 In this case the applicant's BLV, within their viability work, is £12,994,500. As set out above, the Council has sought advice from BK on the viability report from the applicant. BK has reviewed the submission but also had regard to other land transactions nearby – including the accepted BLV for the application at Moortown Lane (which is providing 30% affordable housing).

6.4.82 Ringwood Town Council makes reference in their representations to the land value changing from £5m up to £13m. Assuming all matters of costs and values are reasonable, the applicant's submission (Table 9 of the applicant's viability report) details that delivering the site with a policy compliant 50% affordable housing provision impacts significantly on the amount payable for the land. The BLV value drops to £4.9m. At this value it is unlikely that a landowner would likely sell the land at that price.

6.4.83 The applicant's submission re-runs the exercise (Table 10 of the viability appraisal) with a £12.9m BLV and the proportion of affordable housing reduces

from 50% down to 28%.

- 6.4.84 It is BK's advice to this Council that the applicants existing use value (the land value for the existing use of the land for the foreseeable future. It is not necessarily the market value of the land) for the land is at the upper end of the reasonableness range, but nonetheless is acceptable. A multiplier is typically applied to the existing use value to incentivise a landowner to sell the land. BK considers that the multiplier applied to the land value in the applicant's viability report is too high for agricultural pasture land and therefore suggests that a lower multiplier is applied. BK advise the Council that the resultant BLV should be £9,842,600.
- 6.4.85 In response the applicant is of the view that their multiplier is wholly appropriate and consistent for BLVs. The applicant promotes that Ringwood is a high value prime location. The applicant notes that other landowners are also at this level when providing viability evidence to NFDC. Landowners must be reasonably motivated to bring their land forward for development and it is accepted best practice that BLVs for greenfield sites should be set at 10 – 20 times Existing Use Values.
- 6.4.86 In this case the BK BLV of £9.8m (rounded to £10m) is considered, by BK, to be reasonable. The BLV range between applicant and Council's Consultants appears to reflect a reasonable value on the land when compared to other potential land transactions in the locality.
- 6.4.87 The £5m BLV noted by the Town Council in referring to Table 9 of the viability assessment would seem to be a consequence of how the model is run rather than a BLV realistically being as low as £5 million.

*Profit:*

- 6.4.88 The Town Council has queried the viability report with regards to the degree of profit taken by the developer. Typically it is accepted that, depending on the risk attributed to a project, that a developer would seek between 15-20% as profit from a scheme.
- 6.4.89 The Town Council make the point that with only 28% affordable housing provision – the current offer – that the profit is over 25%. This varies if the BLV is adjusted down to five million pounds. BLV is considered above and it is not appropriate to reduce the BLV to £5m.
- 6.4.90 However, the profit levels in Table 10 of the viability appraisal (with 28% affordable housing) suggests a profit of 17.73% and the profit level in table 9 of the appraisal (with 50% affordable Housing) is 15.96%.
- 6.4.91 It is BK's advice to this Council, taking into account the relevant risks associated with the development, that an acceptable profit margin should be 16.03%.
- 6.4.92 At the end of the BK advice, further analysis demonstrates that even with very small changes in build costs and sales figures this has a significant impact on viability, even when applying the BLV suggested by BK. The applicant submits that this demonstrates how small movements in prices/costs and sales figures can impact a scheme. As an established housebuilder, the applicant claims a very sound and robust understanding of current costs, sales values and market expectations that are reflected in the robust figures within their viability assessment.

Consideration and conclusions on viability and the affordable housing offer:

6.4.93 The Planning Practice Guidance (Paragraph: 008 Reference ID: 10-008-20190509) is quite clear that

*“The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case...”*

6.4.94 Having regard to the policy requirements of the Local Plan, Neighbourhood Plan and other saved policies that comprise the Development Plan for the determination of this application, it is clear that there is some policy tension with some of these policies.

6.4.95 However, as set out above policy IMPL1 enables the consideration of a viability appraisal where such a conflict exists and that the Council will work with applicants in an attempt to restore the viability of a scheme. Officers have undertaken to engage with the applicant in order to implement policy IMPL1.

6.4.96 It is clear from the above that there remains differences between the consultants advising the Council and the applicant on the viability of the scheme and the resultant level of affordable housing that can be delivered on site as well as the potential future housing mix.

6.4.97 The main difference between the applicant and those advising the Council at BK and Gleeds is the value of the abnormal costs; the difference between the parties here is significant. However, if the applicants costs were to be accepted the offer of 28% for affordable housing results in a viable scheme. Furthermore it is noted that such an offer is comparable with the 30% offer considered acceptable at the nearby Moortown Lane scheme.

6.4.98 The advice from BK, however, is that the costs appraisal undertaken by Gleeds should be used instead of the applicant's figure which results in a scheme where viability is improved and a greater quantum of affordable housing could be delivered even as far as at a policy target level of 50%.

6.4.99 Whilst there are differences between the applicant and the consultants at BK advising the Council the applicant has indicated that the 28% affordable housing offer is the final offer. It is the applicant's view that the costs review exercise between Gleeds and Arcadis has scrutinised the project in detail and the values have been reduced as far as it can. Compromises have been made where the applicant believes it can.

6.4.100 Given the BK and Gleeds advice to the Council, it has to be concluded that the level of 28% affordable housing is not yet agreed between the parties.

6.4.101 This full and final offer of 28% clearly falls somewhat short of the 50% policy target and the proposal is therefore contrary to policy HOU2. Furthermore, as identified earlier in this report the housing mix used in the modelling for the viability appraisal falls marginally short (c.6%) in terms of smaller units against the target sought in policy R5 of the Neighbourhood Plan.

6.4.102 The proposed tenure mix of the 28% affordable housing meets the policy requirements with regard to tenure and this does weigh in favour of the scheme.

6.4.103 However, the failure to provide either a policy compliant level of affordable housing when those advising the Council are of the professional view that the scheme could deliver more than that on offer, nor a policy compliant level of

smaller homes (when measured as a percentage of the quantum of development proposed) both weigh against the scheme. These conflicts with the Development Plan will be weighed in the balance at the end of this report.

## **6.5 The Ringwood Neighbourhood Plan**

6.5.1 It is noted that the report to committee in March 2023 had regard to the Neighbourhood Plan and its emerging status. However, now that it is made, it forms part of the adopted Development Plan and is afforded full weight in decision making.

6.5.2 There are seven policies which are relevant to the determination of this application: Policies R1, R5, R6, R8, R9, R10 and R11. As set out above, the applicant has submitted a review of the scheme against the policies of the Ringwood Neighbourhood Plan prepared by Lucid Planning. The matters pursuant to policies R5 (small homes) and R6 (first homes) are addressed in the above viability sections of the report. The other relevant policies are considered further below:

### *Policy R1: A Spatial Plan for Ringwood.*

6.5.3 Policy R1 sets out the Neighbourhood Plan's vision to focus new development on brownfield first and other opportunities within the settlement boundary utilising to reduce the need for Green Belt releases and to restore and strengthen Ringwood's status as a Chartered Market Town. The policy seeks to tackle the effects of traffic congestion through the effective promotion of other means of travel than the car including the delivery of walking and cycling measures to better connect the new communities at Moortown Lane and at the application site off Hightown Road. It is considered that the proposals would accord with policy R1.

### *Policy R8: Building for a Health Life.*

6.5.4 Policy R8 requires a Building for a Healthy Life Assessment to be included within the Design and Access Statement, submitted with an application. This was formerly titled 'Building for Life 12' and seeks, through a set of recognised criteria, to ensure that development sites will respond to its context, create a place with an identity and manage resources through the lifetime of the development. The assessment is undertaken with an easy to understand 'traffic light system'.

6.5.5 The applicant notes that the master-planning work for the site is addressing many of the building for a health life design elements. The applicant contends that the submitted masterplan sets a framework for the proposals, when designed in detail, to comply with the assessment and thus the policy. The checklist will be completed as part of the reserved matter applications.

6.5.6 In the most recent representations from the Town Council concern is expressed that by making this assessment part of a reserved matters application the Town Council would not have the opportunity to comment on the proposals.

6.5.7 Given that the application is made in outline with only access for detailed consideration, the master planning work only provides for development parameters. It is not considered unreasonable that the building for a healthy life assessment will be completed through the detailed design process as reserved matter applications are prepared. The Town Council would still have the opportunity to comment on the reserved matter submissions relative to the

compliance with policy R8. No conflict is identified with this policy for the current application.

*Policy R9: Creating a Green Infrastructure and Natural Recovery Network*

- 6.5.8 The 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 through the parish.
- 6.5.9 Regard is had within the submission to creating, maintaining and improving the Network in the design of the proposal with specific regard to the parts of the site that have a relationship with the Network adjacent to the site.
- 6.5.10 It is considered that the masterplan submitted with the application has addressed many of the elements required of the policy and there is no identified conflict.

*Policy R10: Zero Carbon Buildings*

- 6.5.11 Policy R10: Zero Carbon Buildings requires all developments to be zero carbon ready and, wherever feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m<sup>2</sup>/year.
- 6.5.12 The applicant has set out in the application documents that as an organisation it has an ambitious target to reach net zero in its operations by 2035 and across its value chain by 2045. This is ahead of the UK's target. The applicant makes the point (as it did to the Neighbourhood Plan examination) that it should be recognised that, homes will only become truly net-zero once the electricity grid has been decarbonised, so the ability to comply is not completely in the hands of the housebuilding industry.
- 6.5.13 The Town Council, in the latest set of comments, challenges this position. Firstly, the policy has been found sound through the examination and is now adopted as part of the Development Plan. The applicant is therefore required to address the policy requirements.
- 6.5.14 Secondly the Town Council, on review of the applicants viability proposal, notes that the house types used in the modelling are house types that have been built elsewhere and so they will already have the space heating demand figures and thus complying with the policy should not be a difficult task.
- 6.5.15 It is commendable that Ringwood Town Council is seeking to improve the sustainable nature of construction across the plan area through policy R10. It is considered that whilst the applicant may have a selection of established house types – along with their associated performance – the detailed design stage would be the right time to secure the compliance with policy R10. It is noted that criterion e) of the policy requires a "Climate Change Statement" to be submitted to demonstrate compliance with the policy. Such a Statement could be secured by an additional planning condition as part of the recommendation. The relevant Statement would need to accompany any reserved matter application which contains residential or commercial built development. Subject to the addition of such a policy, there is no current conflict with policy R10 of the Neighbourhood Plan.

*Policy R11: Encouraging Active and Healthy Travel*

- 6.5.16 Policy R11 identifies several Local Cycling and Walking Infrastructure Plan

Improvement Opportunities. The application proposals seek to help mitigate the proposal by providing crossings north of Hightown Road in accordance with this policy. The transport strategy for the application also complies with the requirements of part C of the policy in so far as it will encourage sustainable public transport, minimise trips outside of the parish and encourage the use of zero-emission vehicles where possible.

## **6.6 Ecology**

6.6.1 Given the passage of time in the consideration of the application updated ecological surveys have been provided as part of the most recent package of amendments. Historically the majority of the ecological information in support of the application was gathered in 2018 and 2019. The environmental statement with the application sets out that surveys have a lifespan, typically, of two years.

6.6.2 The documents submitted in April 2025 includes a targets suite of updated surveys to deal with:

- UKHabs survey;
- Reptile surveys;
- Badger surveys;
- Bat activity surveys;
- Dormouse surveys;
- Breeding bird surveys;
- Nightjar surveys; and
- Barn owl surveys.

6.6.3 In the most recent comments the Town Council queries the reference to Britford Phosphate Mitigation Scheme (when referring to the viability calculations). Such a scheme is not yet active and this inaccuracy should not, it is recommended by the Town Council, be supported.

6.6.4 Whilst the Britford Scheme is not yet available for the purchase of credits, there are other providers which have capacity to service the developments in the plan area. To that end, whether the applicant secures credits from either supply (assuming Britford becomes available by the time construction starts) the scheme is able to adequately mitigate the phosphate impacts of the proposal.

6.6.5 It is considered that the ecological enhancement measures could be secured by planning condition

6.6.6 The updated surveys found no badger setts. However there are signs of badger activity around the site perimeter. It is reasonable, therefore, to continue to require a pre-construction badger survey check by condition

6.6.7 The 2024 update surveys detected three active hazel dormice. It is therefore considered that dormice may be present within all linked suitable areas of the site including scattered trees, scrub, woodland and hedgerows. Dormice (a European protected species) were not previously identified as present on-site.

6.6.8 Additional mitigation measures to protect dormice and their habitats are provided in Section 5 of the update report and the impacts assessed. The Council's Ecologist is content with the mitigation proposed and assessment undertaken. The removal of scrub and hedgerows will need to be undertaken under licence from Natural England and form part of the Ecology Management Plan (EMP) to be secured by condition.

## **6.7 Public Transport**

- 6.7.1 Criterion (vi) of policy CCC2 of the Local Plan seeks to ensure that development provide or contribute proportionately to the provision of public transport measures.
- 6.7.2 Public transport, specifically a bus service improvement, is detailed in Appendix A from paragraph 10.9.26. The public transport strategy is comprised of two parts. First was an agreed contribution to provide for an expanded Ringo Service between the hours of 0700 and 1900 Monday to Friday and 1000 and 1600 on Sunday and bank holidays. Ultimately, and the second part of the public transport strategy, is to divert an existing service through the application site.
- 6.7.3 Since the consideration of the application in March 2023 the position regarding the public transport strategy has evolved. The bus operator (Go South Coast) has indicated that the site will be able to accommodate a diverted service and that service would remain viable so the overarching strategy remains as it was previously. However the first phase, or the interim strategy on public transport, has changed since March 2023.
- 6.7.4 The bus operator does not feel extending the existing Ringo service to cover peak times is viable given the commitments of its fleet to other operations. As such, as was the case with Moortown Lane on SS13, a contribution will instead be secured towards a taxi share scheme for the early morning hours and evening hours Monday to Friday and to allow for an element of travel on a Sunday and bank holidays.
- 6.7.5 A taxi share is a flexible and cost-effective way of serving the site by public transport. It also supports a hub and spoke approach, allowing convenient access to Ringwood bus station for onward, longer distance, journeys by bus. Furthermore, it would provide useful demand data for decisions to be made by Go South Coast in the future regarding the viability of running the commercial bus service to the site.
- 6.7.6 Finally, given taxi services are tendered so HCC is only charged when a journey is undertaken, it would enable the site to be served by public transport at minimal cost from first occupation, instilling sustainable travel patterns from the outset.
- 6.7.7 The change from an extended Ringo Service to a taxi share service for the same extended service hours is acceptable to the Highway Authority. Furthermore it could well be combined with the service secured at Moortown Lane (SS13) if the two strategic sites are delivered at similar times. The taxi share service will be secured by means of a contribution to HCC and this will be secured through the Section 106 Agreement.
- 6.7.8 On the basis that the required public transport contribution is secured the proposal is considered to be acceptable and would comply with policy CCC2 of the Local Plan.

## **6.8 Rights of Way**

- 6.8.1 Policy CCC2 seeks to prioritise safe and convenient pedestrian access within developments by linking to existing walking networks. The impact of the development on the local rights of way network remains as it was in the March 2023 committee report. See Appendix A, paragraph 10.9.56 onwards.
- 6.8.2 After the application was last considered by the Planning Committee, a further representation was received from the Hampshire County Council Countryside Service (HCCCS). This is summarised in the consultations section above.

6.8.3 There is a public footpath across the site (number 34) and the integration of that path into the layout of the development will be addressed by the development proposals in discussion with HCCCS (As set out in Appendix A). The County Council is also seeking a maintenance contribution for the route through the site.

## **6.9 Impacts upon the New Forest National Park**

6.9.1 The NPPF December 2024 (Paragraph 189) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

6.9.2 The Levelling Up and Regeneration Act ('LURA') (2023) section 245 (Protected Landscapes) has come into force since the application was last considered by the committee. The LURA amends the duty on relevant authorities in respect of their functions which affect land in National Parks and National Landscapes (formerly Areas of Outstanding Natural Beauty) in England. Relevant authorities must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes.

6.9.3 The consideration of the visual impacts of the development on the National Park are set out at paragraph 10.6 of the Officer Report at Appendix A. The proposal broadly reflects the arrangement of spaces and uses set out in the illustrative Local Plan Concept Masterplan for SS14 with the built form sited to the west and the open space and ANRG to the east on the higher ground and the area of the site closest to the national park.

6.9.4 On this basis there is no reason to fundamentally disagree with the assessment previously undertaken with regards to the impact upon the national park.

## **6.10 Addressing Climate Change**

6.10.1 Policy STR1 of the Local Plan requires that new development is adaptable to the future needs of occupiers and future-proofed for climate change and innovations in transport and communications technology. Furthermore policy ENV3 sets out that new development will be required to incorporate design measures that improve resource efficiency and climate change resilience and reduce environmental impacts wherever they are appropriate and capable of being effective.

6.10.2 On 11 October 2021 New Forest District Council declared a Climate and Nature Emergency. The Planning for Climate Change SPD was adopted by the Council in April 2024 as part of this Council's actions to tackle the emergency. The SPD provides supporting guidance on the interpretation and implementation of the policies in the adopted Local Plan when determining of planning applications for the construction of new homes, commercial and community buildings.

6.10.3 The principal objective of the Climate Change SPD is to encourage developers to take reasonable steps to minimise expected carbon emissions when designing and constructing new buildings. There is some relationship therefore between the requirements of the SPD and policy R10 of the Neighbourhood Plan. However policy R10 sets out ambitious, more detailed policies than that sought in the

adopted Local Plan policies themselves.

- 6.10.4 Criterion a) of policy R10 requires that all development should be “zero carbon ready” by design to minimise the amount of energy needed to heat and cool buildings through landform, layout, orientation, massing and landscaping.
- 6.10.5 Criteria b) and d) of policy R10 require that, where feasible, all buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m<sup>2</sup> /year (criterion b) and applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment (criterion d). Part c) of the policy requires development to demonstrate, through testing, that the buildings permitted will perform as expected.
- 6.10.6 It is noted that criterion e) of the policy R10 also requires a “Climate Change Statement” to be submitted to demonstrate compliance with the policy. The Planning for Climate Change SPD requires applications to be supported by sufficient information to demonstrate how the proposed development will meet Local Plan requirements in relation to climate change. This evidence will also need to be submitted in a Climate Change Statement (CCS) that addresses all the best practice objectives and information requirements set out in the SPD.
- 6.10.7 In support of the application is a document titled “Sustainability Statement”, dated January 2022. This clearly pre-dates the adoption of both the Planning for Climate Change SPD and the Ringwood Neighbourhood Plan.
- 6.10.8 The applicants Sustainability Statement acknowledges the policy context and the wider global challenges of climate change. The Statement however highlights that as the proposal is in outline form, many design aspects have yet to be prepared. These will need to be agreed in future submissions at which point the development would adhere to the latest guidelines and requirements.
- 6.10.9 As an outline planning application with only the points of access submitted for detailed consideration, there are no detailed building designs proposed against which the requirements of policy R10 or the Climate Change SPD can be fully tested. In their representations on this matter, the Town Council consider that the applicant, as a major housebuilder, would have the necessary data for their potential house types available now which could be tested. However, requiring such an assessment to be undertaken on what would only be hypothetical future building designs prior to the determination of this planning application is unreasonable. Such an assessment should rather be secured at each reserved matter stage when the proposed buildings are fully designed for the site and demonstrated through a Climate Change Statement. Subject to a condition securing such a Statement the proposal is considered to accord with the Planning for Climate Change SPD, policies STR1, ENV3 of the Local Plan and policy R10 of the Neighbourhood Plan.

## **6.11 Revisions to conditions since March 2023.**

- 6.11.1 The conditions in the recommendation of Appendix A are repeated below in the recommendation with the following amendments:
- 6.11.2 Condition 5, the plans condition, is adjusted to take account of the revised Parameter Plans as considered earlier in this report.
- 6.11.3 Conditions were previously recommended to address archaeology. However, as is set out in Appendix A at paragraph 10.19.3, the applicant has already

undertaken trial trench evaluations across the site. The Council's archaeologist has, since the March 2023 committee resolution, advised that no further archaeological investigation work (evaluation or watching brief) will be required for the development as currently proposed due to three factors:

- 1) Trenched evaluation undertaken across rest of the site did not produce archaeologically significant results.
- 2) The geophysical survey did not identify anomalies thought to be archaeologically significant within the unevaluated area.
- 3) The development design plans show public green space across most of the unevaluated area, so the expected level of ground intrusion is relatively low.

Conditions 9 and 10 within Appendix A can, as a result, be deleted from the recommendation and those thereafter are re-numbered accordingly.

- 6.11.4 An additional condition is added (Number 22) to the recommendation to deal with the need for a Climate Change Statement to accompany reserved matter submissions.
- 6.11.5 Condition 29 in Appendix A sought to secure details of electric vehicle charging points. Such infrastructure is now required through the Building Regulations and as such a condition is not reasonable nor necessary. Condition 29 is suggested for deletion and those thereafter are re-numbered accordingly.

## **6.12 Tilted Balance and conclusions**

- 6.12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

*'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'*

- 6.12.2 As set out earlier in this report Paragraph 11 of the NPPF clarifies the presumption in favour of sustainable development. Paragraph 11(c) states for decision making this means approving development proposals that accord with an up-to-date development plan without delay.
- 6.12.3 The lack of a demonstrable five-year housing land supply however, means, that the presumption in favour of sustainable development - 'the tilted balance' - in NPPF paragraph 11(d)(ii) is engaged for this application.
- 6.12.4 For decision-taking this means: Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

*'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*

- 6.12.5 In firstly considering the adverse impacts, the above report clearly identifies a small under provision of smaller homes when considered against policy R5 of

the Neighbourhood Plan. The proposal provides 45% of the homes as smaller (1-2 bedroom) against a policy requirement of more than 50%.

- 6.12.6 As set out in the planning assessment above, housing mix policies in both the Local Plan and the Ringwood Neighbourhood Plan seek to secure a greater proportion of smaller homes from development proposal in order to address both the local and plan-wide needs. This shortfall of at least 5% of smaller units must weigh against the proposal.
- 6.12.7 In addition to the under provision of smaller homes, the proposal also fails to meet the policy target in policy HOU2 of 50% affordable homes.
- 6.12.8 It is noted that the December 2024 additions to paragraph 11(d)(ii) of the NPPF explicitly identifies “...*providing affordable homes*” as a matter that requires the decision maker to have particular regard to.
- 6.12.9 The above consideration of the applicant’s viability report clearly concludes with there being differences between the applicant and those advising the planning authority on the level of affordable housing that the scheme is viably able to deliver.
- 6.12.10 However the applicant is of the view that the offer of 28% affordable housing is the minimum the scheme can provide whilst remaining economically viable and as such is their full and final offer. This under provision of affordable housing against the policy target of policy HOU2 also weighs in the balance against the proposal, especially given the amendments to paragraph 11(d)(ii) of the NPPF in this regard.
- 6.12.11 The lack of any ‘first homes’ being delivered is in direct conflict with policy R6 of the Neighbourhood Plan. This therefore weighs against the scheme.
- 6.12.12 As is set out above, the proposed amendments to the parameter plans result in a very small reduction in space for the ANRG and employment land. Whilst this is considered to be an identifiable harm, the weight of the harm is limited given that the likely housing mix as controlled through the proposed condition will ensure that there is adequate ANRG and open space provided. In addition, mechanisms in the S106 are proposed to ensure that a policy compliant level of ANRG is secured with each reserved matters application.
- 6.12.13 Moving to the consideration of the benefits; the application seeks planning permission for the development of a housing allocation site within the urban area and benefits from the support of Policy SS14 of the Local Plan. The proposal would make an important contribution to the Council’s housing supply and also includes the provision of affordable homes.
- 6.12.14 The applicant is keen to progress the delivery on the site and is motivated to the delivery of homes in the short to medium term. The planning system should be plan-led and given that other sites in the Local Plan are not being delivered or have appear to have stalled, the delivery of an allocated site in the development plan must be a material consideration of significant weight.
- 6.12.15 The 400 dwellings proposed in this application significantly exceeds the minimum of 270 dwellings required in policy SS14. The plans and information submitted with this application demonstrate that these additional 130 dwellings are capable of being accommodated in principle, subject to more detailed consideration at a later, reserved matter, stage. This potential increased housing delivery is a positive benefit, particularly in the context of the Council

currently being unable to demonstrate a five year land supply position.

- 6.12.16 An effect of these additional 130 dwellings over and above the minimum set out in policy SS14 is that in total, 112 dwellings would be delivered as affordable housing in this application compared with 135 affordable homes that would have been sought as a target if delivered as 50% of the 270 dwellings minimum required. The delivery of 112 affordable homes weighs in favour of the scheme.
- 6.12.17 Turning to the consideration of the potential delivery of smaller homes; the Neighbourhood Plan's requirement of 50% 1 & 2 bedroom dwellings applied to the minimum scale of development sought in policy SS14 would result in a requirement for 135 homes as 1 & 2 bedroom dwellings. This application is proposing to deliver 180 units as 1 & 2 bedroom dwellings, some 45 more than would have been sought as 50% of the minimum 270 dwellings required by policy SS14.
- 6.12.18 Policy IMPL1 clearly facilitates the ability of an applicant to review a scheme where viability becomes an issue such as in this case. In addition it is noted that this Council has accepted, on other schemes, a reduction in the proportion of affordable housing secured against the HOU2 target at comparable levels to that now offered by the applicant.
- 6.12.19 The tenure mix of the proposed housing between rented and shared ownership would be compliant with the requirements of policy HOU2 and, in combination with the actual numbers of affordable dwellings that would be secured on this development, this weighs in favour of the scheme and will help meet this Council's identified need.
- 6.12.20 The proposal will be acceptable, subject to a s106 and suitable conditions, in terms of highways, public transport, construction traffic management, public rights of way and pedestrian and cycle routes.
- 6.12.21 The submitted flood mitigation measures will ensure that the flood risk on site and off site is safe for the lifetime of the development and through appropriate management could even result in some betterment to the off site flow of surface water.
- 6.12.22 The proposal will, as set out in the Planning Assessment of this report and that in Appendices A & B, be acceptable subject to a s106 planning and suitable conditions in terms of habitat mitigation and European designated nature conservation sites, nutrient neutrality, biodiversity enhancement and protected species.
- 6.12.23 During the construction period there will be economic benefits to the town and local area through employment opportunities and by virtue of an increase in spend and footfall to local amenities and the wider town as well as more permanent benefits once the new homes and employment floorspace is occupied.

Conclusions:

- 6.12.24 It is considered that the harm identified in terms of the under provision of the proportion of affordable homes secured against the policy target and the under provision of the proportion of smaller homes carries some weight in taking a decision on this application.

- 6.12.25 However, the application would also bring a range of benefits, most notably of which is the delivery of up to four hundred homes which is a reasonably substantial amount of housing that would contribute towards the housing requirements of the plan-area. These homes represent a significant increase over and above the 270 homes required as a minimum in policy SS14 and generate a greater number of smaller homes than would otherwise have been secured against a scheme of 270 homes.
- 6.12.26 The development of the site would bring forward housing on an identified and allocated site in a sustainable location with access to the facilities and amenities of Ringwood. The general distribution of land uses are broadly in accordance with the concept masterplan in policy SS14 of the Local Plan; an arrangement that was previously found to be acceptable by the Committee and remains unchanged. Furthermore, the proposal would deliver an appropriate form of development sensitive to the landscape of the site and the adjacent National Park.
- 6.12.27 The proposed public open spaces continue to be acceptable in principle and provide suitable ecological, flood water management, drainage, access and open space features within the application site.
- 6.12.28 In the short term the proposal would generate economic benefits through potential construction employment opportunities and also footfall and spend in the surrounding areas. On occupation the development would help ensure the vitality and viability of the town through the increased population helping to support the town's amenities.
- 6.12.29 Whilst some adverse impacts are identified, the Council finds itself in the midst of a housing crisis with its housing land supply position at 2.39 years. Accordingly, the requirement for the delivery of housing on an allocated site - even with the under provision (as a proportion) of affordable housing when set against the policy target, an under provision (as a proportion) of smaller homes and no first homes - is considered to weigh substantially in favour of the proposal.
- 6.12.30 Furthermore given that the site has been allocated for development within the adopted Local Plan, delivery of housing on this site would be sustainable development in the terms of the NPPF for which there is a presumption in its favour.
- 6.12.31 Therefore, in the current circumstances the combined adverse impacts would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. On that basis, the application would represent sustainable development in the terms of the NPPF, which is a material consideration that, in the particular circumstances of the case, outweighs the conflict with the development plan as a whole.
- 6.12.32 Accordingly, on balance, the application continues to be recommended for permission subject to the prior completion of the necessary legal agreement and conditions.

## **7. Recommendation:**

Delegated Authority be given to the Service Manager (Development Management) to **GRANT OUTLINE PLANNING 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:
- **Affordable Housing (AH)** - 28% of the proposed dwellings as Affordable Housing in a policy compliant mix, in which the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership. Phasing delivery of units to be agreed, and long-term retention as AH.
  - **Biodiversity net gain (BNG).**
  - **Community use off site contribution** - There will be a requirement to secure appropriate contributions to community facility off the site, together with any further agreement needed to secure delivery and ongoing community use
  - **Public Open Space**
    - There will be a requirement to secure a policy compliant level of public open space within the development to an approved design.
    - There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design
    - There will be a requirement to secure the long term maintenance of the Public Open Space and Childrens Play Areas
  - **Education Contribution** - There will be a requirement for developer to pay a contribution of £1,721,100 to primary and junior education provision.
  - **ANRG provision** and maintenance and monitoring
  - **ANRG Mitigation Land**
    - There will be a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
    - There will be a requirement for a detailed management plan and contribution to future monitoring of the SANGS. The SANG must be laid out as agreed together with a Habitat Mitigation Scheme and made available for use prior to first occupation of any Dwelling on the land.
    - There will be a requirement to secure the long-term maintenance of the ANRG land and associated maintenance contributions.
  - **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula
  - **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
  - **Flooding and drainage** - There is a requirement for the developer to provide a flood mitigation scheme prior to first occupation, together with its maintenance and long term management. There is also a requirement to provide a surface water drainage scheme on site, together with its maintenance and long term maintenance.

- **Air quality assessment monitoring contribution** in line with Local Plan policy.
- **Off-site highway works** -There will be a requirement to secure the provision, implementation, timing and delivery of the accesses, junction and associated highway works along the A31 Slip road , Southampton Road and Hightown Road.
- There will be a requirement to secure the provision, implementation, timing and delivery of a link road to an adoptable standard between the A31 Slip road and Hightown Road. The relief road shall be implemented and made available for use prior to the occupation of the 200th Dwelling.
- The internal relief road will need to be offered for adoption to the highway authority
- There is a requirement to provide a footpath along the northern side of Hightown Road towards Crow Lane
- There is a requirement to provide a crossing point along Hightown Road
- There is a requirement to secure a financial contribution towards a new footpath link from the application site through the existing Ash Grove play area to the existing public footpath in Ash Grove.
- There will be a requirement to make a financial contribution towards the maintenance of PROW 34
- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- There is a requirement to secure sustainable travel improvements including new bus stop(s) on Eastfield Lane and provision of a financial contribution towards a taxi-share scheme to cover the hours of 0700 and 1900 Monday to Friday and 1000 and 1600 on Sunday and bank holidays and the re-routing of an existing bus service through the site along the link road within six months (or as otherwise agreed with the Planning Authority in consultation with the bus operator and Highway Authority) of the link road being open to through traffic
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Gardens/ Hightown Road together with footpath realignment;
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Old Stacks Gardens/ Hightown Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Road/ Eastfield Lane
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Woodford Close/ Eastfield Lane
- Three pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Ash Grove
- Re-location of Bus stop along Eastfield Lane/ Ash Grove
- financial contribution towards a new footpath through the existing play area to the west of the site to link onto Ash Grove

- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Hightown Road opposite bus stop and near Ash Grove
- Crossing along Eastfield Lane at the end of the pedestrian/cycle link within the site
- A pedestrian crossing with dropped kerbs and tactile paving along Parsonage Barn Lane/ Cloughs Road
- A pedestrian with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Cloughs Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Eastfield Court
- Eastfield/Southampton Road Contraflow cycle lane, road marking and signage to provide more direct route to Gorley Road for northbound cyclist
- Seek to remove stiles/narrow kissing gates to improve access to Footpath 34 and review the potential to upgrade the route to a multi-use path. This would enable more users to use the route between residential areas to the west and the countryside to the east via Milky Down Back Lane
- **Provision of a full Travel Plan** with bond, monitoring fees and approval fees.
- **Other Mitigation Contributions and Measures**
- There will be a requirement to secure the **New Forest Access and Visitor Management Contribution, the New Forest (recreational impact) Monitoring Contributions and the New Forest Air Quality Monitoring contributions** in full.
- **Monitoring contributions**

Then

- 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.

### **General Conditions applying to all parts of the development**

#### **Condition 1 – Time Limit for Approval of Reserved Matters.**

The first application for the approval of reserved matters shall be made within a period of three years from the date of this permission.

All subsequent reserved matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004). 2.

#### **Condition 2 – Time Limit for Commencement of Development**

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004). 3.

#### Condition 3 - Development phasing plan

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan, the number of reserved matters phases and including all on and offsite works, including all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage and highway works, shall be submitted to and agreed in writing with the LPA. The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted or to be permitted as part of future phases. 4.

#### Condition 4 – Reserved Matters Details

In respect of each phase of development, no development shall commence until the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the reserved matters, as well as any outstanding conditions set out below), insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

#### Condition 5 - Parameter Plans

The reserved matters shall fully accord with the Development Parameter and Access Plans comprising:

- Landscape Parameter Plan No RG-M-38 Rev F
- Land Use Parameter Plan No RG-M-08 Rev AC
- Access and Movement Parameter Plan No RG-M-37 Rev H
- Building Heights Parameter Plan No RG-M-39 Rev K
- Density Gradient Parameter Plan RG-M40 Rev B

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context.

#### Condition 6 - Landscape & ANRG Framework

The layout and landscape details to be submitted in accordance with condition no. 4 above shall be broadly consistent with the design principles and strategy that are illustrated on the illustrative Landscape Principles Drawing No JSL\_3037\_160 Rev: B and ANRG Layout Principles Drawing No: JSL\_3037\_170 Rev: B and illustrative Landscape Strategy DRG No. : JSL3037\_101 Rev G or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of an appropriate landscape framework that will provide a high quality setting for the development, and which will provide suitable recreational opportunities that will help mitigate the development's impact on European sites.

### Condition 7. Dwelling Numbers and development mix.

The development hereby permitted shall not exceed 400 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

#### 1 & 2 bedroom units:

60-70% of all Affordable Rental Homes,  
55-65% of all affordable home's ownership, and  
30-40% of all market homes

#### 3 bedroom units:

25-30% of all Affordable Rental Homes,  
30-35% of all affordable home's ownership, and  
40-45% of all market homes

#### 4 bedroom units:

5-10% of all Affordable Rental Homes,  
5-10% of all affordable home's ownership, and  
20-25% of all market homes

Reason: This reflects policy expectations and is the basis on which the required level of mitigation has been assessed. The Local Planning Authority would wish to properly consider any mix that does not reflect policy expectations to ensure that housing needs are adequately met and noting that a material change to the residential mix will affect the level of mitigation that would be necessary to offset the development's impacts, and this may not necessarily be achievable.

### Condition 8 - Site Levels

Prior to the commencement of development in any phase of development, details of levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG), and the existing and proposed site contours for that phase, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the site.

### Condition 9 - Protection of Trees:

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement and Tree Protection Plan (RPS Tree Survey and Arboricultural Impact Assessment A dated November 2021 reference JSL3037\_771 and Tree Protection/Removal Plans JSL3037\_708-715) or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

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

### Condition 10 - Protection of Trees: Pre-commencement Site Meeting

Prior to the commencement of works within each phase of development, 3 working days' notice

shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the RPS Consultancy Manual for Managing Trees on Development Sites.

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

#### Condition 11 Tree details \_

No development shall take place within each phase of development until the following information has been submitted to and approved in writing by the Local Planning Authority:

- A plan showing the location of service routes, including the position of soakaways;
- A plan showing the location of site compound and mixing areas;
- A plan showing the location and details of all footpaths and roads within the root protection areas of retained trees;

Development shall thereafter be carried out in accordance with these approved details.

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

#### Condition 12 - Landscape & Ecological Enhancement, Mitigation and Management Plan \_

Prior to the commencement of development within each phase of development, a detailed Landscape and Ecological Enhancement, Mitigation and Management Plan for that phase shall be submitted to and agreed in writing by the local planning authority.

The Plan for that phase shall be broadly in accordance with the outline ecological mitigation and enhancement measures detailed within the Ecology Survey Report V1 Dated 20th January 2020 by RPS Group and Environmental Statement Vol 1 Chapter 6 by WYG or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

The Plan shall include (but not be limited to):

- details of all habitat and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
- plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
- plans and details of all habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and maintenance);
- a programme of ongoing ecological monitoring and management.

The development shall be implemented and thereafter maintained and managed in accordance with the approved details.

Reason: ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits.

#### Condition 13 - Ecological Measures (Opportunities for Birds / Bats / Invertebrates) \_

A minimum of 1 in 4 of the dwellings / development plots hereby approved shall incorporate either a bird nesting box (including nesting opportunities for swifts and house sparrows), a bat box or bat roosting provision, or enhancements for invertebrates such as bee bricks, the precise details of which shall be submitted with each Reserved Matters application where new buildings are

proposed. The submitted details shall comprise a mix of these measures and shall be provided in accordance with the approved details before the house / plot where the measures are to be incorporated is first occupied.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered.

#### Condition 14 – Net Biodiversity Gain: Implementation, Monitoring and Management

No above ground works (including vegetation clearance) shall take place until a Biodiversity Net Gain (BNG) Monitoring and Management Plan in relation to the net gain achieved on site has been submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years). The Plan shall incorporate the requirements set out in the informative note at the end of this permission. The Plan shall require the submission of a BNG monitoring report produced by a suitably qualified ecologist and shall be submitted to the LPA annually for the first five years after completion and at 5-year intervals thereafter until year 30. The development shall be completed in accordance with the BNG Monitoring and Management Plan prior to the occupation of the last dwelling on the site.

Reason: 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

#### Condition 15 - Biodiversity Net Gain: Additional Statement

The first residential or employment unit of the development hereby approved shall not be occupied until details of a package of off-site Biodiversity Net Gain (BNG) has been submitted to, and approved in writing by, the Local Planning Authority. This package should secure the identified 10% BNG arising from the development and include:

- (i) a calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric 2.0 Calculation Tool (Beta) (2019);
- (ii) details of the BNG project including its location;
- (iii) a timetable for the provision of the BNG project;
- (iv) details of the management of the BNG project
- (v) details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.

Reason: To ensure Biodiversity Net Gain is secured as part of the development in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park 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), NFDC interim Biodiversity Guidance and the Environment Act 2021.

#### Condition 16 - Bats Lighting

No development shall take place until a “site wide sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/18 ‘Bats and artificial lighting in the UK’ for all areas to be lit shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and

- show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed including on or within the curtilage of any dwelling without prior consent from the local planning authority, the details of which shall be submitted as part of any reserved matters application(s).

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

#### Condition 17 - Unexpected contamination

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the [Local] Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

#### Condition 18 - Finished floor levels (flooding)

The development shall be carried out in accordance with the submitted Flood Risk Assessment (by PFA Consulting November 2020, updated January 2021) and the following mitigation measures it details:

- Finished floor levels of all dwellings and employment buildings shall be set no lower than 600mm above the adjacent 1 in 100 years plus climate change (40% allowance) modelled as stated in the FRA.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

### Condition 19 - Construction Hours of Operation

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 07:30 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities.

### Condition 20 - Framework for lifespan of ecological reports:

Where the approved development is to proceed in a series of phases in excess of 2 years from the date of this permission, further supplementary ecological surveys updates shall be undertaken and submitted to the LPA to inform the preparation and implementation of corresponding phases of ecological mitigation measures. 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 and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

### Condition 21 - Badger pre-construction survey:

Prior to the commencement of any construction work on site, including any site clearance, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

### Condition 22 – Climate Change Statement.

Each Reserved matters application which comprises a new building shall be supported with a Climate Change Statement. The Statement will include details such as (but not limited to):

- The space heating demand of each building; and
- energy efficiency measures incorporated in the building(s) fabric;
- the use of low carbon technologies; or
- demonstration of how the proposed buildings 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

### **Housing Development Related Conditions**

### Condition 23 - Construction Environmental Management Plan

No phase of residential development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning

Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and ecological interest.

#### Condition 24 - Travel Plan

Prior to the commencement of above ground works associated with the first phase of residential development, a Full Travel Plan based on the principles set out in the (PFA Consulting Travel Plan dated January 2022) Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that Single Occupancy Vehicle trips are minimised, and sustainable modes of travel are duly promoted.

#### Condition 25 - Waste Collection Strategy

All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3

#### Condition 26 - Construction Traffic Management Plan

No phase of residential development shall commence until a Construction Traffic Management Plan is submitted to and approved in writing by the Planning Authority. The Construction Traffic Management Plan shall include the following details:

- construction traffic routes;
- the provision to be made on site for the parking and turning of contractors' / construction related vehicles;
- measures to prevent mud from being deposited on the highway; and

- a programme for construction.

The agreed measures and details shall be put into place (as appropriate) before the development is commenced and shall thereafter be adhered to / retained throughout the duration of construction.

Reason: In the interests of highway safety.

#### Condition 27 - Surface Water Drainage Details

No phase of residential development shall commence until, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: A195-R009B, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall be carried out in accordance with the approved details, before the dwelling within that phase are first occupied and thereafter maintained as such.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

#### Condition 28 - Surface Water Drainage: Maintenance

Prior to occupation of the residential; development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- details of protection measures;
- details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

#### Condition 29 – Phosphate mitigation \_

The residential development shall not be occupied until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority.

Such proposals must:

- (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development.;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with Policy ENV1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

#### Condition 30 Water efficiency

The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with the Building Regulations 2021.

Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

#### Condition 31 - Noise Levels \_

No phase of residential development shall commence until, a scheme including necessary mitigation to ensure that internal noise levels within each dwelling shall not exceed the minimum standards stated in BS 82233:2014 (paragraph 7.7.2 [Table 4]). External noise levels should, where feasible, not exceed the maximum value set out in paragraph 7.7.3.2. The appropriate details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, before the dwelling within that phase are first occupied and thereafter maintained as such.

Reason: To safeguard residential amenities and to ensure that future residents have an acceptable noise environment.

### Condition 32 - Car & Cycle Parking

For each reserved matters application in relation to the residential development, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

### **Employment Related Conditions**

### Condition 33 - Construction Environmental Management Plan

No phase of employment development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and ecological interest.

### Condition 34 - High Speed Fibre Broadband

Prior to the occupation of each dwelling in the development hereby approved, a high speed fibre broadband connection shall be provided to the property threshold, by way of the necessary infrastructure, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with local and national planning policy.

### Condition 35 - Commercial Premises: Opening and Delivery Hours

Any reserved matters application which seeks approval for new commercial or employment premises must be submitted with full details of the proposed opening hours, including delivery

hours. Opening and delivery hours shall be agreed in writing with the Local Planning Authority before the use commences, and the uses shall thereafter only be occupied in accordance with the approved details.

Reason: In the interests of residential amenity.

#### Condition 36 - Surface Water Drainage \_

No phase of employment development hereby approved shall commence until, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: RBS Consulting, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a) A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- b) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- c) Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- d) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- e) Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall be carried out in accordance with the approved details before the buildings are first occupied and thereafter maintained as such.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development. No phase of employment development shall commence

#### Condition 37 - Surface Water Drainage: Maintenance \_

Prior to occupation of the employment development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- h) a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- i) details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- ii) details of protection measures;
- iii) details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

#### Condition 38 - Equipment to Commercial premises

Any reserved matters application which seeks approval for new commercial or employment must be submitted with full details of arrangements for air handling and the necessary noise control measures to include a noise impact assessment to consider noise from the proposed external equipment in accordance with BS4142:2014. The works detailed in an approved scheme shall be installed in their entirety before the uses that are the subject of this condition are first occupied. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when the use is being carried out.

Reason: In the interest of residential amenity.

#### Condition 39 - BREEAM requirements

Before any commercial building with a gross internal area of 250-999 square metres is first occupied (or within an alternative timeframe that has first been agreed in writing by the Local Planning Authority), written documentary evidence demonstrating that any such building achieves a Building Research Establishment Environmental Assessment Method (BREEAM) excellent standard in the water consumption criteria element shall be submitted to the Local Planning Authority for its written approval. Furthermore, before any building with a gross internal area of 1000 square metres or more is first occupied (or within an alternative timeframe that has been agreed in writing by the Local Planning Authority), written documentary evidence demonstrating that any such building achieves a Building Research Establishment Environmental Assessment Method (BREEAM) excellent standard overall shall be submitted to the Local Planning Authority for its written approval. In all cases, the evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason: In the interests of resource use and energy consumption in accordance with policy IMPL2 of the New Forest District Local Plan 2016-2036 Part 1: Planning Strategy

#### Condition 40 – Open Storage Restrictions

No open storage shall take place on the site in association with the nonresidential uses hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Open storage uses would have a harmful visual impact that would detract significantly from the scheme's overall design quality

#### Condition 41 - Restriction on types of employment use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, the employment units hereby approved within the area identified as 'Employment' on Land Use and Access Drawing No RG-M-08 Rev AB shall be used only for the purposes of commercial and business use within Class E (c) and (g) and for general industrial use within Class B2 and for no other use purposes, whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: The site is located outside the town centre and is specifically allocated in the local

plan to provide employment purposes.

Condition 42 - Requirement of noise assessment to be submitted for B2 Uses

Prior to any Class B2 use occupying any of the units on the site hereby approved, a noise assessment report and noise attenuation scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed details shall be implemented concurrently with the B2 use of that unit.

Reason: In the interests of residential amenity.

Condition 43 - Travel Plan

Prior to the commencement of above ground works associated with the first phase of employment development, a Full Travel Plan based on the principles set out in the (PFA Consulting Travel Plan dated January 2022) Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that Single Occupancy Vehicle trips are minimised, and sustainable modes of travel are duly promoted.

**Compliance condition**

Condition 44 - Protection of vegetation for birds

No development in any phase, including any works of site clearance, shall commence during the bird nesting season (1 March – 31 August inclusive) unless it has been demonstrated through the submission of a method statement (that shall previously have been submitted to and approved in writing by the local planning authority), that nesting birds can be adequately protected. Development shall be carried out only in accordance with the approved details which may include, but are not confined to, the timing of work, pre-work checks, avoidance of nesting areas, and protection zones around nesting areas.

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

Condition 45 - Car & Cycle Parking

For each reserved matters application in relation to the employment development, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

Condition 46 - Lighting details - dark skies adjacent to National Park

Prior to the installation of any street lighting or lighting to be placed on the dwellings or employment development hereby permitted such details (including the design of lanterns and lighting standards and the lux levels of lighting) shall be submitted to and agreed in writing with the

LPA. No other street lighting or on building lighting shall be erected including any security lighting without the further written approval of the LPA. Any lighting installed shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises and employment development in accordance with Environmental Zone E2: 5 lux pre-curfew (07:00-23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs) in accordance with Guidance Notes for the Reduction of Obtrusive Light (GN01:2020) by the Institute of Lighting Professionals (ILP).

Reason: To promote an acceptable and light sensitive means of site and street lighting in the interests of good design, residential amenity, wildlife protection, and so as to promote dark skies in relation to the New Forest National Park and to accord with Local Plan policy ENV3.

#### Condition 47 - Implementation of access and crossing points

No occupancy of any of the dwellings shall take place until the proposed accesses and highway works as shown on drawing No T331/20 Rev D or in accordance with any final plans that may be agreed are completed to the required standard. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. The vehicular and pedestrian visibility splays shall be retained free from any obstruction at all times thereafter.

Reason: In the interest of highway safety and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

#### Condition 48 - Plan numbers

The development permitted shall be carried out in accordance with the following approved plans:  
Location Plan Northern Access: Drawing No T331/10 Ref F  
Southern Access: T331/20 Ref D

Reason: To ensure satisfactory provision of the development.

#### Condition 49 Finished floor levels and Flood Risk Assessment

The development hereby approved shall be carried out in accordance with the submitted Flood Risk Assessment (ref: T331-FN2A Flood Risk Assessment, dated 24th February 2023) and the following mitigation measures it details:

- iv) Any dwelling located within 20 metres of a watercourse will have its finished floor levels set at a minimum of 600mm above the 1 in 100 year plus 38% climate change using the predevelopment flood level as stated in section 2.1 of the FRA
  - Dwellings located in the wider development (at a distance more than 20 metres from a watercourse) will have finished floor levels set at a minimum of 300mm above the 1 in 100 year plus 38% climate change using the predevelopment flood level, or surrounding ground levels whichever is higher
  - The sustainable drainage systems (SuDS) features hereby approved shall be maintained in accordance with the maintenance strategy set out on Table A of the Flood Risk Assessment,

The mitigation measures shall be fully implemented in accordance with the approved details prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

**Further Information:**

Mark Wyatt

Telephone: 023 80 285604

**Application Number:** 21/10042 Outline Planning Permission

**Site:** LAND NORTH OF, HIGHTOWN ROAD, HIGHTOWN,  
RINGWOOD BH24 3DY

**Development:** Outline planning application for up to 400 dwellings and 3 hectares of employment (Class E c and g and B2), access, open space, landscaping, alternative natural recreational greenspace (ANRG) and drainage attenuation (Outline Application with details only of Access) (AMENDED PLANS & ADDITIONAL INFORMATION)

**Applicant:** Taylor Wimpey Ltd

**Agent:** Barton Willmore

**Target Date:** 03/05/2021

**Case Officer:** Richard Natt

**Extension Date:** 13/03/2023

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of development -whether the principle of development would be acceptable having regard to Local and National Planning Policy
2. Housing – specifically, whether the proposed development would deliver an appropriate mix of housing types, size and tenure to deliver a mixed and balanced development, whether the development would make an appropriate provision of Affordable housing
3. The location of built development; the layout and landscape impact of the development; and the density and scale of development.
4. The quantum and quality of green infrastructure (including ANRG land, Public Open Space and play areas)
5. Transport – whether the development would have an acceptable impact on the local highway network, whether the access arrangements would be safe, sustainable and meet the appropriate needs of the highway users, whether the proposed development would have an acceptable impact on existing rights of way within the site.
6. Ecology
  - a. Specifically, whether the development as a whole would have an acceptable impact on internationally, nationally and locally designated nature conservation sites, and biodiversity generally, having regard to the mitigation and enhancement measures that are proposed; and

- b. Whether the development would achieve required levels of on-site biodiversity protection and biodiversity net gain (BNG)
7. Air quality, noise and amenity Impacts.
8. Flooding and drainage. Specifically, whether the proposed development would be safe in terms of flood risk, having regard to the mitigation measures and drainage strategy that is proposed, and also whether those mitigation measures would be appropriate and sustainable.
9. Heritage impacts. Specifically, whether the development would have an acceptable impact on the setting of existing heritage assets.
10. Infrastructure provision, including education requirements.
11. The provision of a community facility
12. Whether the proposals constitute a sustainable and safe development.
13. Impact of Development on the National Park. Specifically, whether the development proposals would have an acceptable impact on the character and special qualities of the New Forest National Park, having regard to the development's design quality and its landscape and visual impact.

## **2 SITE DESCRIPTION**

### The application site

2.1 The application site is located to the east of Ringwood, to the south of the A31, north of Hightown Road and to the west of the New Forest National Park. The site measures approximately 29.5 hectares in size and is currently in use, in part for grazing, farming and equestrian purposes. The site is generally open, apart from the smaller fields situated along the eastern part of the site, where trees and hedges provide a degree of enclosure. There are no buildings or structures on the site.

2.2 There are various trees and hedgerows within the site, including a cluster to the east of Lynes Farm and around the site's boundaries. The trees and vegetation around the site's edges provide different degrees of screening, with an enclosed nature along the southern edge to open views along the northeast side. There is a historic farm access into the site from Eastfield Lane although this is currently not accessible due to being gated and overgrown with vegetation.

2.3 In relation to the topography of the site, the land rises west to east, which increases in gradient as it extends closer towards the eastern edge of the site, alongside Nouale Lane. A Public Right of Way, 'Ringwood Footpath 34' crosses diagonally across the site linking Hightown Road to Nouale Lane.

2.4 The application site is not within or adjoining the conservation area, there are no listed buildings on the site and there are no statutory or non-statutory designations for nature conservation or ecology. There are existing watercourses that cross and bound the application site and parts of the site lies within areas at high risk from flooding. The site is covered by a blanket Tree Preservation Order.

2.5 The site has not been previously developed and is an open greenfield. There is a 375mm dia public foul sewer running north to south through the proposed site.

#### The areas surrounding the application site

2.6 The site lies on the edge of the settlement boundary, with the New Forest National Park located on its eastern side, formed at Nouale Lane. The application site is enclosed on three sides by existing development, namely, Eastfield Lane to the west in which the rear gardens of the detached dwellings back onto the site, to the south in Hightown Road, by a line of predominately detached dwellings and the A31 to the north. A children's play area adjacent to Ash Grove and the Elm Tree Inn Public House lies on the south west of the application site.

2.7 Other than the Public House, the context of the area is characterised by residential development on two sides, the A31 to the north, and a strong rural character to the east with scattered dwellings and farms buildings situated along a narrow country lane with the National Park beyond. Beyond the A31 to the north is the residential area of Poulner.

2.8 There are several locally distinctive properties adjacent to the site, which includes the 'Elm Tree Inn', a Grade 2 listed building located to the south west corner of the site. A Grade 2 thatched cottage known as Nouale Cottage to the east, in Nouale Lane.

2.9 The northern boundary is defined by a slip road off the A31, which runs parallel to the site's edge. The slip road joins onto Southampton Road, which then traverses north over the A31 dual carriageway. The slip road also connects with Nouale Lane and Eastfield Lane. The A31 links Bournemouth to the south west and the M27 and Southampton to the north east. The built up part of Ringwood extends out along the other side of the A31.

2.10 The application site is situated approximately 1.7 km to the east of Ringwood town centre, where there are many amenities including, shops, leisure and commercial uses. There are four junior/infant schools and a secondary school within 1.6 km of the site. There are also two GP surgeries and other facilities within the area surrounding the application site.

### **3 PROPOSED DEVELOPMENT**

#### The application

3.1 The application proposes the following development:

*Outline planning application for the erection of up to 400 dwellings (including 50% affordable housing), 3 hectares of employment (Classes E c and g and B2), access, open space, landscaping, alternative natural recreational greenspace (ANRG) and drainage attenuation. Environmental Impact Application Development and effects a Public Right of Way. All matters reserved except for means of access.*

3.2 The application has been submitted as an outline planning application with all matters reserved, except means of access to the highway network (junction arrangements) and associated highway improvements.

3.3 Aside from a Site Location Plan, the application is supported by Access Plans which illustrates the proposed access arrangements. These access arrangements for detailed approval include:

- The primary access into the development, which would be in the form of a new 4-arm roundabout onto the A31 Slip Road, with the northern arm continued into Southampton Road towards Poulner
- A secondary access into the development, south of the site from Hightown Road via a Junction approximately 100m to the east of the access to the Elm Tree public house.
- Construct of a Spine Road through the proposed development connecting Southampton Road to Hightown Road forming an 'informal bypass' (the Spine road is illustrative and is not fixed at this stage).
- A shared footway/ cycleway would be constructed on the north side of Hightown Road leading to Crow Lane and enhanced pedestrian crossing facilities would be provided across Crow Lane at the modified junction.

3.4 The application is accompanied by Parameter Plans, which are for detailed approval, comprising:

- a) A Land Use parameter plan, which defines the areas of the site where built residential and employment development would be provided, the areas where Public Open Space and Alternative Natural Recreational Greenspace (ANRG) would be provided.
- b) An access parameter plan, which shows the access points, vehicular and non-vehicular points, connection points and spine road (indicative) would be provided.
- c) A Building heights/ scale parameter plan which shows the heights of the building across the site.
- d) A landscape parameter plan, which shows the area of Public Open Space and ANRG
- e) A density parameter plan, which shows the density gradient of the housing development across the site

3.5 The application is supported by illustrative plans: a landscape and ANRG Framework Plan and strategy that illustrates how the green infrastructure could be laid out and a play strategy. Illustrative sections and drawings of the SUDS and Strategic Flood Mitigation Strategy has also been provided.

3.6 The application is also supported by a comprehensive suite of reports that aim to show how the development satisfies particular needs and policy requirements. These reports include all of the following:

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Sustainability Statement including the applicant's Sustainability Note
- Noise Assessment
- Air Quality Assessment
- Ground Investigation and Ground Gas Risk Assessment
- Utilities Statement
- Built Heritage Statement
- Archaeological Desk Based Assessment
- Arboricultural Assessment and Method Statement & Tree Protection Plan
- Landscape and Visual Assessment

- ANRG, Landscape and Play Strategy
- Transport Assessment
- Residential and Employment Travel Plan
- Affordable Housing Strategy
- Off site highway works
- Walking, Cycling and Horse Riding Assessment Report
- Flood Risk Assessment and Drainage Strategy
- Ecological Impact Assessment
- BNG Calculations
- Habitats Regulations Assessment

#### Amendments to application/ Amended submission - February 2022

3.7 The applicant has made several amendments to the Parameter Plans and provided additional details in relation to SUDS, landscaping and character areas to support the application, including further technical work.

3.8 The applicant has updated the Transport Assessment to ensure that the impact of the development on the capacity of the road network and proposed junctions at the site and within the local context are robust, up to date and assessed against future traffic growth. Refinements have also been made to the design of proposed accesses, together with a suite of off-site highway works, which have all been subject to a Road Safety Audit. The applicant has also agreed to promote sustainable transport through the provision of a bus strategy for the site, which followed detailed discussions with the Bus Operator and Highway Authority.

3.9 Further technical work in relation to flood risk has been provided by the applicant to respond to several points raised by the Environment Agency. The additional information provided includes details of up-to-date hydrological information to confirm that the overall strategic flood mitigation scheme and surface water drainage strategy is robust. A maintenance strategy and floor level details have also been provided.

3.10 Amendments to the application include changes to the scale Parameter Plan which now provide clarity on building heights and the location of the two storey and three storey buildings across the site. The amended plan has significantly reduced the area where three storey buildings could be provided. The edges of the site are now shown to be up to two storeys in height.

3.11 A Density Gradient plan has now been submitted which breaks down the site to higher, medium and lower density areas. The submitted plan illustrates that the eastern edge of the site adjacent to the National Park will be a low density, the central part of the site will be higher density and south and western edges will be medium.

3.12 The most significant additional information provided by the applicant is the details of the Sustainable Urban Drainage Systems (SUDS) within the Green Infrastructure and how they appear in the landscape, how they form part of the public open space and ANRG and how all the Green Infrastructure would relate to the built development. Whilst these details are indicative, the plans provide information on how the surface water features could be designed at Reserved Matters Stage.

3.13 The applicant has also provided additional details of the green-links through the site, details of the character areas including an analysis of the various street typologies, and green space frontages that could be created within the development. The additional details provide an overview of the proposal.

3.14 The applicant has provided a BNG Assessment, which states that the proposed development could achieve a 6% uplift in on-site bio-diversity Net Gain.

3.15 The amended details have been the subject of a further round of consultations both with the consultees listed in this report and local residents. The amended application was also advertised in the Local Press.

## **4 PLANNING HISTORY**

4.1 Request for an EIA Scoping Opinion under the Town & Country Planning Act (19/10735) - response provided on the 15th of July 2019.

4.2 There is no relevant planning history for the site, although the applicant did engage with the Local Planning Authority's pre-application advice service from 2020, with a scheme for 400 dwellings.

## **5 PLANNING POLICY AND GUIDANCE**

### **Site constraints/ designations**

Strategic Allocated Site  
Tree Preservation Orders  
Adjacent to Grade 2 listed building  
Adjacent to non-designated heritage asset  
Part of the site is located within Flood Zones 1/ 2/3  
Public Rights of Way within part of the site  
Adjacent to New Forest National Park

### **The Core Strategy (Saved policy)**

CS7: Open spaces, sport and recreation

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

DM1: Heritage and Conservation  
DM2: Nature conservation, biodiversity and geodiversity  
DM4: Renewable and low carbon energy generation  
DM5: Contaminated land  
DM9: Green Infrastructure linkages

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

Policy STR1: Achieving Sustainable Development  
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park  
Policy STR3: The Strategy for locating new development  
Policy STR4: The Settlement hierarchy  
Policy STR5: Meeting our housing needs  
Policy STR7: Strategic Transport Priorities  
Policy STR8: Community services, infrastructure and facilities  
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites  
Policy ENV3: Design quality and local distinctiveness  
Policy ENV4: Landscape character and quality

Policy HOU1: Housing type, size and choice  
Policy HOU2: Affordable Housing  
Policy CCC1: Safe and Healthy Communities  
Policy CCC2: Safe and Sustainable Travel  
Policy IMPL1: Developer contributions  
Policy IMPL2: Development standards  
Policy Strategic Site SS14: Land to the north of Hightown Road, Ringwood

### **Supplementary Planning Guidance and other Documents**

Ringwood Neighbourhood Plan - Regulation 14 consultation which runs for six weeks until 19 March  
SPG - Landscape Character Assessment  
SPD - Ringwood Local Distinctiveness  
SPD - Ringwood Town Access Plan  
SPD Mitigation Strategy for European Sites 2021  
SPD Parking standards 2022  
SPD Housing design, density and character 2006  
Air Quality SPD 2022  
Developer contributions towards air quality  
Cabinet Report on Monitoring Contributions 2022  
Draft SPD guidance on play provision within development sites  
Ecology and Biodiversity Net Gain Interim Advice Note

### **Relevant Legislation**

#### Planning and Compulsory Purchase Act 2004

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

#### Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

#### Habitat Regulations 2017

63 – assessment of implications for European sites etc.  
64 – considerations of overriding public interest

#### Listed Buildings and Conservation Areas Act 1990

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

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

### **Relevant Government advice**

#### National Planning Policy Framework July 2021 (NPPF)

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance

- Section 5 Delivering a sufficient supply of homes
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 14 Climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

### National Design Guide 2021

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

### **Ringwood Town Council:**

Our initial observations made in April 2021 was Refusal (4) for the reasons highlighted at the Extraordinary Meeting of Planning, Town & Environment Committee on 20 April 2021. This was an initial observation as it was anticipated that new information would become available in due course and that the Town Council would continue to engage with NFDC officers in order to get the best outcome for Ringwood.

Following such engagement and in the light of further documents submitted by or on behalf of the applicant, Ringwood Town Council maintains its objection.

Our role as a Town Council is to bring to the attention of the Planning Authority matters that are within our local knowledge which may not be immediately apparent to either the applicant or (with respect) to officers. We are also entitled to express our views about the application more generally and this is what we now do.

We do however note that at the time of writing, we have not been made aware of any further comment from the Environment Agency and reserve our position to make further comment in due course in the light of any response from the EA.

### 1 - Overdevelopment / out of character

We remain of the view that the proposed development of 400 houses with commercial areas and minimal greenspace (see further below) is not in accordance with the definition of a “well designed new development” which responds positively to the features of the site itself and the surrounding context beyond the site boundary, as outlined in the National Design Guide.

The proposed density is much higher than surrounding residential areas and will compromise the quality of the build. It is also significantly higher than the indication of “at least 270” stated in the Local Plan regarding this site.

The site is on the edge of the New Forest National Park and the NFNPA’s original concern about the quantum of development and amount of greenspace provision is shared. We remain concerned about other issues such as the impact of light pollution on the National Park and the adverse effect on wildlife - we maintain our concern for species not identified in the applicant’s Wildlife and Ecological Assessment (e.g., buzzards, pine martins, owls and jays), and for loss of ground nesting species due to the extensive network of footpath proposed.

Consideration should be given to extending hedging at the east and west side of the north border hedge, prior to building starting, to allow species to easily migrate away from the roundabout area. Hedge and tree removal work should be carried out outside of the nesting season. Installation of bat boxes in tree locations adjacent to the site to facilitate migration of Bechstein and other bats before any development takes place.

## 2 – Flooding, surface water drainage and sewerage

We again note that at the time of writing, the Environment Agency has not commented on the revised proposals. The Town Council notes that the Applicant has not addressed the issue of drainage south of the site. Despite work undertaken when the Linden Homes/Beaumont Park development was completed and regular maintenance by both Hampshire County Council and local volunteers, the stream running along Crow Lane (which would be the natural outlet for surface water drainage from the site) still regularly floods and indeed, has been impassable to all but the largest of vehicles on at least 4 occasions in January 2023 alone. Unless appropriate plans are proposed to address the issue of flooding on Crow Lane, we consider this of itself to be a proper ground for refusal of the application.

Further, it is clear that the proposed mitigation schemes will require long term maintenance at no doubt significant cost. We consider it imperative that an agreement is reached with the developers to ensure that such costs do not in future fall onto either the District or the Town Council.

We are also concerned about the disposal of foul water (sewerage) from the site. We note and understand that it is incumbent upon the statutory undertaker to provide appropriate connections etc and what is said about upgrades to the sewerage facility at Hampshire Hatches. However, the fact of the matter is that despite extensive works carried out in recent years at the Bickerley, raw sewerage has still flooded out onto public highways in that area, and we find it difficult to accept that this proposed development will not substantially exacerbate existing problems.

## 3 – “Open Space” within the site

The Town Council note with considerable concern that much of the ANRG and other open spaces will in fact be used for flood mitigation with, in many cases, ponds that are expected to be about 1 metre deep at all times (increasing to 2m in times of heavy rainfall). There are two consequences – the amount of available and usable green space for residents to walk, exercise their dogs or play informally appears to be substantially less than policy dictates.

Further, such areas pose a real danger to children who might be living on what is after all proposed to be a development to cater for families. Fencing off these areas might alleviate the risk of drowning (or falling through ice in wintry conditions as happened recently) but would only further reduce the available open spaces.

The Town Council also notes that no formal recreation areas (e.g., sports pitches) are proposed. Ringwood as a whole fail to meet national standards in terms of the provision of such areas and the absence of provision will simply exacerbate the issue.

## 4 – Transport and Access issues

The Town Council notes the revised proposals and the comments of the Highways Authority. Our concern here is that all of the proposals relate to either the area north of the site or the immediate area (e.g., Eastfield Lane and the northern part only of Crow Lane from the “Elm Tree junction” south to the principal entrance into Beaumont Park).

The Local Plan in designating both this site and site 13 (land north of Moortown Lane) envisaged a southern access into and egress from the site that included a new road from Crow Lane into the centre of site 13 and then two roads within that site – one to the north west into the Wellworthy estate and the other at the southern end of

Moortown Lane. The proposals for site 13 include only the access onto the southern end of Moortown Lane and even this envisages significant works to provide footpaths and an improved junction with Christchurch Road.

Unless the issue of a southern access into and from the proposed development is resolved, the scheme is not in accordance with the Local Plan and should again be refused for that reason.

Further, no regard appears to be had to the fact that there is no footpath (let alone a cycleway) along much of Crow Lane which is also unlit and poses a danger to pedestrians even now.

We are also extremely concerned at the suggestion that the access into the site directly from the A31 might not have to be completed until some 200 homes are occupied. Realistically, that would mean that all construction traffic would either be routed along Eastfield Lane (with its direct access to the A31) or along Moortown and Crow Lanes which can be best described as precisely that – “country lanes”.

If the Planning Authority is minded to grant the application, we would urge that this be conditional on the construction of the direct access onto the A31 at the very beginning of the scheme.

#### 5 - Insufficient community infrastructure

We note that contrary to Policy SS14, the plans do not include any provision for a community hub as outlined in the Policy. We appreciate (and accept) the proposal for a s.106 agreement to provide community facilities out with the site but there are local concerns about the lack of provision in Ringwood for medical, dental and other facilities such as schooling.

Given the scale of this development, we would urge the developers to consider the inclusion of a small community facility in the centre of the site to include perhaps a convenience store and a medical or dental facility (or both).

The original proposal to site a primary/junior school on land south of Moortown Lane on what is currently formal recreation space appears to be undeliverable for a number of reasons and that needs to be taken into account in any s.106 agreement.

#### 6 - Affordable Housing – Viability Statement

It is noted that there is no current overall viability statement associated with this application and that the applicant may perhaps have underestimated the costs of building the new roundabout at the A31 junction and indeed, the cost of flood alleviation (and other works). Should the NFDC Officer recommendation be to approve the outline application, a condition should be included that a Viability Appraisal will be required and that the increase in the cost of ‘abnormals’ (referred to previously) will not be the basis of any negotiation aimed at a reduction in the adherence to NFDC or local policies, as the cost of the increased ‘abnormals’ at SS14 is known to the applicant prior to this application being heard by NFDC Members. If this is not accepted by the applicant, then the application should be withdrawn.

For example, the Town Council strongly supports NFDC’s policy of requiring 50% “affordable housing” but are concerned that a future assessment of the viability of this proposal might be used to diminish the percentage of affordable dwellings. We would therefore urge that if any application were granted, it be on condition that at least 50% of the dwellings be “affordable” in line with policy. We note that provision of “affordable

housing” was decreased at SS18 in Fordingbridge due to high ‘abnormals’ which will lead to lower than policy “affordable housing” provision in the vicinity of Ringwood.

## **Conclusion**

The Town Council acknowledges the need for additional housing both nationally and locally and that this is not either a site within the Green Belt nor the National Park.

However, we have serious concerns about the application as it currently stands for the reasons mentioned above and, in particular, issues that are within the Town Council’s knowledge (e.g., recent flooding on Crow Lane and the outflow of raw sewerage in the vicinity of the Bickerley) but may not have been previously brought to the attention of the applicants or officers.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

### **Internal Consultees**

#### **8.1 Council Ecologist: No objection subject to conditions:**

Lifespan of Ecological Reports - The Councils Ecologist confirms that the verification survey carried out by the applicant is acceptable and there is no requirement for further surveys.

Reptiles - A low population of common lizard and slow worm were recorded on-site. The approach to construction and operational mitigation is agreed.

Badger - Badger activity have been recorded on and off site. As identified in the reports submitted, a pre-construction badger survey is required to establish the current status of badgers on-site and inform any mitigation necessary. Should a sett be identified as requiring to be closed, this would need to be done under licence (by NE) between July and November.

Birds - The breeding bird assemblage is assessed to be of County level importance. The Schedule 1 listed Firecrest was identified breeding in habitats adjacent the eastern site boundary for which it is an offence to intentionally or recklessly disturb at, on or near an ‘active’ nest. The ANRG is located on this eastern boundary and a buffer will be provided.

Nightjar – surveys found at least two nightjar's using the south west field – these were not confirmed breeding and it was concluded they travel to the site to forage from their breeding grounds. Nightjar are an Annex 1 listed bird and an interest feature of the New Forest SPA (located approximately 1.1km east) and the Dorset Heaths SPA (located approximately 3.1km west of site). This is considered in the HRA Report satisfactorily.

Bats - Thirteen species of bat were recorded using the application site. Of these species, three Annex II listed bats, considered to be nationally rare were recorded; Bechstein, barbastelle and greater horseshoe. Three further species were recorded which are considered uncommon including whiskered/brandt’s and serotine. The

majority of the key bat commuting, and foraging areas are retained. I agree that the lighting design should follow the guidance and a condition for a detailed lighting assessment including modelling and lux contours should be included to ensure that the dark corridors proposed for bats are deliverable.

BNG - The BNG assessment has been provided and additionality has been adequately and transparently addressed. The scheme results in a biodiversity net gain of 6%. In order to achieve the policy requirement, it will be necessary to secure a 10% gain off-site. There are currently no details provided for how this could be achieved.

## **8.2 Environmental Design (Conservation):** Comment

Development on this site has the potential to impact upon both designated and non-designated heritage assets and their settings both within the boundary of the proposed development area and in the wider context.

Elm tree Public House LB - It is considered that a small degree of harm is proposed to the Elm Tree Pub as its former open farmland setting to the east is compromised. The submitted scheme responds to this and the proposed parameter plans illustrate a large open space area with no built form to the east of the listed building.

Nouale Cottage LB - The open setting and outlook to Nouale Cottage will have a less direct impact but will erode some of the open land which contributes to this more dispersed run of rural buildings along Nouale Lane. This would also be true of Oak Cottage and Oliphant House as non-designated heritage assets.

Barns at Nouale Lane Non-Designated HA- The submitted Heritage addendum assesses the impacts and significance of the proposal with regards to its impacts upon the non-designated set of farm buildings at the junction of Nouale Lane and Milky Down Back Lane. The submitted assessment has defined their significance and there is a degree of harm presented of these buildings with the development proposed at the lower land to the west of the site.

### Summary

Based upon the submitted information my judgement under the NPPF is a finding of less than substantial harm to the setting of the identified listed buildings and other non-designated heritage assets. For the reasons set out in the submitted Built Heritage Statement and the comments in this response I feel this sits at the lower end of that scale. The NPPF sets out that any harm found should be balanced against the public benefits of the scheme.

## **8.3 Environmental Design (Urban Design Officer):** Comment

Density, building heights, the extent of built area and the intentions regarding appearance are the key issues that will affect the future final designs. Justification for these is set out in the D&AS and various parameter plans. However, in considering these, there are concerns with certain aspects of the scheme:

There is some valuable work within the D&AS and landscape strategy drawings to show landscape qualities through play, surface water drainage and opportunities for biodiversity. We have enough information to make a reasonable judgement that the quality of greenspaces could be good and that drainage could be delivered as part of a quality landscape.

However, the proposal fails to create the transition sought from suburban town to rural edge and fails to demonstrate how the development of up to 400 dwellings will achieve high quality design that contributes positively to local distinctiveness, and enhances the character and identity of the locality by creating buildings, streets, places and spaces. There are elements of SPD and other guidance that have not been given proper consideration including: Housing design density and character SPD; Ringwood Local Distinctiveness SPD; and Strategic Sites Masterplanning (draft SPD).

Parameter plan land Use: The Policy Concept Masterplan seek wedges of greenspace and broad streets in an east-west alignment. Whilst the parameter plan suggests some green corridors these are not shown as wedges and do not really act as green open space. My concern is that these corridors are more urban and utilitarian. The southernmost green wedge alongside the PROW is most clearly not the sort of green wedge that the council was seeking. Actual areas for development:

This proposal seeks to increase the area of development closer to Hightown Road than the Concept Masterplan, both in length along Hightown Road and in depth behind it. It is important to retain the character of the lane and ensuring that such character is not dominated by the characteristics of the new neighbourhood, this proposal is exacerbating this issue.

Concerns in relation to some aspects of the DAS. Whilst the information provided describes the sort of character, appearance and quality that is to be expected, there are some poor images to reflect this.

If the Council is minded to approve this application please seek the provision of and agreement of a 'Design Code' to secure the fundamental design aspirations of the local plan and of the background work that led to the allocation of this site within the local plan.

**8.4 Environmental Design (Open Space Officer):** General comments if POS, play and ANRG is transferred to NFDC to manage and maintain these areas.

**8.5 Environmental Design (Tree Officer):** No objection subject to condition

There is currently an Area Tree Preservation Order covering the entire site. A revised Tree Survey and Arboricultural Impact Assessment has been submitted which outlines the tree protection measures. I agree with the details set out in the report. The biggest impact on trees is going to be to the north of the site to facilitate the road access. The impacts of the removal would have to be mitigated.

**8.6 Environmental Health (Pollution/ Noise):** No objection subject to condition

At the outline stage, I am satisfied that noise affecting the proposed properties can be suitably mitigated, however further information shall be required at reserved matters stage to show how this is to be achieved across properties on the site.

**8.7 Environmental Health (Air quality):** No objection subject to condition

No objection subject to condition - dust management and condition for electric charging points to be provided and Travel Plan.

**8.8 Environmental Health (Historic land use and Contamination):** No objection subject to conditions

**8.9 Strategic Housing Officer:** No objection subject to securing affordable housing provision and commitment to meeting the Local Plan tenure mix requirements

**8.10 Refuse Waste Collection** Comment

Waste Strategy will be required at detailed design stage.

### **External Consultees**

**8.11 Natural England:** No objection subject to mitigation

#### **Impact on River Avon SAC**

Increased nutrients affecting water quality in the River Avon SAC. Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal's nutrient impacts in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

#### **Recreational Impacts to New Forest SAC, SPA and Ramsar**

This application is in close proximity to the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. Natural England is aware that the New Forest District Council has recently adopted a Supplementary Planning Document (SPD) to mitigate against adverse effects from recreational disturbance on the European site(s). Provided that the applicant is complying with the SPD, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s) and has no objection to this aspect of the application.

Appropriate financial contribution to the New Forest and Solent recreational mitigation schemes and the strategic air quality monitoring strategy. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

**8.12 Highway Authority:** No objection subject to conditions/ s106/ s278

**8.13 Highways England:** No objection subject condition

**8.14 Archaeologist:** No objection subject to condition

**8.15 Hampshire County Council Lead Local Flood Authority:** No objection subject to condition.

**8.16 Environment Agency:** No objection subject to condition

**8.17 Wessex Water:** No objection

Wessex Water will accommodate domestic foul flows in the public foul sewer. Wessex Water confirm that there is capacity in the network to accommodate the additional foul flows. Developers fund the cost of connecting and Wessex Water will manage the sewer network to accommodate foul flows from granted development. Wessex Water fund this through their infrastructure charging arrangements. The point of connection to the public network is by application and agreement with Wessex Water.

### **8.18 Education Authority:** Comment

The development site is served by Ringwood Infant and Junior Schools and The Ringwood School. The primary age schools are full and forecast to be remain so in the future. Consequently, in order to accommodate the anticipated yield of pupils from this development, a contribution will be sought. However, it is not possible to expand Ringwood Infant and Junior Schools further owing to a restricted site at Ringwood Infant School so the expansion of pupil places to accommodate the anticipated primary pupil yield will be provided at Poulner Infant and Junior Schools

The Ringwood School is also full but is only at capacity owing to the recruitment of pupils from out of county. Consequently, no additional secondary school places will be needed to cater for these pupils and no contribution will be sought from the developer.

### **8.19 Hampshire Fire & Rescue Service:** Standard advice

### **8.20 Crime Reduction Officer:** Comment

We would ask that a planning condition relating to the prevention of Crime and Disorder is made, worded, as below (or with words conveying the same meaning): "To reduce the opportunities for crime and disorder the development must achieve the Secured By Design Gold Award." Delivering the development to this standard is fundamental to providing a development where crime, disorder and the fear of crime do not undermine the quality of life or community cohesion.

## **9 REPRESENTATIONS RECEIVED**

### Original submission

#### 3 letters of support

- Support the application

#### 2 letters of observation

- The applicant should be improving the existing bus service so that it extends for longer periods of the day
- The applicants Sustainability Statement has some good ideas
- The LVIA submitted in support of the outline application confirms that development on the site will be theoretically visible from large parts of Hightown Common. The requirement for new greenspace provision within the development as an integral part of the proposals is supported and would assist in providing a more sensitive landscape transition with the National Park immediately to the east of the site.

#### 260 letters of objection concerned with the following

##### Principle of Development

- Loss of countryside.
- Impact on New Forest National Park
- Ringwood already has significant amount of commercial uses
- Impact on climate change
- Loss of trees, vegetation and fields

- Dealing with the surface water through the use of swales and detention ponds is likely to occupy large areas of land within the development. Any drainage solution will have an impact on the ANRG land space available
- No provision has been made for a community facility

#### Community Services, Infrastructure and Facilities

- The development would give rise to unacceptable pressures on other local infrastructure (health facilities, schools, emergency services etc.)

#### Layout, Character, Design

- Scale/Density/overdevelopment concern over the number of dwellings - well in excess of policy requirement
- Scale of development - 3 storey buildings
- Impact on rural character/urban sprawl/ Cramped form of development
- The rural open space and open views around and across the field would be compromised. The design of the proposed build stifles that view and intrudes too close to this section of Hightown.
- The southern section of the proposed build should not include any residential houses adjoining the Hightown road, so as to ensure we maintain the road's rural nature and an open space along the entire Hightown Road.

#### Housing

- How would the developers guarantee that the 50% affordable homes would help mitigate the shortage of homes for.

#### Ecology

- Impact on wildlife including the impact on Deer, geese, hedgehogs, bats, owls and Buzzards. Nightjar use the fields for foraging. Stag beetle and badger.
- The Ecology report is inaccurate. Buzzards are breeding in the area; a pair are currently nested within a Nouale Lane garden adjacent to the site.
- Loss of habitat for species such as buzzards and owls -ANRG will disturb wildlife
- Impact on the River Avon with respect to phosphates.
- Policy SS14 in the District Council's adopted Local Plan (July 2020) allocates the site for 'at least 270 new homes. The outline application proposes a quantum of development nearly 50% higher than this minimum figure of 270 new homes . The additional population pressures resulting from this increase in housing will have impacts on the New Forest National Park and the various Natura 2000 sites within it.

#### Transport

- Concerns in relation to increase in traffic generation - on the local roads including Hightown Hill and Crow Lane which will be used as rat runs.
- Impact from car parking on the local roads
- Impact on existing junctions which are already over capacity
- The transport assessment suggests there have been no abnormal accident trends within the study area. The submitted consultant's data identifies over 20
- Accidents on the A31 around both the access and egress A31 slip roads that are currently flanked by Eastfield Lane, Nouale Lane and Southampton Road.

- Cumulative effect of this site and SS13 - on road network of Crow Lane and Hightown Road

#### Impact on setting of listed buildings

- The proposal would have an impact on the setting of Elm Tree Pub
- Harm to the setting of Nouale Cottage which is one of the two listed buildings affected by the proposal. This could be ameliorated by a proper screen of trees and planting in the ANRG area

#### Flooding, Surface Water and Foul Drainage

- Hightown Road, Crow Lane and the area outside the Elm Tree are susceptible to flooding
- The land has high groundwater, plus significant surface run off flooding.
- There are concerns about surface water drainage run off from the development
- Who will be responsible for the upkeep of this ditches in the future, as the lack of maintenance impacts on flooding
- The proposed culvert on the Southern Access will place increased risk of flooding onto the highway. The area is already classed as high risk and the culvert will further impact this.
- Drainage – Oak Cottage sits at lowest point -highest risk – ditches around property haven't been cleared in decades and are infilled – no recommendations or plans to mitigate this

#### Impact on amenity

- Impact from noise, air quality, light pollution and disturbance
- Impact from privacy, outlook, and overshadowing

#### Other Concerns

- Lack of capacity to existing foul drainage network
- The acoustic appraisal for the site makes no mention of the impact of the development density on the sound levels within neighbouring housing both on the Hightown and Poulner sides of the A31.
- Consultation has been minimal
- Impact of the buildings so close may affect flooding of neighbouring housing, and foundations/ structure of build etc.
- Air quality concerns - impact on health
- Lack of sustainable technology
- Impact on existing facilities such as doctors/ schools medical
- Impact on ponies due to increase in traffic generation
- Increase in crime
- The ANRG map/boundary various from different plan

#### **Amended Plans/ Additional information**

38 further letters of objection received following re-advertisement of amended plans and additional information, which reiterate the concerns raised above in the initial consultation

## 10 PLANNING ASSESSMENT

### **10.1 Principle of Development**

10.1.1 Land north of Hightown Road, Ringwood is one of the Strategic Site Development sites that has been allocated for development in the recently adopted New Forest Local Plan 2016-2036. Policy Strategic Site 14 applies. This policy states:

#### SS14 Land north of Hightown Road, Ringwood

- i) *Land to the north of Hightown Road Ringwood, as shown on the Policies Map is allocated for residential-led mixed use development and will comprise the following:*
  - *Residential development of at least 270 new homes and public open space dependant on the form, size and mix of housing provided.*
  - *Around 3 hectares of employment land*
- ii) *The Master Planning Objectives for the site as illustrated in the Concept Master Plan and expanded in the Masterplanning Strategic Sites SPD are to create a new area of Ringwood with a countryside edge that has regard to and respects the landscape sensitives of the adjoining New Forest National Park by:*
  - a *Creating a transition of character from suburban town to rural edge reducing the intensity of development towards the rising land in the east, incorporating a significant area of recreational greenspace along the New Forest National Park boundary, and through the orientation of wedges of greenspace and broad streets in an east-west alignment.*
  - b *Creating a north - south greenspace along the site's western boundary, providing flood attenuation and drainage features as part of a high quality landscape.*
  - c *Creating a new site access spur from the A31 slipway (Southampton Road) roundabout to a main north-south street serving as both the focal point for development and an alternative route for local traffic to the A338 Christchurch Road in conjunction with Strategic Site 13: Land at Moortown Lane.*
  - d *Providing a community focal point in a prominent location including ground floor premises suitable for community use.*
  - e *Incorporating employment and small business uses on the northern edge of the site with embankments and tree planting to buffer traffic impacts from the A31.*
- iii) *Site Specific Considerations to be addressed include*
  - a *Wherever possible, development should be directed to Flood Zone 1 and will only be considered within Flood Zones 2 or 3 where it is possible to mitigate flood risk. Preparation of a detailed site-specific Flood Risk Assessment (FRA) demonstrating how the proposed development will be made safe over its lifetime will be required.*
  - b *Provision of a new connection to the Ringwood sewage treatment works bypassing the town centre sewer network, to be delivered in conjunction with Strategic Site 13: Land at Moortown Lane.*

10.1.2 Policy Strategic Site 14 is accompanied by a Concept Masterplan that illustrates how the allocation might be developed. It identifies, in broad terms, the areas where residential and employment development could be provided, as well as areas where Alternative Natural Recreational Greenspace (ANRG) and Public Open Space could be delivered.

10.1.3 The concept masterplan has been drawn up to show how development within the allocated area can fit its landscape context, identifies the vegetation of local landscape value and also indicates the approximate position of the vehicular access and pedestrian links. Whilst the concept masterplan is designed to be illustrative rather than prescriptive, it does provide a framework for shaping development of the allocated area.

10.1.4 The Concept Masterplan accords with the requirement for the employment to be located in the northern part of the site closest to the A31 and for the residential development to be provided within the central and southern parts of the site bounded on either side by green space. A large green buffer is identified on the eastern boundary and a narrower strip of green space along the west with 'green wedges' running east to west through the site. The green space on the western boundary is illustrated as an area to provide possible flood attenuation. A large area of green space is also shown in the south west corner to help preserve the setting of the Elm Tree Inn which is a Grade 2 the Listed Building. Two points of vehicular access via a new roundabout onto Southampton Road to the north from Hightown Road to the south connected via a spine road running through the centre of the site.

10.1.5 The applicants Parameter Plan shows that the employment land to be provided to the north of the site and the residential development shown to be provided through the central spine of the site, with a large area of green space contained to the east, west and south west, which broadly reflects the policy concept masterplan. Equally the plans show the key pedestrian links shown to be provided throughout the development. Vehicular access is also shown to be provided as envisaged in principle under this policy. The proposed parameter plans show that the site will incorporate significant areas of Green Infrastructure.

10.1.6 In summary, as this site is identified within the adopted Local Plan as a suitable location for residential development, the principle of development on this site is clearly acceptable.

10.1.7 There are several key criteria set out in the policy and other legislative requirements that must be met and these are considered within the assessment.

#### Ringwood Neighbourhood Plan

10.1.8 In accordance with Regulation 14 of the Neighbourhood Planning (General) Regulation 2012 (as amended), Ringwood Town Council has consulted on the current draft of the Ringwood Neighbourhood Plan, known as the Pre-Submission Plan, which will run between February 6<sup>th</sup>, 2023, and March 19<sup>th</sup> 2023. The Neighbourhood Planning Regulation require the proposed plan to be subject of a 6 week (minimum)consultation.

10.1.9 At the end of the pre submission publicity and consultation, the Town Council will consider whether amendments are required and will prepare a consultant consultation statement explaining the process undertaken and how it proposes to amend the Neighbourhood Plan in response to comments. The next step would be to

submit the Neighbourhood Plan to New Forest District Council for consultation, under Regulation 16, in which the District Council publicise the plan for a minimum 6 weeks, then appoint an independent examiner. Should the examiner find the plan to meet the Basic Conditions, it will then be subject to a local Referendum. Should the plan be successful at Referendum, it will then form part of the Development Plan.

10.1.10 In respect of material weight to be attached to the emerging Policies, the Planning Practice Guidance (PPG) (Paragraph:007 Reference ID: 41-007-20190509) states that an emerging neighbourhood plan is likely to be a material consideration in many cases. However, until the Plan is 'made' the weight that can be afforded to the emerging plan is at the discretion of the decision maker, with the following guidance outlined in the NPPF.

NPPF Paragraph 48 states that Local Authorities may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given):
- b) The extent to which these are unresolved objections to the relevant policies (the less significant the unresolved objections, the greater the weight that may be given): and
- c) The degree of consistency of the relevant policies in their emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

10.1.11 In relation to criterion a), it is recognised that the Plan is at a very early stage in its preparation. Indeed, the Town Councils pre submission publicity period on the Regulation 14 Plan is still ongoing and it has not received the full response from the local engagement. As per criterion b) above, the extent of unresolved objections to policies cannot be determined during a consultation period where there are still opportunities to make representations.

10.1.12 Turning to criterion c), it is demonstrated in the submission Basic Conditions statement that the Plan has had regard to national planning policy. However, the plan has not yet gone through the full pre submission consultation period or the District Councils Consultation period. Moreover, the plan has not yet been scrutinised by an independent examiner.

10.1.13 In considering the weight to be given to the emerging Plan, the starting point is that a valid planning application has to be determined by the Local Planning Authority. The LPA cannot refuse to consider or delay a decision on a planning application because of ongoing work on a neighbour plan. Neighbourhood plans will gather increasing weight as a material consideration, the further they get through the process towards becoming a 'Made Plan'.

10.1.14 Until a Neighbourhood Plan is published, the community bringing the plan forward should have evidence of public support for aspects of the plan. Some very limited weight could be given to those policies where it can be demonstrated that there is clear public support for them. Once the Plan has been checked for compliance with the NPP and existing Development Plan Policies by the Council a little more weight can be given to those policies.

10.1.15 From the above overview, given the current stage of the Plan, it is clear that the policies in the emerging Neighbourhood Plan can still be subject to potential future

modifications or even deletion. Until the Plan is gone through the full Consultation process and Examined, the policies can change. Overall, the Plan still has to go through significant stages in its preparation. Drawing everything together, Officers consider that, at the time of writing this report, the policies in the emerging Plan can attract very limited weight.

## **10.2 Housing Land Supply and the Tilted Balance**

10.2.1 The Council cannot at this point in time demonstrate a five-year supply of deliverable housing land and the Council Planning Policy team is currently engaging with developer in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. The updated housing land supply position remains below the required 5 years.

10.2.2 In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing). The current proposal is for a new estate development of 400 units which will make a valuable contribution to housing supply in the District.

10.2.3 The July 2021 NPPF states the following

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

10.2.4 The remainder of this report will now turn to other environmental and sustainable development factors to be balanced against this government advice to Local Planning Authorities.

## **10.3 The quantum and location of the employment uses**

10.3.1 The local plan policy seeks to provide around 3 hectares of employment uses within the site, but there is no requirement set out in the policy for this site to deliver a specific employment use or of a particular size. The submitted Parameter Plans comply with the policy requirement, in which 3 hectares of employment land would be provided within the northern part of the site with embankments and tree planting to buffer traffic impacts from the A31.

10.3.2 The proposed employment uses comprise 'Use Classes E (c and g)' which includes offices, industrial processes, research and development and other appropriate commercial services. The other employment use proposed is 'Use Class B2', which is general industrial. As this is an outline application, the details of the exact type of employment use, quantum of floorspace, layout and appearance of buildings is not known at this stage and will be considered at the reserved matters stage.

10.3.3 It is considered that the proposed employment uses would be compatible with the site's location and accord with the policy requirements. Use Classes E (c and g) and B2 would provide significant employment opportunities that would be supported by the policy requirement to deliver a significant level of self-containment in employment opportunities, as well as helping to satisfy the economic thread of sustainable development. It is also important to note that the construction of the development will generate significant employment opportunities in the short term, so the development will give rise to significant economic benefits.

#### **10.4 The Quantum Development and mix of residential development**

##### **Quantum of Development**

10.4.1 The criteria set out in Policy Strategic Site 14 states that the allocation can accommodate at least 270 homes based on the masterplanning work that was undertaken through the Local Plan process. In proposing up to 400 dwellings, the applicant is seeking to develop the application site with a materially greater number of dwellings than the minimum policy expectation. However, an uplift in dwelling numbers is not unacceptable in principle; because as the supporting text to the Local Plan notes (at Paragraph 9.33) *"Where added capacity can be delivered in a manner that is well-designed and contextually appropriate, provides an acceptable housing mix, fully mitigates its habitat impacts and achieves a net environmental gain, additional capacity will be supported."*

10.4.2 In assessing whether 400 dwellings is an appropriate quantum of development, it is necessary to consider whether this level of development could be provided in a manner that is contextually appropriate and well-designed, as well as being deliverable with the necessary infrastructure and mitigation land, noting that the provision of a greater number of dwellings leads to a greater green infrastructure requirement to mitigate the increased numbers of dwellings. Only once all of these points have been considered can a conclusion be reached on dwelling numbers and the site's capacity.

##### **Mix of Development**

10.4.3 Policy HOU1 relates to housing type, size and choice. The strategy is to ensure that all residential development helps to address the diversity of housing needs of local people at all stages of life by providing a mix and choice of homes by type, size, and tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A table within the Local Plan (Figure 6.1) sets out the need for different house types within the District.

10.4.4 The applicant's supporting statement suggests that the proposed development would provide a full range of housing, from 1 and 2 bedroom apartments up to 3 and 4 bedroom family houses, with it being noted that the precise unit size mix will be determined at reserved matters stage. Whilst inevitably the precise unit mix can only be agreed at reserved matters stage, it is considered important that the mix of development reasonably reflects the identified housing need across the district,

but also considers the context of the site on the outer edge of the settlement, where a slightly greater proportion of family homes might be more contextual. Accordingly, a condition is considered necessary to ensure that the mix that comes forward at reserved matters is appropriate, having regard to these points.

## **10.5 Design/ Character matters including the Location, Layout and Landscape Impact of the Development**

### **The Location of Built form and Green Infrastructure**

10.5.1 The site's sensitive location, is defined by its rural edge and proximity to the New Forest National Park bounding the eastern boundary. This places a further emphasis on the need for the development to be of good design quality and that the site's landscape character, proximity of the New Forest National Park and rural edge context should inform the scale, layout and density of any such development.

10.5.2 The application site lies just within Character Area 6 'Crow and Hightown' of the Ringwood Local Distinctiveness Document. Characteristics of the application site and surrounding area are highlighted in the document. Paragraph 4.6.1 references the variety of dwellings forms: from the original farm buildings to occasional Victorian or Edwardian cottages, infilled along Hightown Road and the Elm Tree Public House which remains a landmark and centre to the neighbourhood. This is illustrated in Fig 6.9 which illustrates the public house and the land rising on the wooded farm slopes with the higher plateau of the New Forest open countryside beyond.

10.5.3 Fig 6.10 illustrates the views towards the town looking westward from Nouale Lane footpath and highlights the important the quality of the rural edge can be. The illustrative map showing the character area indicates important views from Nouale Lane and the New Forest across the site. Furthermore, Paragraph 4.6.9 highlights the edges of development west of Eastfield Lane and south of Hightown Road are abrupt boundaries where housing or industrial building and curtilage lie along exposed field boundaries with only occasionally strips of tree planting attempting to soften the impact of buildings.

10.5.4 As the application is in outline form, the submission does not provide detailed plans showing the layout, what the streets will look like and precisely where buildings will be placed, or detailed elevational designs. As such, it is important that through this outline planning application that the fundamental 'building blocks' are in place for guiding all future 'reserved matters applications. The Parameter Plans, illustrative layout Plan, the Design and Access Statement and Landscape Framework, all play a key role in setting out the fundamentals upon which the detailed schemes will be developed.

10.5.5 The submitted parameter plans show that built development would be provided on a north-south axis in the central part of the site but broken up into several individual blocks by the roads, green wedges and areas of open spaces. A significant green buffer would be provided on the eastern boundary and along the western boundary broadly in line with the Local Plan Concept Masterplan but Although it is noted that the proposed green wedges running west to east would be narrower than that envisaged on the Local Plan Concept Masterplan.

10.5.6 Both Policy and the Local Plan Concept Masterplan seek wedges of greenspace and broad streets in an east-west alignment. Whilst the submitted parameter plan show green corridors, the Councils Urban Design Officer considers that these are not shown as wedges and the southernmost green wedge alongside the Public Right Of Way (PROW) is most clearly not the size of green wedge that was

envisaged by the policy.

10.5.7 The Urban Design Officer states that the main concern is that if these corridors are too narrow, is that they appear more urban and utilitarian than the principles of the policy. Moreover, the setting of the PROW would be very much within a suburban street, rather than through a wedge of space related to countryside and the setting and views towards and from the Listed Elm Tree pub and the rural edge of the forest would be depleted.

10.5.8 In response to these concerns, and taking into account landscape, drainage and ecology issues, the applicant has provided further information in the form of illustrative sketches and sections. These drawings have shown that by setting the built development back from the green areas, this will enable these spaces to be both pleasant with an open setting enabling views out towards the countryside. The information submitted illustrates that building frontages on either side of the most southern green corridor along the PROW would be at least 25 metres apart and is shown to have a minimum distance of around 25 metres (i.e., a minimum of 25 metres between the buildings crossing the green wedge). It is considered that the additional details provided by the applicant demonstrate that the green area or wedges would appear as wide attractive open green corridors, in which key viewpoints would be maintained.

10.5.9 The Parameter Plans show an extensive green area on the eastern part of the site adjacent to Nouale Lane and adjacent to the National Park. This fully complies with the vision for the site to create and form a significant buffer on the east edge of the development. Significant tree and hedgerow planting would be provided within this green space to provide a sympathetic edge to the development. In addition, the proposed development also shows a wider margin of green space on the western edge of the site compared to that shown on Local Plan Concept Masterplan. This is clearly a betterment with a more generous open green space along the western edge of the development and also enables the built development to be set back from the existing dwellings in Eastfield Lane.

10.5.10 In summary, whilst there are elements of the submitted parameter plan which deviate from the Local Plan Policy Concept Masterplan, it is considered that the additional details provided by the applicant have alleviated some of these design concerns. Overall, the deviations from the Council's Concept Masterplan as proposed in the applicant's Parameter Plans are appropriate and justified. The most critical areas of green infrastructure would be secured, and there would be clear benefit in the 'additional' areas of green infrastructure that are proposed.

#### The Layout and appearance of Development

10.5.11 Layout and appearance is a matter for detailed approval at Reserved Matters stage. Nevertheless, this Outline planning application does set a framework for the proposed layout. This is achieved through the position of the access points, through the parameter plans, and through some of the other supporting plans and illustrative information, including the Design and Access Statement and illustrative layout.

10.5.12 The submitted Design and Access Statement breaks the illustrative layout into different character areas, setting out the key features and characteristics of the proposed development. This is very helpful in providing a clear vision for the site and how the proposed development responds to the context of the site and landscape characteristics. The different character areas are named the 'employment area', 'spine street', 'Park Edge', 'Nouale Lane', 'Southern Edge', 'Southern Gateway' and Northern Gateway.

10.5.13 The application is also supported by a supplementary report that provides further information on the development parcels or character areas to help inform future reserved matters application. This document explores 7 'Demonstration Areas' within the site and provides an analysis of the various character areas, street typologies, and green space frontages in the development, to provide an overview of the proposal. It is considered that this further information provided by the applicant is very helpful to show how the design/ character can evolve at Reserved Matters Stage.

10.5.14 Breaking the site into different parcels, the employment area will be split into two areas either side of the new access, in which the two areas will have their own access. Whilst no definitive layout is proposed at this stage, the layout allows for a series of rectangular shaped buildings (which could include office, light industrial or industrial). A gateway/landmark building is illustrated adjacent to the southernmost roundabout where the road will be at the same grade level as the site. Space for trees and hedges is allowed for within the blocks and a landscape buffer and green space along its western and southern boundary so that both the residential and employment can front onto a landscape green space.

10.5.15 The residential 'Spine Street' character area, which is the main road running through the site, has been shown as the denser urban character. Within this character, there will be continuous building frontages with a combination of rear car parking, courts and minimal street parking. It has been stated that this can be achieved using taller buildings and fewer gaps between the buildings. It states that the spine street will be grassed with trees along both sides with buildings 2, 2.5 or 3 storeys, including a number of apartments. This is considered to be the correct design approach to create a higher density development through the middle of the site away from the more sensitive edges of the development and this can be achieved through the terraces, flatted blocks and occasional taller elements on buildings and to increase the dwelling numbers for smaller units along the main spinal street.

10.5.16 The most sensitive area is the 'Park Edge' character, which comprises the land on the eastern boundary adjacent to the National Park. This character area is defined as lower density, with space for vegetation around the edges and front gardens, in which buildings will be limited to 2 storeys and would be predominately detached dwellings facing onto the countryside edge. It is considered that lower density, deeper front and rear gardens, space between buildings and vegetation around the edges of buildings is fundamental to create an appropriate rural edge.

10.5.17 Green Walk character area covers the western edge of the development, and this has been shown as predominately two storey detached housing facing the wide landscape edge and a fairly low to medium density housing with integrated trees and shrub planting to complement the landscape setting. This is considered to be the correct design approach.

10.5.18 The applicant has submitted illustrative images of the dwellings and employment buildings within the Design and Access Statement. Illustrative building types tend to be a mixture of simple building forms with decorative detailing traditional porches and bay windows which will add to the overall design quality of the development. It is considered that from the plans submitted, the dwellings and buildings are designed and detailed to a good quality.

10.5.19 The Urban Design Officer notes that the development is intense in its design and has raised concerns with some elements of the 'tandem' car parking between the sides of the dwellings, which he considers can appear harsh if the treatment of materials, design and detailing is not to the highest quality. Although noting that the application is in outline, the Councils Urban Design Officer recognises that there has

been some minor criticism with the design and layout of the development, in which the Urban Design Officer considers that care will be needed to ensure that these are addressed at reserved matters stage.

10.5.20 It is accepted that this proposal seeks to create a more intensive and higher density development, which has also been highlighted by the Urban Design Officer. However, the supporting information and illustrative plans show a significant amount of Green Infrastructure around the perimeter and throughout the site to help protect the rural character of Hightown Road and Nouale Lane. Moreover, the applicants plan illustrate the transition in the density throughout the development, in which lower density development is concentrated towards the perimeter of the site with the slightly higher density within the central parts of the site.

10.5.21 Overall, the submitted illustrative plans and Design and Access Statement shows one option for a design and layout, and whilst there are clearly some matters within the layout that will need improvement/refinement, this is a matter that will be considered in detail at the reserved matters stage. If a scheme is submitted that does not achieve a high standard of design, the reserved matters application can be refused. Equally, the application is described as 'up to 400 dwellings', which does enable future reserved matters application to be less than 400 dwellings.

#### The Landscape Impact of the Development

10.5.22 The application is supported by a Landscape and Visual Appraisal with Impact Statement (LVAIS). This document assesses the landscape and visual effects of the development, both on the site landscape elements and features and in views from both the immediate vicinity of the site and from more distant viewpoints. Although the application site does not lie within a nationally or locally designated landscape, its eastern boundary abuts the New Forest National Park, which follows Nouale Lane.

10.5.23 The New Forest District Council landscape character assessment places the site within part of the 'River Terrace Farmland' and 'Upper Avon Valley'. To the immediate east of the site within the New Forest National Park, is part of the 'Poulner Woods' and 'Pastures' landscape character area, which falls within the 'Ancient Forest Farmlands' landscape type.

10.5.24 The appraisal states that the landscape quality within the application site is variable but noting that the eastern parts are more characteristic of the southern slopes of the New Forest National Park and therefore being of High Landscape value. This is characterised by more densely vegetated character of the landscape within the New Forest National Park to the east of Nouale Lane, with its dense hedge lines, woodlands and smaller field patterns. This contrasts to the northern and westernmost parts of the site which is assessed as being of Medium landscape value and is characterised by mainly open with a dense hedge line along Hightown Road. There is no reason to disagree with this assessment.

10.5.25 The LVIA has identified important viewpoints when carrying out a visual impact assessment of the proposed development. Due to intervening topography and vegetation, views to the application site are localised. The more apparent view of the site available are from the occupiers of residential properties along Eastfield Lane and Ash Grove, Hightown Road and Nouale Lane. In addition, views of the site are significant from the A31 Slip road and the Public Right of Way. There are also views from parts of the New Forest immediately adjacent to Nouale Lane, Hightown Hill and those parts of the PRow network which adjoin Nouale Lane such as Bridleway 33 and Footpath 41b.

10.5.26 The LVIA confirms that there will be a much greater visual adverse effects upon the views from the dwellings in Ash Grove and Oak Cottage (rear elevation views) in particular, and users of the Public Right of Way. Although it reports that there will be a greater adverse impact on views from dwellings in Eastfield Lane, Hightown Road and Nouale Lane, the implementation of the landscaping would reduce the visual impact. In terms of the viewpoints from the New Forest at Hightown Hill and those parts of the PRow network, Bridleway 33 and Footpath 41b, these are not readily visible in the summer months, although it is noted that the proposed development may potentially be visible from these viewpoints, but the extent of impact is minor.

10.5.27 The applicant has submitted a landscape and ANRG Framework plan for the whole site. The submitted landscape and ANRG Framework plan, whilst only illustrative, shows a comprehensive ANRG on the eastern side of the development that will form a buffer between the development and the National Park boundary. The submitted Landscape Strategy employs a sensitive approach recognising the importance to locate recreational greenspace along the eastern part of the site, to define a new rural edge, buffer and enhanced boundary to the National Park. Strategic Flood basins are located within the area with 4 areas of wet tolerant meadow mix which will form ephemeral wet areas, together with a mixed woodland and shrub planting to complement the New Forest.

10.5.28 The unique Poulner Woods and Pastures landscape character has strongly influenced the design of the ANRG along the eastern boundary with belts of native woodland, tussock grassland, open meadows, native hedgerows with significant tree and shrub planting that will contribute to the principles of the landscape and reinforce the 'feeling of being in the forest'

10.5.29 The width of green infrastructure on the eastern boundary would vary from around 80 metres to up to 180 metres. In terms of its length, running parallel to Nouale Lane, this equates to approximately 640 metres. The creation of this generous depth of green infrastructure along the development's eastern edge would help to ensure compliance with the specific policy requirement to set development behind the along this edge, and thereby help ensure that built form does not intrude unduly within the landscape beyond the site.

10.5.30 Along the western boundary of the site, Green Infrastructure is shown to be provided in the form of a green corridor which ranges from 25 metres in width to 70 metres, with connecting green wedges running west to east. The Landscape Strategy and Illustrative Landscape Masterplan also highlights that the western boundary of the site will comprise meadows, amenity grasslands with the introduction of attenuation basins. These will accommodate sustainable drainage with gentle gradients, native planting and meadows. The semi-improved grassland habitat will consist of long grassland swathes, intersected by mown grass paths and new tree planting. This would accord with the policy requirements that seek to enhance the water course on the eastern boundary as landscape features softening visual impacts and providing some green amenity space buffer to existing residential areas.

10.5.31 The landscape impact of the development is significantly assisted by the fact that just below 50% of the application site (not including the employment development) is proposed to be green infrastructure. This will provide significant opportunities for new tree and hedgerow planting and landscape management that should thereby ensure the development sits successfully into its landscape, as well as providing an attractive landscape setting for the built infrastructure.

10.5.32 An assessment of landscape impact is inevitably informed by the fact that the application site is allocated for residential and employment development, with a change to landscape character being an inevitable consequence of the allocation. Against this context, what is important is that there should be a strong landscape framework to the development and that the edges of the site in particular are sensitively handled so that there is not a harsh or unduly urban interface with the areas of open countryside immediately to the east of the application site. The landscape impact assessment identifies the distinguishable change in topography which defines the approximate start of the New Forest hillside slopes. The proposals reflect this contour change, sympathetically avoiding the slopes to minimise visual impacts. The development parcels have also been designed to avoid key views across the site to Ringwood from Nouale Lane and higher viewpoints

10.5.33 Overall it is considered that the approach in general terms is appropriate, although, a reduction in density along this edge would be preferable. Nevertheless, provided the development broadly accords with the key principles set out in the illustrative eastern edge drawings, it is considered that the development would have acceptable interface with the open countryside and sensitive National Park beyond the site.

10.5.34 The submitted landscape and ANRG Framework plan, whilst only illustrative, provides some detail to the proposed green infrastructure and shows a comprehensive area of Green Infrastructure on the western and eastern side of the development. This will form a buffer between the development and the National Park together with the Green Space provided along the western boundary incorporating the watercourses. Overall, the illustrative Landscape and ANRG Framework Plan shows how the ANRG land and public open space would provide an attractive and relatively verdant landscape setting for the built development. As recognised above, there are elements of this Plan that need to be refined, but these largely relate to matters of detail that can be reasonably resolved at Reserved Matters stage.

#### The Density of Development

10.5.35 Local Plan Policy does not prescribe particular densities for any of the strategic sites. When considering density, what is important is that the proposed density of development (which stems from the number of dwellings proposed) is contextually appropriate and capable of being delivered in a way that is sympathetic to the landscape context. Nevertheless, for an outline application of this nature, a consideration of density does provide an important indication of a development's character.

10.5.36 The proposal shows a density of around 35 dph, which will differ from the majority of the local context, and as such would result in development of a different form and scale to the lower density of development within the immediate locality of the site. The nearest comparable in density is in Ash Grove and the recent development completed in Crow Lane known as 'Beaumont Park', which has a density of just above 30 dph. Importantly, the 'Ring 3' development which has a density around 33dph, provides attractive streets and buildings, pleasant green space and overall, is a successful scheme. In considering density, it is also important to note that the provision of smaller dwellings (1 and 2 bedroom units) would increase the overall density of a development. The Applicant's Design and Access Statement concludes that the density, character area approach and form and layout of this proposal will be similar to Ring 3.

10.5.37 Consideration has to be given to the amount of green infrastructure to be provided on the site and the character of development proposed. Given the need to provide both public open spaces, play and ANRG, the total green infrastructure provided equates to 12.8 hectares (within the residential development, not including employment areas ). The extent of built residential development on the site including road infrastructure equates to 13.24 hectares, which is around 49 % of the total site, and exceeds policy requirements. Accordingly, it is important to note that the quantum of strategic Green Infrastructure to be provided within the site is just below 50% of the site and this will help create an attractive development. There will also be smaller scale green infrastructure, private gardens and incidental play spaces within the notated residential area which will further increase the proportion of green space within the overall development. This will be considered within the reserved matters.

10.5.38 Importantly, as higher density elements are sought within the built up areas of the site as a reflection of the housing mix sought by the Local Plan, it has to be demonstrated within the application, how this can be achieved through high quality design and by providing enough information (in the Masterplan, D&AS and landscape strategy) to enable such designs to be delivered through the planning process.

10.5.39 The applicants supporting information and illustrative proposal has demonstrated that a good quality development can be achieved on the site through an innovative layout with perimeter blocks and shared spaces. Overall, the broad character principles in the supporting documents provide comfort that a quality development at this density could be appropriately delivered on this site. It further demonstrates that the applicant has sought to make efficient use of the site, as required under paragraph 122 of the NPPF, in a manner that would integrate well with its surroundings.

10.5.40 A further point of consideration is that a density around 35 dwellings per hectare would fall within the density range that the National Model Design Code suggests one might characteristically see in an 'outer suburban' area. Moreover, Government guidance makes it clear that sites allocated for development need to be utilised efficiently and the benefits of providing additional housing, including more affordable housing weighs in favour of the development.

10.5.41 Clearly a density of 35 dph spread evenly across the site would not achieve the form and type of development that is expected through good design taking into consideration the sensitive parts of the site. As noted above, a lower density is expected (and indeed necessary) along the site's eastern edge, north) western boundary (adjacent to the detached dwellings backing onto the site in Eastfield Lane and southern edge, meaning that some of the areas within the site would therefore be of a higher density. The central spine road offers an opportunity to increase such densities. Ultimately, the spatial characteristics of a development will be much more a product of the detailed design than the density of development per se. And clearly, this is something that would need to be carefully considered at reserved matters stage but needs to be clearly illustrated in the outline application and is set out on the submitted Density Parameter Plan, which will be conditioned.

10.5.42 Overall, the broad character principles in the supporting documents provide comfort that a quality development at this density could be appropriately delivered on this site. It further demonstrates that the applicant has sought to make efficient use of the site, as required under paragraph 122 of the NPPF, in a manner that would integrate well with its surroundings.

## The Scale and Massing of Development

10.5.43 Whilst scale is a matter for reserved matters approval, it is important to have some understanding of what type of scale will come forward on this site. Building heights and scale is referred to in the submitted Design and Access Statement and Parameter Plan.

10.5.44 The applicant's Design and Access Statement and Parameter Plan suggests that the majority of the residential development will be 2-storey, but with some 3 storey development (up to 12 metres) along the central spine of the site at key locations/junctions. For the employment, the Parameter Plan suggest up to 12 meters along highways and key locations. The supporting documents go on to state how careful and considered use of two and a half storey and three storey dwellings within the more central parts of the site will add visual interest.

10.5.45 It is considered that the suggested scale would be appropriate to the site's context, with some variety helping to create legibility and a stronger sense of place. The sensitive edges to the site would rise to no more than two stories which is the correct scale. The Council's Urban Design Officer considers that the conceptual parameter plan is acceptable given the explanations given in the D&AS and illustrative masterplan. He goes onto state that the introduction of three storey development may assist in creating character, but it should be noted that reserved matters will determine exact designs for such buildings features with an expectation that variation in roof form is introduced to create legibility and a skyline in sympathy with the landscape. In addition, the building heights within the employment plan would not restrict the eastbound A31 iconic view of Ringwood with church tower being the dominant skyline characteristic against a wooded backdrop.

## Access Road Design

10.5.46 The proposed new Primary access forming a new 4 arm roundabout onto the A31 Slip road has been submitted for detailed approval. A shared footway/cycleway would be constructed on the west side of the Spine Road of the proposed development. Either side of proposed road, large embankments will be formed and planted with vegetation including trees.

10.5.47 The proposed access will result in the loss of trees to the north of the application site (running parallel to the A31 slip road) and it is important to note that the A31 Slip road sits approximately 6 metres above the existing ground level to the south of the application site. Given the significant change in land levels, the loss of trees and the overall scale of the proposed access, it is clear that this will be a dominant feature in the landscape and will provide the main gateway into the site. It is fundamental that the access road achieves two objectives; to provide a functional safe access into the site with footpath/cycle connections to the north; and to provide a positive visual gateway feature into the site.

10.5.48 To help understand how the road and roundabout will appear in its context, the applicant has helpfully submitted a sectional drawing of the access against the land levels and have provided an illustrative sketch/ artist impression to help visualise the access and roundabout.

10.5.49 Based upon the details submitted, the access road would have a fairly gradual decline into the site from the A31 slip road. Wide embankments would be formed on either side of the access road, and these are shown to be planted with trees. A grassed verge is also proposed between the road and footway. It is

considered that subject to a detailed planting scheme for the embankments, which can be secured by condition, the proposed access would be a positive feature and fulfil both objectives as set out above.

## **10.6 Visual Impact of Development on the National Park**

10.6.1 There is a statutory duty for the Local Planning Authority to have regard to the purposes of the adjacent National Park, and it is therefore important that what is proposed has an acceptable impact on the setting of the New Forest National Park. Both Local and National Planning policies make it clear that very significant weight must be given to ensuring that the character, quality and scenic beauty of the landscape and coastline of the National Park is protected and enhanced.

10.6.2 The New Forest National Park lies immediately adjacent to the eastern boundary of the application site, bordering Nouale Lane. This part of the New Forest National Park, forms part of the 'Poulner Woods and Pastures' landscape character area and falls within the 'Ancient Forest Farmlands' type. Views of the site are available from parts of the New Forest immediately adjacent to Nouale Lane, Hightown Hill and those parts of the Prow network, which adjoin Nouale Lane, including Bridleway 33 and Footpath 41b. Given the undeveloped nature of the site with its open paddocks, trees and hedgerows, currently, the application site has minimal impact on the New Forest National Park and its setting.

10.6.3 The applicants LVAIS and Landscape and ANRG Strategy seek to provide the ANRG along the complete length of the eastern part of the site to provide a transition into the National Park and an appropriate landscape buffer to development within the site. Lower density two storey development is shown on the Parameter Plans to be provided on the most eastern edge of the development with 'Green Wedges', which provide views to and from the site to the New Forest National Park. Whilst the detailed design of the ANRG, will be set out at the reserved matters stage; the LVIA and indicative landscape plan set out its key principles including a circular route and that it should reflect the character of the 'Enclosed Farmland Woodland' landscape type with a mix of smaller fields enclosed by hedgerows and denser treelines

10.6.4 The submitted LVAIS states that given the distances involved and the significant quantity of Green Infrastructure, the proposal 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. The LVAIS concludes that the proposals do not adversely affect the designation and there would be no significant change to the setting of the National Park.

10.6.5 It is considered that there is no reason to disagree with this assessment and given the distances involved and the significant quantity of Green Infrastructure, and subject to mitigation through the new landscaping the proposal 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.

## **10.7 Arboricultural Impacts**

10.7.1 There is currently an area Tree Preservation Order covering the entire site. The submitted Tree Survey and Arboricultural Impact Assessment has categorised the trees on site and the Councils Tree Officer says that there is no reason to disagree with the categorisation assigned to the individual and groups of trees. A revised Tree Survey and Arboricultural Impact Assessment has been submitted which outlines the tree protection measures to be adopted to ensure retained trees on site can be

protected during development. The Councils Tree Officer agrees with the details set out in the report and if followed would adequately protect retained trees.

10.7.2 The biggest impact on trees loss relates to the north of the site, in order to facilitate the road access. This consist of Alder, Ash, Willow, Birch, Hawthorn and Oak. The Tree Officer states that Individually, the trees within the group have limited amenity value, but collectively they form an important group and provide a good level of screening to the site. No category A trees will be felled.

10.7.3 The impacts of the removal of any trees in this area will need to be mitigated through tree planting and landscaping and this is detailed in the submitted landscape plans. Whilst the tree loss is unfortunate, their removal is required to provide the necessary infrastructure (new access road into the site). There is clearly an opportunity to provide significant new tree planting on the roundabout embankments to compensate the loss and further details on species mix and specifications for planting can be dealt with would need to be provided and this is a matter that can be dealt with by a suitably worded condition and as part of the Reserved Matters Application

10.7.4 In summary, a full tree mitigation strategy can be provided at detailed stage, to provide new specimens, which would provide a more effective, long term gain in both arboricultural and amenity value. Accordingly, it is considered that, in the context of the proposed development tree losses have been minimised to those required to facilitate the new development. Tree planting as part of the supporting Green Infrastructure will be a positive gain for arboriculture over and above that which currently exists on the site.

## **10.8 Impact on Heritage Assets**

### **Listed Buildings and Conservation Areas Act 1990**

10.8.1 Section 66(1) of the Listed Buildings and Conservation Areas Act applies. It requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In considering applications that impact on Listed Buildings the Planning Authority must take note of the following -

- The significance of the heritage asset
- Its setting - wider rather than narrower meaning of visual relationship
- Substantial harm (complete loss) – only in exceptional circumstances
- Less than substantial harm – to be weighed against the public benefit

10.8.2 Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits which is also referred to in the National Planning Policy Framework (NPPF) 2021.

- Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal

- Paragraph 203 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.8.3 The application is accompanied by a detailed Heritage Assessment which identifies that there are several heritage assets in relatively proximity to the application site, whose setting could be affected by the proposed development. Although there are no designated heritage assets recorded on the site, the Heritage Assets that could be affected by the proposed development because of changes to their setting are the following.

- Grade II Nouale Cottage
- Grade II Elm Tree Inn
- Grade II\* Church of St Peter and St Paul
- Grade II Poplar Farmhouse, Eastfield Lane
- Grade II 94 Eastfield Lane
- Non Designated Heritage Asset Oak Cottage, Hightown Road
- Non Designated Heritage Asset Oliphant House, Hightown Road
- Non Designated Heritage Asset farm buildings on the junction of Nouale Lane and Milky Down Back Lane

#### Impact on setting of Grade 2 Nouale Cottage

10.8.4 Nouale Cottage is a timber framed thatched cottage which lies to the east of the site fronting onto Nouale Lane with origins in the seventeenth century, although much of the built fabric extant is from the eighteenth century with twentieth century alterations. The Heritage Assessment states that the significance of the building is derived from both its architectural and historic interest.

10.8.5 In terms of setting, the Heritage Assessment highlights its immediate setting as rural, with west views out across the rural land to the twentieth century development beyond. The application site currently forms agricultural land which lies to the west of Nouale Lane, opposite the listed building. From the listed building, the southern portion of the application site is visible. The Heritage Asset itself is visible from the public right of way across the southern half of the application site, and partially visible from limited northern areas of the application site. The Heritage Assessment concludes that the application site makes a minor contribution to the significance of the heritage asset by providing part of the agricultural setting which reflects the historic context of the building.

10.8.6 It has to be recognised that this is an outline application, and as such, the concept plans are illustrative. The Conservation Officer considers that the open setting and outlook to Nouale Cottage will have a less direct impact but will erode some of the open land which contributes to this more dispersed run of rural buildings along Nouale Lane. The parameter plans show a large area of green space on the east edge of the site bounding Nouale Lane, which will help minimise its impact. The overall impact on its setting would be less than substantial harm, but on the lower end of the spectrum.

#### Impact on setting of Grade 2 Elm Tree Inn.

10.8.7 The eighteenth century thatched roof Elm Tree Inn is a Public House which lies to the south west of the site. The Heritage Assessment sets out the historic mapping and indicates that this was once Elm Tree Farm, which covered 80 acres of land. The farmhouse was converted into a public house in the twentieth century. The significance of the listed building is predominantly derived from its historic interest and architectural interest.

10.8.8 The Heritage Assessment considers that the historic interest of the listed building lies in its legibility as a historic farmhouse and barn. In terms of setting, the immediate setting of the heritage asset is focussed on the junction of Hightown Road and Crow Lane, and from here it is possible to view the principal elevation of the listed building. Elements of the wider setting of the listed building make a minor contribution to the significance of the heritage asset, which include the rural features including the hedgerows and some agricultural land, linked to its former use as a farm.

10.8.9 In assessing the impact on the setting of Elm Tree In, it has to be recognised that this is an outline application, and as such, the concept plans are illustrative. The Parameter Plans show a large open green space, with no built development in the south west corner of the site adjacent to this Heritage Asset. The Heritage Assessment concludes that there will be some harm on the setting of the Heritage Asset, but the degree of harm is on the lower scale of less than substantial. The Conservation Officer agrees with this assessment and considers that the proposals a small degree of harm is proposed to the Elm Tree Pub as its former open farmland setting to the east is compromised. Moreover, given the improvements at the junction of Hightown Road and Crow Lane, in which number of roads will be reduced and replaced with greenery, it is considered that this will improve the setting of the listed building from the south.

#### Impact on setting of Grade II\* Church of St Peter and St Paul

10.8.10 The Church of St Peter and St Paul lies within Ringwood Town Centre, approximately 1 mile to the west of the application site. The Heritage Assessment concludes that the application site is not visible from the Church or from its immediate or intermediate setting. There are long distance views to the Church tower from an area of the north east section of the Site close to Nouale Lane and from Nouale Lane itself, by nature of the topography of the area. These views allow for a very minor appreciation of the historic interest of the Church from afar, although this is limited by both the partial nature of the view and the twentieth century residential development which form the foreground to these views, severing the Church from its wider, rural setting. The Conservation Officer agrees that the proposal will not have any impact on the setting of Church of St Peter and St Paul.

#### Impact on setting of Grade 2 Poplar Farmhouse and 94 Eastfield Lane

10.8.11 Both these Heritage Assets are located to the west of the application site along Eastfield Lane. It is considered that these heritage assets have extremely limited inter-visibility with the bulk of the application site and have very constrained settings, focussed on their immediate plots. The proposed development will not alter the character of the listed buildings' settings or ability to appreciate their significance and will consequently have no impact. The Conservation Officer does not disagree with this assessment.

### Impact on Non Designated Heritage Assets Oak Cottage and Oliphant House, Hightown Road

10.8.12 Oak Cottage is a domestic dwelling located to the south of the application site on the north side of Hightown Road. The building is a two storey cottage comprised of brick, with a tiled roof. The significance of Oak Cottage is derived from its minor architectural and local historic interest. Oliphant House appears to be an early twentieth century dwelling of two storeys with a hipped roof. The significance of Oliphant House is derived from its local historic interest as a residential dwelling indicative of the development and expansion of Ringwood and Hightown at the time of its construction, altering a once rural setting with residential development.

10.8.13 It has to be recognised that the proposed development would alter the rural agricultural setting of Oak Cottage and Oliphant House and replace it with residential built form. In terms of Oak Cottage, the proposed development would cause a minor degree of harm through alteration of land which indicates the historic interest of the building through its former agricultural nature, to land which is occupied by residential domestic built form. Furthermore, the design of the proposed development has been carefully considered so as to introduce a buffer zone and increased fringe planting to screen the residential development from the immediate setting of the Site. In terms of Oliphant House, the proposed development would alter views out of the building. These views encompass parts of the setting of the heritage asset that are currently predominantly rural in nature, reminiscent of the original setting of the House, and thus make a minor contribution to its historic interest.

10.8.14 Overall it is considered that the level of harm and loss to the significance of the heritage assets is low.

### Impact on Non Designated Heritage Asset farm buildings on the junction of Nouale Lane and Milky Down Back Lane

10.8.15 The non-designated farm buildings are constructed of red brick, and all have corrugated roofs, with metal flashing at the ridges. All of the buildings have hipped barn roofs to their gable ends. The buildings have a number of timber doors with rusted iron hinges, many of which open onto a central courtyard. The applicants Heritage Assessment states that the first map record of farm buildings in this location dates from 1844. This shows a collection of (separated) buildings around a central courtyard.

10.8.16 In terms of an assessment of their significance, the limited significance of the non-designated buildings is derived from their minor historic interest as surviving remnants of a farmstead. The buildings have historic interest in the age of their built fabric, and minor architectural and historic interest in being representative of a utilitarian, purpose built nineteenth century agricultural typology. The historic interest of the buildings is also found in their continued agricultural use, although this is of a lower intensity than in previous years.

10.8.17 The Conservation Officer recognises that these are an attractive set of historic barns and that they retain typical locally distinctive architectural detailing and materials and sit as a well-preserved group at the edge of the lane. There are historic land associations, and they contribute to the rural landscape character of the National Park and the wider area. As this group of local red brick farm buildings sit in one of the more exposed locations on higher ground to the east of the main proposal.

10.8.18 The Conservation Officer concurs with the conclusion in the applicants Heritage Assessment in that the proposed development would result in a slightly higher degree of harm presented to these buildings compared with the development of the lower land to the west of the site. However, the Conservation Officer accepts that this is still a low level of harm and the rising land to the east of the allocation remains as open green space and as such responds to this particular non-designated asset. Officers have no reason to disagree with this view.

### Policy Balance

10.8.19 Having reached the conclusion that the development would cause less than substantial harm (lower spectrum of less than substantial harm) to the setting of heritage assets and the non-designated Heritage Assets (it is noted that Public benefits/ less than substantial harm issue not applicable to non-designated heritage assets), it is necessary to consider whether such harm would be justified. Paragraph 199 of the NPPF makes it clear that when considering any harm to a heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 194 of the NPPF makes it clear that any harm to a heritage asset requires clear and convincing justification, whilst Paragraph 202 of the NPPF advises that in the case of less than substantial harm, the harm should be weighed against the public benefits of the proposal.

10.8.20 The applicants consider their proposals would deliver significant public benefit comprising: delivering the Local Plan allocation; the creation of an exceptional quality of built and natural environment; the creation of a sustainable community that delivers new homes. The applicant's position is noted, and the overall balance as to whether or not the less than substantial harm to heritage assets would be justified is considered at the end of this report after all relevant matters have been assessed.

## **10.9 Transportation Impacts**

10.9.1 Transport is another significant issue that has been addressed in detail in the applicants Transport Assessment. The key test is whether the development would have an unacceptable impact on highway safety or a severe impact on the local highway network. It is also necessary to assess whether the proposed highway works and access arrangements within the scheme would be safe, sustainable, and meet the appropriate needs of all highway users; and whether the proposed development would have an acceptable impact on existing public rights of way within and in the vicinity of the site.

10.9.2 The site lies between the A31 to the north and Hightown Road to the south. Immediately to the north of the site is the slip road to the A31 which connects to Southampton Road to the north, Eastfield Lane to the west and Nouale Lane to the east. There is a mini roundabout at the end of Southampton Road. The A31 is subject to a national speed limit and forms a strategic road network operated by National Highways.

10.9.3 To the south of the site is Hightown Road which is a single street lit carriage way with a 40mph speed limit to the east of Crow Lane and 30mph to the west. Nouale Lane is located to the east of the site and comprises a single carriageway with no footway. The lane is single track and is rural in character.

### Policy Consideration

10.9.4 The assessment required by the NPPF is, two-fold. First, it requires an assessment as to whether a development would result in an 'unacceptable impact on

highway safety, and secondly, whether the 'residual cumulative impacts on the road network would be severe'. It is against these Framework tests the application proposal needs to be considered.

#### What is the Local plan policy position in relation to access for the site

10.9.5 Local Plan Policy SS14 sets out the need for the creation of a new site access spur from the A31 slipway (Southampton Road) roundabout to a main north-south street serving as both the focal point for development and an alternative route for local traffic to the A338 Christchurch Road in conjunction with Strategic Site 13: Land at Moortown Lane. This policy requirement is further illustrated in the Concept Masterplan which envisages a new vehicular access into the site from the north via the A31 spur, with a new road running through the site linking up to Hightown Road via a further second vehicular access.

10.9.6 The policy concept masterplan also shows the need to provide other connections (non-vehicle access) at the site including connections onto Eastfield Lane and Ash Drove (via the play area) and picking up the Public Right of Way adjacent to the Elm Tree Inn. The proposed access arrangements accord with these policy requirements.

#### Transport assessment

10.9.7 The submitted application is accompanied by a detailed Transport Assessment (TA), which, among other things, considers the trip generation rates that would be expected for the development, the likely growth in traffic, and the likely increase in traffic on specific routes and using specific junctions.

10.9.8 In terms of traffic generation and distribution, the TA states that the proposed development is expected to generate 402 two way vehicle movements during the morning peak period and 380 two way vehicle movements during the evening peak period. At the request of HCC (their initial response August 2021), further work was undertaken that was provided in an Addendum (February 2022) to the TA. The Highway Authority accept the surveys carried out and acknowledged that the surveys were updated to the current future 'base' year, as they requested (2025). This means that the traffic flows used are based on the surveyed year by adding the future predicted traffic growth to the 2018 surveys to forecast conditions in 2025 and 2036 (which included all strategic sites and a future assessment year). It is considered that significant weight should be given to the comments of the Highway Authority, who have accepted the survey data, but also Officers consider the applicants surveys are comprehensive and reliable.

10.9.9 The TA states that the 'Spine Road' through the proposed development would connect to Hightown Road and would form an 'informal bypass' providing relief to Eastfield Lane and Christchurch Road. The applicant's traffic modelling undertaken states that around 50% of existing traffic movements between Crow Lane and Southampton Road/the A31 via Eastfield Lane would re-distribute through the site. To ensure a robust assessment of the 50% re-distribution (i.e., in the event that more or less traffic moves across the spine road), sensitivity testing was undertaken on the basis that 25% of existing through traffic on Eastfield Lane moves across to the spine road and on the basis that 75% moves across. The Highway Authority accept the methodology used for the traffic modelling.

10.9.10 It should also be noted that the internal 'relief' road and the proposed access to the north of the site forming the 4 arm roundabout is not likely to be delivered until around the occupation of around 200 houses, which will be much later in the

construction and delivery process. Access into the site for both construction and first occupation will be from the southern access. The transport assessment and traffic modelling has accounted for this scenario.

10.9.11 The applicant's TA has considered the distribution of trips associated with the proposed development and the impact this will have on key junctions at the site and near to the site, which includes committed developments and future growth (2036 which is the local plan period). The TA assessed the capacity of the following junctions:

1. Southampton Road Priority Junction
2. Southampton Road / A31 Eastbound Slip Road Roundabout
3. Narrow Lane / A31 Eastbound Slip Road Priority Junction
4. Nouale Lane / A31 Westbound Slip Road Priority Junction
5. Southampton Road Mini Roundabout
6. Eastfield Lane / A31 Westbound Slip Road Priority Junction
7. Eastfield Lane / Hightown Road Priority Junction
8. Hightown Road / Crow Lane Priority Junction
9. Nouale Lane / Hightown Road Priority Junction
10. Hightown Hill / A31 Westbound Priority Junction
11. Christchurch Road / Mansfield Road Mini Roundabout
12. The Furlong / B3347 Roundabout
13. Salisbury Road / A31 Roundabout
14. Salisbury Road / A338 Priority Junction

10.9.12 The traffic impact assessment demonstrates that the proposed access junctions at the site and some of existing nearby junctions are expected to operate within theoretical capacity following the implementation of the proposed development, together with other strategic sites and future growth. There are several existing junctions which could be expected to operate above optimum capacity or above theoretical capacity with the development traffic in the future years. The seven junctions which exceed their optimum capacity are as follows:

1. (1b) Southampton Road Priority Junction
2. (6) Eastfield Lane/A31 Westbound Slip Road Priority junction
3. (7) Eastfield Lane / Hightown Road Priority Junction
4. (11) Christchurch Road / Mansfield Road Mini Roundabout
5. (12) The Furlong / B3347 Roundabout
6. (13) Salisbury Road / A31 Roundabout
7. (14) Salisbury Road / A338 Priority Junction

10.9.13 In relation to junction 1b 'Southampton Road junction, this lies just to the north of the site, in which the traffic generation from the proposed development would put further pressure on this junction. It is also important to note that this junction has poor crossing pedestrian/ cycle facilities. In order to mitigate against this impact on this junction, the applicant has designed a potential improvement scheme comprising the conversion of the junction to a small roundabout to mitigate against vehicle congestion/ delays at this junction, together with better pedestrian crossing facilities. This has been subject to a Road Safety Audit and considered to be acceptable in principle by the Highway Authority, but the more detailed designs will be done (Section 278 Agreement) at a later stage.

10.9.14 Two further junctions were shown to operate above their capacity, which include Eastfield Lane / A31 Westbound Slip Road junction and the Eastfield Lane/ Hightown Road junction (No's 6 and 7). However, it is considered that no mitigation is required at these junctions on the basis that the transport modelling carried out

concluded that the capacity of these junctions will be significantly reduced and will operate below capacity as a result of the introduction of the Spine Road through the proposed development. Essentially, the proposed spine road would relieve traffic generation along Eastfield Lane and improve conditions on that road and at the Eastfield Lane / A31 Westbound Slip Road junction and the Hightown Road/ Eastfield Lane junction.

10.9.15 It has to be recognised that the modelling result forecasts that without the Spine Road in place, which is not likely to be implemented until the occupation of the 200th dwelling, the junction of Eastfield Lane/A31 Westbound slip Road and the junction of Eastfield Lane/Hightown Road would be expected to operate above theoretical capacity in both with and without development traffic scenarios in the 2029 future year. Without the proposed development, the maximum queues at these two junctions are forecast to be 29 vehicles (5 minutes delay) and 44 vehicles (3 minutes delay) respectively in the morning peak. With the development traffic generated by 200 dwellings, the maximum queues at these two junctions are forecast to be 40 vehicles (7 minutes delay) and 61 vehicles (4.5 minutes delay) respectively in the morning peak.

10.9.16 Whilst it would be preferable that the trigger point for the completion of the spine road to be brought forward (below the occupation of the 200 dwellings), it is recognised that there are other factors determining when the spine road should and could be completed, which include the construction programme and viability of the development. It is also noted that the delays resulting from the additional development traffic are temporary and once the spine road is completed, it would significantly reduce traffic volume on Eastfield Lane. Therefore, on balance, and as agreed by the Highway Authority, it is accepted the proposed trigger point of 200 dwellings for the completion of the spine road is acceptable, but this is subject to the applicant meeting the following requirements which are aimed to improve walking, cycling infrastructure, and public transport accessibility to the site, thereby encouraging sustainable mode of travel and reducing journeys made by car.

- Prior to 51 occupations of the development, the applicant is required to implement the aforementioned Bus Strategy.
- Prior to any occupations of the development, to complete all off-site highway improvement schemes as shown in the drawing T331/54 Rev E.

The above requirements will need to be secured via the S106 Agreement.

10.9.17\_\_The existing junctions within and close to Ringwood Town Centre (No's 11, 12, 13 and 14 are also affected by the additional traffic generated from the proposed development which will result in increased queuing times and delays on these junctions. Whilst the highway authority acknowledges the level of traffic from the proposed development and its resultant impact is relatively modest in comparison to the overall level of traffic at this junction, it is however clear that the residual cumulative impact is becoming worse without the proposed development.

10.9.18 Accordingly, given the capacity issues at the junctions within the town centre, it is considered that mitigation proposals are therefore necessary to make the development acceptable, and this could either through measures to improve capacity by junction improvements or to encourage and promote non-car based travel through measures that improve sustainable access to improve the existing pedestrian cycling network on the main walking/cycling routes to the Ringwood town centre, Poulner school area and public transport facilities.

10.9.19 Out of the two options, and as set out above, the applicant proposes to mitigate the highway impacts on the town centre through measures that encourage and improve sustainable modes of transport. This approach is fully endorsed by both the Highway Authority and Officers, and this would fully accord with the NPPF which endorses the promotion of sustainable transport including opportunities to promote walking, cycling and public transport use. The NPPF states '*The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health*'.

10.9.20 The details of the improvements to providing and promoting sustainable transport is set out below in the headings '*Off Site Highway Works*' and '*Access for pedestrian and cyclist*' and '*bus transport*'.

#### Personal Injury Accident

10.9.21 Personal Injury Accident (PIA) data of all historic personal injury road traffic collision records for the most recent 5 year period has been analysed within the Transport Assessment.

10.9.22 A total of 15 collisions have occurred along the section of the A31 included within the study area, 12 of these collisions involved A31 westbound traffic with 10 collisions occurring on the A31 mainline and 2 collisions occurring on the A31 Westbound on-slip. The remaining 3 collisions occurred on the A31 eastbound mainline. Eight collisions occurred along a 400m section of the A31 westbound mainline carriageway in the vicinity of the A31 Westbound off-slip seven resulted in slight injuries and one resulted in serious injuries being sustained. Six of the collisions were classified as 'rear end shunts' and were described as occurring during periods of slowing or queuing traffic

10.9.23 As set out above, the A31 widening scheme which has now been completed has increased the width of the A31 from two lanes to three lanes on the westbound carriageway between the Ringwood and Verwood junctions to increase capacity for traffic using the A31 to cross the River Avon, meaning fewer delays and more reliable journeys and a safer road. Increasing the flow and capacity of the westbound A31 will reduce the delays and potential for 'rear end shuts' which was a major contributor of accidents along this road.

10.9.24 In relation to cyclist, two collisions occurred at roundabouts (A31 slip road roundabout) and the other at the Southampton Road junction. All collisions involved slight injuries to the cyclist involved. The Southampton Road mini roundabout is currently substandard and does not provide sufficient deflection to slow vehicles down. This will be addressed as part of the proposed northern site access arrangements which will involve the conversion of the existing mini roundabout at the southern end of Southampton Road to a 'normal four arm roundabout to serve the proposed development to the south. It is also proposed to improve the Southampton Road junction to a new roundabout which will provide better crossing points and improvements for cyclist.

10.9.25 In summary, the PIA records, in the most recent five year period indicate that all the recorded incidents occurred at different locations, were not in similar time periods and had different contributing factors. The records do not, therefore, contain any patterns that might suggest any areas of highway concern within the search area. Moreover, the mitigation schemes proposed will improve the situation. The Highway

Authority has confirmed this position.

### Public Transport - Bus services

10.9.26 The nearest bus stops to the application site are located on Eastfield Lane to the west of the site. This includes 'Eastfield Court' and 'Ash Grove', which are bus stops both served by the local bus service 'Ringo' which is operated by Morebus and runs a town circular route. The Ash Grove bus stop is equipped with a pole and flag, bus shelter and timetable information board and is approximately 400m walk from the centre of the site.

Current bus services

Ringo - Local service Ringwood - Poulner - Castleman Way -Ringwood

Days - Monday to Saturday - 09:14 -14:25

30 mins Frequency

No service Sunday

Morebus

X3

Salisbury - Ringwood - Bournemouth

Monday to Saturday 06:12 - 22:21

Frequency 30 mins

Sunday 08:22 - 19:22

Frequency 60 mins

Bournemouth - Ringwood - Salisbury

Monday to Saturday 05:57 -23:32

Frequency 30 mins

Sunday 08:43 - 20:43

Frequency 60 mins

X6

Poole - Ferndown - Verwood -Ringwood - Bournemouth

Monday to Saturday 07:47 -19:36:

Frequency 60 mins

Saturday 07:52 - 19:36

Frequency 60 mins

Sunday 3 services

Bournemouth - Ringwood - Verwood - Ferndown - Poole

Monday - Saturday 06:45 19:23

Frequency 60 mins

Sunday 3 services

38 - Ringwood - Ferndown

Monday to Saturday 8:30 -13:50

80 mins Frequency

Sunday no service

10.9.27 The Highway Authority in their recommendation require the S106 agreement to include Delivery of a public transport strategy prior to commencement and setting out the details of the bus service serving the site, which would provide a more frequent service and direct service to a wider range of destinations including Ringwood Town Centre, Ferndown and St Leonards. The overall strategy for the enhancement of the bus strategy has been considered in conjunction with the Site SS13 Moortown Lane, to enable a long term vision of providing bus transport across Ringwood that link both sites and towards wider destinations. It is important to note that the S106 obligation will need to be secured separately against each application.

10.9.28 The highway authority considers that the current level of bus services would be unlikely to encourage future residents to travel by bus and request improvements to the publicly available bus service from the development to Ringwood Town Centre. The Highway Authority in their comments have also asked for an improvement to the Ringo bus service to operate with a minimum of hourly frequency between the hours of 0700 and 1900 Monday to Saturday and between 1000 and 1600 Sundays and bank holidays. The enhancement to the Ringo service will form part of the interim strategy.

10.9.29 The Highway Authority request that as part of the strategy of the public transport strategy the service should also be provided with a new route which should be re-routed through the application site along the 'spine road' to include new bus stop infrastructure (to include but not limited to bus shelters, bus stop flags, real time information displays, bus timetable, lighting power etc) and a maintenance contribution for the infrastructure which can be secured via S106. The above bus service to commence prior to 51 occupations of the development and continue until 2 years post final occupation.

10.9.30 The longer term strategy would be for both sites (SS13 and SS14) to be connected and an enhancement and diversion of the Service 38. The Service 38 currently links Ringwood Town Centre to St Leonards and Ferndown. The proposed re-routing would result in Service 38 extending through the application site, linking to Moortown Lane and back towards Ringwood Town Centre and to further destinations at St Leonards and Ferndown. The hours of use will also need to be enhanced. The details of this re-routeing will be agreed in due course, and the Highway Authority and bus operator Go South Coast confirm that the long term strategy for the extension and re-routeing of Service 38 is commercially viable and sustainable. The spine road should be designed to accommodate bus use in future as it is anticipated that will be used for diversion and enhancement of the Service 38.

10.9.31 In terms of the provision of bus services, the applicant is committed to making a contribution towards underwriting bus services to serve the development. They anticipate that bus frequencies on the completed development would be in the region of 1 per hour each way. It is anticipated that this would be achieved through an extension of or an amendment to existing services as set out above. The proposal to enhance the existing bus facilities responds to the applicant's approach to promote and enhance sustainable transport and this has been fully endorsed by the Highway Authority.

10.9.32 Whilst the exact costing details of the bus strategy has not been calculated at this stage, the proposed bus transport strategy has been agreed by the applicant and the provision within the development is considered appropriate and necessary, as is the commitment towards underwriting bus services to serve the new development. The Highway Authority, in conjunction with the bus operator Go South Coast and the applicant agree that this is all achievable and, in the long term, commercially viable.

10.9.33 In summary, these should be seen as fundamental requirements of the development if sustainable modes of transport are to be adequately provided for. However, as recognised by the Highway Authority, to ensure that the suggested bus services are delivered, it will be necessary through a Section 106 legal agreement to secure the delivery of a public transport strategy whereby the number of bus services to serve the development, their routes and their phasing can all be agreed. Whilst some flexibility may need to be applied to reflect demand, the expectation is that the bus service should be in place to serve the new community prior to occupation, so that during the build out period there would initially be an hourly service Monday to Saturday, increasing and re-routeing after the development is sufficiently progressed.

### The Site Accesses

10.9.34 It is proposed to create two accesses into the site, one from the north via Southampton Road/ A31 slip road and the other to the south of the site via Hightown Road. It is proposed to create an internal connecting road (relief road) within the site between the two accesses points linking Southampton Road with Hightown Road. For clarity, the matter for approval for this application is only the two access points into the site and the precise design and position of the internal connecting road through the site is not a matter to be considered at outline application stage. The provision of a connecting road between these two roads will need to be secured through a S106 agreement. At the request of Highways England and the Highway Authority, the access arrangements to the site have been modified to address design concerns.

#### Northern access

10.9.35 The northern access would comprise the conversion of the existing mini roundabout at the southern end of Southampton Road to a four arm roundabout to serve the proposed development. A shared footway/cycleway would be constructed on the west side of the Spine Road of the proposed development and along the south side of the West Link. A toucan crossing would be constructed across the western arm of the roundabout to cater for pedestrian and cyclist movements to/from the north. A footway would be constructed on the east side of the Spine Road, and this would connect to the existing footway on the south side of the East Link. The East Link and West Link would also be re-aligned as part of the conversion of the roundabout.

#### Southern access

10.9.36 The southern access would comprise the construction of 'T-Junction' approximately 100m to the east of the access to the Elm Tree pub. It is also proposed to reconfigure the existing Hightown Road / Crow Lane Priority Junction to a simple T-Junction with improved pedestrian/cyclist facilities. Uncontrolled pedestrian crossing is proposed along Hightown Road. A shared footway/cycleway would be constructed on the north side of Hightown Road connecting to Crow Lane and enhanced pedestrian crossing facilities would be provided across Crow Lane at the modified junction. The proposed accesses alterations have been subject to a Road Safety Audit.

10.9.37 In relation to the northern access onto the A31 slip road(roundabout), key consultees Hampshire County Council Highway Authority and National Highways are satisfied that the primary accesses, road alignment and junction works along the A31 Slip road would meet highway safety requirements. The proposed access arrangements have been the subject of a Road Safety Audit and design checks. No safety issues are raised in respect of the junctions and the accesses would have appropriate visibility and crossing points and as such, the Highway Authority and National Highways are satisfied that this access would be a safe and acceptable

means of access to serve the development. For clarity, the proposed roundabout works are constructed within Highway Land, and the regulatory body is the Highway Authority, where National Highways are appointed by the Secretary of State for Transport and is the highway authority, traffic authority and street authority for the strategic road network( A31).

10.9.38 In relation to the southern access, based upon the speed surveys carried out, visibility splays of 2.4m x 52m in the east and 2.4m x 54 in the west direction would be provided. Pedestrian visibility is also shown to be provided at the crossing points. The Highway Authority raise no objection to the methodology used and acceptability of the visibility splays. Planning conditions can be imposed to ensure that any vegetation is removed to ensure that all visibility splays are provided prior to use and maintained at all times.

10.9.39 Swept path analysis plans have been submitted showing large vehicles using the proposed both accesses. The Highway Authority's advice is that there are no fundamental concerns with the access arrangements for all vehicle types entering and leaving the site from a highway safety perspective.

10.9.40 Overall, therefore, there is considered no reasonable basis to come to the view that the accesses or any associated junctions would fall short of what is acceptable in terms of highway safety requirements.

#### Internal 'Spine road'

10.9.41 The submitted Parameter Plans show a new internal road between through the site between the two access points. Although this is only for illustrative purposes, the spine road would provide an alternative route to Christchurch Road for accessing the A31, as required by SS14. Although the exact siting of the new road is illustrative, it does provide the required connection and is shown as 6.75 metres wide, which is acceptable to cater for all vehicles, and if required, as a bus route. In order to secure the timing and delivery of the internal connecting or 'relief' road will need to be secured by a Section 106 Agreement.

#### The works are being carried out and planned along the A31 and how they impact on the proposed development

10.9.42 Significant works have been completed on long terms plans for highway improvements along the A31. The main objective of these works was to address the delays on the A31 at peak times, which is caused by a high volume of traffic and the number of junctions that are close together.

10.9.43 The works entailed a third lane in the westbound direction (closer to Ringwood Town Centre) providing additional capacity, in which traffic joining from the Ringwood town centre junction onto A31 will do so via a new lane, rather than trying than merge with traffic already on the road. The works also entailed replacing the bridges that take the road over the River Avon and Bickerley Millstream, and they will be widened to allow for the additional lane.

10.9.44 These works do not impact physically with the proposal on this site. This means that the works proposed at the application site with the creation of a new roundabout do not affect the alignment of the additional lane on the A31.

#### Car parking

10.9.45 Paragraph 107 of the NPPF specifically addresses car parking. It does not prescribe standards but provides guidance for councils when setting out local

standards for residential and non-residential development. It states that any local standards should take into account the accessibility of the development, the availability of and opportunities for public transport and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Local Plan Policy CCC2: 'Safe and sustainable travel' requires new development to provide sufficient car and cycle parking.

10.9.46 The Council uses its Car parking standards SPD to inform as to an adequate standard of car parking spaces and car space sizes bearing in mind also Government and other local policy seeking a shift away from cars to more sustainable forms of transport.

10.9.47 The applicant's Transport Assessment suggests that both car and cycle parking would be provided in accordance with the Council's parking standards, as set out in the Parking Standards Supplementary Planning Document. This would be appropriate. The detailed arrangements, however, will need to be considered at reserved matters stage as part of a detailed layout. It will be important that the parking is well designed.

#### Access for Cyclists and Pedestrians

10.9.48 The provision of safe cycling and walking opportunities within and outside the new development is critical to ensuring that the vision of creating a sustainable new community is achieved and there are good connections to the existing footpath network and public right of ways. In addition, the applicant transport strategy is based around promoting and enhancing sustainable modes of transport.

10.9.49 As the site is located to the south east of Ringwood, it is important that there are good cycle and footpath connections to all facilities including schools and the amenities in the town centre and towards the shops and schools to the west and north of the site in Poulner. Links towards Crow Lane are equally important so that there are good connections to the recently developed site at Beaumont Park which now provides recreational areas and links to the other strategic site (SS13) in Moortown Lane.

10.9.50 Ringwood Schools are located to the west and north of the site. The schools are around 1300m to 1500m walking distance from the site and the Town Centre is just below a 2km walk. Gorley Road shops are located approximately 1km north of the site, whilst Poulner Infants and Junior Schools are approximately 400m further north. The most direct route to these facilities is via Southampton Road and Gorley Road. General guidance on acceptable walking distances to local facilities suggests preferred maximum walking distances of 2km and the application site is well within this threshold.

10.9.51 The applicants transport strategy is focussed on improving and promoting sustainable modes of transport from the site to key facilities. This is set out in the submitted Access and Movement Parameter Plan which shows the position of the footpath and access connections from the application site to the existing footpath network. As part of the new access works onto Hightown Road to the south of the site, a new footpath, cycle path and un-controlled crossing points would be provided along the north side of Hightown Road to link the site to the Elm Tree Public House and the wider footpath network at the Hightown Road / Crow Lane junction. The proposed highway works at the Hightown Road / Crow Lane junction opposite the Elm Tree pub is a significant benefit aimed at improving footpath/ cycle links and crossing points to replace the existing road dominated arrangement.

10.9.52 The proposed roundabout and access alterations to the north have been designed to cater for pedestrian and cycle paths including a toucan crossing point. A shared footway/cycleway would be constructed on the west side of the Spine Road of the proposed development and along the south side of the West Link. A footway would be constructed on the east side of the Spine Road, and this would connect to the existing footway on the south side of the East Link.

10.9.53 The applicant also proposes to create a pedestrian/cycle route from the application site, through the existing play area in Ash Grove, to the existing footpath network in Ash Grove. This would provide the most direct and safe link to Eastfield Lane and the bus stop through existing street lit roads with natural surveillance. The applicant would make a financial contribution to the Council to pay for the footpath/cycle path. Overall, it is considered that the proposed footpath/ cycle routes planned for this development demonstrates that the needs of pedestrians and cyclists would be adequately prioritized, thereby ensuring a safe and sustainable community in this respect. The proposed footpath/ cycle works would need to be secured by a Section 106 Agreement and tied to a highway agreement.

#### Off-Site Highways Works

10.9.54 A Non-Motorised User (NMU) Audit / WCHAR assessment was carried out by the applicant. At the request of the Highway Authority further work was carried out and the offsite works have been subject to Road Safety Audits to review any existing issues with pedestrian and cyclist routes to key destinations from the application site. In addition to the proposed access junctions to the north and south of the site, the following improvement works have been sought by the Highway Authority as a result:

- Crow Lane/ Hightown Road junction opposite the Elm Tree Public House to include footpaths and crossing points;
- Southampton Road - new roundabout (north of proposed four arm roundabout) to include crossing points;
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Gardens/ Hightown Road together with footpath realignment;
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Old Stacks Gardens/ Hightown Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Road/ Eastfield Lane
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Woodford Close/ Eastfield Lane
- Three pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Ash Grove
- Re-location of Bus stop along Eastfield Lane/ Ash Grove
- A financial contribution towards a new footpath through the existing play area to the west of the site to link onto Ash Grove
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Hightown Road opposite bus stop and near Ash Grove
- Crossing along Eastfield Lane at the end of the pedestrian/cycle link within the site
- A pedestrian crossing with dropped kerbs and tactile paving along Parsonage Barn Lane/ Cloughs Road
- A pedestrian with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Cloughs Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Eastfield Court
- Eastfield/Southampton Road Contraflow cycle lane, road marking and signage to provide more direct route to Gorley Road for northbound cyclist

- Seek to remove stiles/narrow kissing gates to improve access to Footpath 34 and review the potential to upgrade the route to a multi-use path. This would enable more users to use the route between residential areas to the west and the countryside to the east via Milky Down Back Lane

10.9.55 All of these off-site works would need to be secured through a Section 278 Agreement with the Highway Authority. Provided these various works are secured in this way, then it is considered that the development's impacts would be appropriately mitigated in respect of pedestrian and cycle infrastructure.

#### Impacts on Public Rights of Way

10.9.56 There are existing Public Rights of Way (PROWs), which would be affected by the proposed development. Public footpath 34 runs from west-east across the southern part of the site between Hightown Road and Nouale Lane and is currently a grassed path. Access to the footpath is gained from Hightown Road via a stile to the east of the Elm Tree pub. Access from Nouale Lane is also via a stile approximately 15m to the south of Milky Down Back Lane. There are also a number of other Public Rights of Way within close proximity to the site, including Bridleway 33 which provides a link towards the New Forest National Park and Footpath 505 which routes towards Ringwood School and town centre.

10.9.57 The proposal seeks to retain Footpath 34 on its definitive line and the path will be incorporated within the Green Infrastructure running west to east through the site. The illustrative landscape framework shows that the PROW will be enhanced through a new hoggin type surface with landscaping on either side. In addition to the improvements to the PROW, the new footpath proposed along Hightown Road will link directly into the stile in the south west corner of the site adjacent to the Elm Tree Inn.

10.9.58 The proposals include providing an enhanced footpath, with new surfacing and landscaping including replacement trees to create an attractive route through the site. Whilst the submitted landscape plans indicate that the type of surface will be hoggin, the exact details of the type of material to be used can be dealt with by condition. In addition, the proposals seek to remove stiles/narrow kissing gates to improve access to Footpath 34. A maintenance contribution for the upkeep of the footpath is required and this can be secured within the S106 Agreement.

10.9.59 Overall, it is considered that a new attractive surface provided in a Green corridor will provide benefits through enhancement works to the footpath but incorporating the footpath into the Public Open Space will enable a long term solution for the management and maintenance of this route.

#### Travel Plan

10.9.60 One of the most effective ways of achieving a modal shift away from single occupancy car journeys and encouraging journeys by foot, cycle, and public transport, is through the implementation of a Travel Plan.

10.9.61 A Framework Travel Plan, as required by policy, accompanies the application, in order to encourage future occupants of the development to travel by modes other than single occupancy car use. Having regard to the advice of Hampshire County Council, the principles set out in the Framework Travel Plan are considered to be acceptable. However, there will be a need to secure a Full Travel Plan, together with appropriate monitoring requirements through planning conditions and a Section 106 legal agreement.

## **10.10 Nature Conservation**

10.10.1 The application site is not covered by any national statutory or non-statutory designations for ecology. There are however a number of designations within the vicinity of the site.

10.10.2 In terms of European designated sites, the New Forest SAC, SPA and Ramsar lies approximately 1.1 km to the east of the application. The Avon Valley (Bicton to Christchurch) SPA/RAMSAR lies some 1.3 km to the south west and 1.4 to the north. The New Forest SSSI, which is a National designation lies 0.7km to the north east and 1.2 km to the east and 0.5 km to the south east. The River Avon System SSSI lies 1.5 km west, 1.3km to the south west and 1.4 km to the north.

10.10.3 There are ten non-statutory sites located within the 2 km search radius of the site, the closest of these is Littlebrook Wood Site of Interest for Nature Conservation (SINC), located 400m from the site.

### **Ecology: Mitigation of Recreational Impacts**

10.10.4 In accordance with the Habitat Regulations, the Council's Local Plan policies require that the recreational impact of new residential development on European designated nature conservation sites within the New Forest be mitigated. For larger Strategic Sites, the most significant element of such mitigation is expected to be the provision of Alternative Natural Recreation Greenspace (ANRG).

### **ANRG (Alternative Natural Recreational Green Space) provision**

10.10.5 Policy ENV1 of the Local Plan specifically requires that at least 8 hectares of natural recreational greenspace per 1000 population be provided on Strategic Development sites in order to mitigate the recreational impacts of development on designated New Forest European sites.

10.10.6 The applicant will provide on-site Alternative Natural Recreational Greenspace (ANRG) and habitat mitigation areas under Local Plan Policy ENV1. These ANRG areas are necessary particularly in relation to dog walkers (but also the general new resident population created) to reduce the number of trips into the sensitive sites. ANRG provided on site is therefore a mechanism to deflect additional visits which might affect European protected areas within the Park areas and those listed above.

10.10.7 Because of the outline nature of the application, and because the precise dwelling mix is not yet agreed, it is not possible to specify precisely what quantum of ANRG land needs to be provided. However, using the Council's ANRG calculator (which assumes a mix that is in accordance Figure 6.1 of the Local Plan), the proposal for up to 400 dwellings would generate an ANRG requirement of around 8.42 hectares, which is based on an estimated population of 1052 people.

10.10.8 The ANRG land that is defined by the applicant's parameter plan measures 8.42 hectares. This is just within the limit that would be needed if a policy compliant housing mix were to be provided. It should be noted that if the applicant provides a housing mix which shows a higher proportion of smaller homes at the reserved matters stage, this will result in a reduction of the estimated population and therefore would result in a smaller area of ANRG required.

10.10.9 Based upon the applicant's Parameter Plan, the proposed ANRG land is to be provided on site along the whole of its eastern edge to form a buffer between the area proposed for development and the New Forest National Park boundary. The ANRG is within easy walking distance of and has good connections to the proposed housing and employment areas proposed on site, as well as being accessible to the wider community. The ANRG land design includes the incorporation of circular walks, links to existing Public Rights of Way and opportunities for off lead dog walking and the creation of semi natural habitats, which are also designed to provide bio diversity benefits.

10.10.10 The applicant's Landscape and ANRG Framework Plan helps to demonstrate how the proposed development would accord with the Council's adopted Supplementary Planning Document 'Mitigation for Recreation Impacts on New Forest European sites'. In particular, it shows a couple of 'main spaces' of 120 metres diameter and connecting links to Green Infrastructure and footpaths. Attenuation basins will form a key feature of the ANRG land, which are designed as flood mitigation storage areas. Normally, attenuation features or flood mitigation storage areas would be excluded from the ANRG land calculation. However, as these will be predominately dry basins, gently contouring and appearing as wet meadows contributing to a variety of meadow grass mixes, they will be accessible to the public and therefore count towards overall quantum of ANRG Land.

10.10.11 The Council's Urban Design Officer considers that the proposed ANRG land (and public open space) would provide a valuable network of green infrastructure that embraces the spirit of the adopted SPD; and that the proposals are a good offer for all the required forms of public greenspace and the setting of the development subject to a more considered design for the spaces and a positive management commitment. Whilst noting that matter of detail will need to be approved through reserved matters, it is considered that the quality and quantum of ANRG land being promoted would be acceptable.

10.10.12 A critical aspect of providing ANRG is their future maintenance and management. There is a need for a detailed management and maintenance plan to be submitted with ongoing monitoring to ensure that the space is managed to achieve the planning outcomes needed to deliver sustainable development and that there is no significant impact on the European sites resulting from this development. These are all matters that will be secured through the Section 106 legal agreement.

10.10.13 Overall, through the provision of the ANRG on the development, it is considered that the scheme will not have an adverse impact on protected environments. Therefore, the proposal meets the requirements of the Habitats Regulations. As such, the broad design principles for the ANRG are considered appropriate and reasonable, although detailed landscape designs for these areas will need to be secured through planning conditions and a Section 106 Agreement to include a future management and maintenance plan.

#### Other measures required to mitigate impacts on New Forest sites

10.10.14 Policy requires that all development involving additional dwellings contributes towards New Forest Access Management Costs and monitoring per dwelling (the New Forest People and Wildlife Ranger service). This contribution will be secured within a Section 106 Agreement.

10.10.15 A further contribution that is now required through the newly adopted Local Plan is a contribution towards monitoring and mitigating air quality impacts on the New Forest European sites. This contribution is sought at a rate of £91 per dwelling, and again would generate a total contribution of £36,400 in respect of the District Council's

area of jurisdiction. This contribution will be secured within a Section 106 legal agreement.

#### Net Bio-diversity gain

10.10.16 Members will be aware that the recent Royal Assent of the 2021 Environment Act formally requires new developments to provide for biodiversity net gain for all housing developments (not just major schemes). Whilst secondary legislation is not yet in place it is considered that policy STR1 of the Development Plan can require a 10% improvement in biodiversity post development. This is compared to pre-development and that this improvement should be secured over a minimum 30-year time horizon which will then be subject to Secretary of State extension of that time period potentially subject to regulations. Accordingly, the Councils policy position is clear that new development requires a 10% improvement in biodiversity.

10.10.17 The applicant has accepted this position that the proposed development requires a 10% improvement in Biodiversity and the submitted application is supported by a 'Biodiversity Metric Assessment'. The report sets out whether the proposals will be able to deliver measurable net gain in biodiversity through using a recognised biodiversity metric to calculate the value of the site before and after the development. The principle of additionality has been applied within the calculations. Essentially the report sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures along with other enhancement measures including extensive areas of new planting.

10.10.18 The applicants BNG assessment and report shows that as a result of the existing biodiversity value of the site and the scale of the development proposed there would be a net gain of 6% biodiversity as a result. In recognising that the proposed development would not achieve the 10% Bio Diversity Net Gain (4% below the requirement), the applicant has confirmed that they are prepared to make the remaining 4% gain off site. It is important to note that national guidance recognises that not all sites will be able to make the 10% increase on site in Biodiversity and off site compensation schemes would be acceptable.

10.10.19 The Council can accept off-site scheme is acceptable where BNG cannot be achieved on site. The applicant has the ability to enhance or create habitat at another area of land, which they already own or that they acquire outside of the development boundary. Alternatively, Biodiversity offsetting could be an option, and this is where the applicant provides BNG off-site, through a third party provider.

10.10.20 However, to date, no effective BNG offset schemes has been identified, although the Council does expect this position to be resolved until early 2023. Accordingly, unless an offset mitigation scheme is available or there is certainty of a mitigation scheme coming forward, in which it can be demonstrated that the applicant can deliver the 10% uplift in biodiversity, the proposed development would be contrary to local plan policy.

10.10.21 The applicant has confirmed that they are actively seeking to find a solution whether this would be land that they acquire or BNG off-setting in which they purchase credits. Accordingly, Officers recommendation is one of approval subject to a mitigation strategy being secured with one of the two options stated above. It is important that the mitigation scheme is a located project in or around the New Forest area. No decision will be reached on the application until the above is met and this is a matter which can be delegated to the Executive Head for Planning, Regeneration and Economy.

## On Site Biodiversity

### Date/ Timing of Ecological surveys

10.10.22 Given the time of the original ecological surveys that supported the application, the applicants Ecologist undertook an updated walk-over of the site in March 2022 to identify if any of the baseline habitats present on site had changed in the interim such that further update surveys would be necessary to define any new potential ecology issues. The results of the walk over survey concluded that the site had not changed significantly, and the constraints were the same as previously surveyed with habitats present generally of similar composition and status. In some locations, it was observed that minor changes had occurred particularly towards the north-east corner of the south-eastern field, in which the grassland had become further improved. Badger activity was noted along the northern boundary suggesting that the sett previously identified nearby is likely to still be active.

10.10.23 The walkover of the site confirms that the grassland is of a similar sward height/composition and the hedgerows appear to be managed in a similar manner. It is assumed that the populations of reptiles, nesting birds and use of the site by bats is still similar to that previously identified. The applicant's Ecologist concludes that none of the minor habitat changes that have occurred since the previous survey work would change any of the issues present and the mitigation/enhancement set out within the supporting Ecological reports are still relevant. The Councils Ecologist confirms that the verification survey carried out by the applicant is acceptable and there is no requirement for further surveys.

### Flora

10.10.24 The Environmental Statement and supporting ecological reports assesses the ecological interest of the whole development site area. The site is not subject to any ecological designation.

10.10.25 The majority of the site is dominated by semi-improved grassland with boundary hedgerows, scattered trees, scrub, small patches of woodland and ditches. Due to the limited species diversity, limited ground cover and extent of the habitat, the grassland on the site is considered to be of low value.

### Fauna

10.10.26 Detailed protected species surveys have been completed for the following species, bats, wintering birds, badgers, water vole, otters, great crested newts, hazel Dormice and reptiles. Records of birds on site during the breeding season have also been made. The Councils Ecologist considers that the methodology used, and the survey work carried out is acceptable.

### Great Crested Newts and Hazel Dormice

10.10.27 The applicant's ecological surveys carried out confirm that Great Crested Newts and Hazel dormice were not recorded on site.

10.10.28 Further, the distance from the ponds (which are located outside the site boundary) to the site and separation by roads, suggest that there are no constraints to the interpretation of the survey result, and it is concluded that great crested newt are absent from the site and no further actions are required. The applicants targeted

hazel dormouse surveys undertaken on site did not record any evidence of hazel dormice using the site. It is concluded that hazel dormice are absent from the site and no further action is required.

10.10.29 The Councils Ecologist has no reason to disagree with this assessment and conclusion in the applicants submitted ecological report.

### Badgers

10.10.30 In relation to Badgers, the applicants Ecological Consultant has stated that badger surveys were undertaken in accordance with recognised survey methods and the results from the survey were based on a number of visits to the site during the survey season, from which an evaluation of use was made.

10.10.31 The surveys conclude that there is at least one clan present, including a possible sett to the north of the site, adjacent to the A31. A main active badger sett was recorded to the east of the site, but not within the application site. In addition, badger activity was identified to the south east of the site with the possibility of a sett.

10.10.32 The badger activity to the south east of the site is within the ANRG area and could be retained within the development. The badger activity to the north of the site is close to the location of the access alterations. Whilst it is proposed to retain the sett, given the transient nature of badger activity and sett occupation, the badger activity could change before construction, which would result in the need for mitigation and the closing of a sett (which would be subject to a licence from Natural England to close a sett).

### Reptiles

10.10.33 In relation to reptiles, the ecological surveys recorded low populations of common lizard and slow worms. Given the low population of both species, the approach to construction and operational mitigation is considered acceptable in that the habitats on-site should be kept closely grazed and a suitably worded planning condition can be imposed to include full details of mitigation and enhancement measures. Moreover, any reptiles caught during this can be moved into the ANRG area if created early in the development.

### Bats

10.10.34 The application site has been assessed as being of regional importance for roosting bats. Annex II bat species were recorded on-site, which included barbastelle, greater horseshoe and Bechstein. Three further species were recorded which are considered uncommon including whiskered/brandt's and serotine. The remaining species recorded are more common and widespread.

10.10.35 The applicants survey work carried out concluded that no roosting bats have been confirmed on-site. One tree of moderate potential value to bats along the north boundary of the site and two trees of low potential value along the west and south boundaries of the site have been identified. All of these trees are to be retained. A high proportion of bat activity was recorded along the field boundaries.

10.10.36 The Councils Ecologist agrees with the survey work carried out and states that a pre-work inspection prior to removal has been recommended, which would be acceptable. In addition, the Councils Ecologist considers that it will be essential that a sensitive lighting strategy be designed given the regional level importance of the bat assemblage (including several highly light adverse species) recorded on-site and presence of Annex II species. This can be secured by condition.

10.10.37 The proposals seek to retain and strengthen the green corridors on the section of the site as this appears to be a significant commuting, foraging and social corridor within the site. The clearance and improvement to the watercourses on site will also provide improved foraging habitat and the wider site presents the opportunity to plant night-scented plants into the soft landscaping areas to attract night-flying insects and therefore providing a regular source of food for foraging bats.

### Birds

10.10.38 In relation to Bird surveys, the applicants Ecological Report states that the breeding bird assemblage comprises largely common and widespread species associated with the hedgerows and fields within the site.

10.10.39 The applicant's surveys found at least two Nightjar were confirmed using the site for foraging within the south western corner of the site. These were not confirmed to be breeding and it was concluded they travel to the site to forage from their breeding grounds. Nightjar are an Annex 1 listed bird and an interest feature of the New Forest SPA (located approximately 1.1km east) and the Dorset Heaths SPA (located approximately 3.1km west of site). The applicants propose to set aside an area of land within the eastern area of the site which will include replacement suitable foraging habitat for nightjar. The Councils Ecologist considers that this would be acceptable mitigation.

10.10.40 In relation to impact on bird assemblage, the retention of existing hedgerows within the site along with the provision of new areas of native planting of wildflower meadow and hedgerow margins managed to provide areas of species-rich grassland will ensure foraging opportunities for several of the species.

10.10.41 In relation to impact on bird assemblage, the retention of existing hedgerows within the site along with the provision of new areas of native planting areas of wildflower meadow and hedgerow margins managed to provide areas of species-rich grassland will ensure foraging opportunities for several of the species.

### Assessment of impacts

10.10.42 Without mitigation, compensation and enhancement, the Ecological Impact Assessment recognises that the development would have a negative ecological impact. As such, a number of key mitigation and compensation proposals are put forward. These include protection measures during construction and the creation of species rich woodlands and meadow habitat and scrub within parts of the ANRG land / public open space; significant new tree and hedgerow planting, the wildlife pond/ SUDs.

10.10.43 A range of bat boxes/bricks and bird boxes will be provided. Bee bricks will also be provided. The Councils Ecologist suggest that an average of one built in enhancement feature is provided per dwelling (from bird nesting, bat roosting or bee brick). Full details of the specification of the features and their location should be provided as part of detailed design. This point is accepted and is capable of being addressed through planning conditions.

10.10.44 The applicant also provides examples of a range of other invertebrate enhancements which could also be provided. This is welcomed. Within areas of newly planted scrub, artificial hedgehog houses will be provided, these offer potential hibernation sites for hedgehogs. The log piles created to provide habitat for invertebrates will also provide reptiles with areas to bask, forage and shelter. Some

of the log piles will be located in areas adjacent to the interface between scrub and tall grassland habitat favoured by common reptiles. Overall, with the mitigation and compensation measures that are proposed, it is considered that the ecological interests of the site would be adequately safeguarded, and negative impacts would be adequately mitigated.

#### Achieving Phosphate Neutrality

10.10.45 The application site lies within the catchment of the River Avon. The catchment supports habitats and species of national and international importance, with Sites of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar designations. SAC's, SPA's and Ramsar sites are classified as 'European sites' for the purposes of the Habitat Regulations.

10.10.46 Natural England has provided guidance to the Council that increase development is resulting in higher levels of phosphate input into the water environment of the River Avon, with evidence that these nutrients are causing eutrophication at these European designated sites. This guidance is now reflected in the policies of the adopted Local Plan, which stipulates that where residential development and other development providing overnight visitor accommodation would drain or discharge wastewater into the River Avon, then such development must achieve nutrient neutrality in respect of phosphates. As such, only by ensuring that development achieves nutrient neutrality in respect of nitrogen can there be the necessary certainty that the scheme will be deliverable in line with the Conservation of Habitats and Species Regulations 2017 (as amended).

10.10.47 In so far as the application is concerned, the proposed 400 dwellings would add to the nutrient burden affecting the River Avon. Therefore, it is essential that a scheme for achieving nutrient neutrality can be delivered in relation to wastewater discharge and drainage run-off, to avoid the potential for adverse impacts on the River Avon Special Area of Conservation.

10.10.48 Within their application, the applicants have confirmed that the proposal cannot achieve phosphate neutrality. A development specific nutrient budget shows that for 400 dwellings, 72.98kg of phosphate per year would require offsetting to ensure the development was nutrient neutral.

10.10.49 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC - Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited - January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

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

## **10.11 Flooding and Drainage**

### Flooding

10.11.1 The key issue to consider is whether the proposed development would be safe in terms of flood risk, having regard to the mitigation measures and drainage strategy that is proposed, and whether those mitigation measures would be appropriate and sustainable.

10.11.2 In relation to flooding on the site (and other land across the country), the location of where proposed built development will be determined by the Flood Zones, which are set by the Environment Agency. Flood Zones are created by the Environment Agency to be used within the planning process as a starting point in determining how likely (probability) somewhere is to flood. The Environment Agency Flood Zones are the current best information on the extent of the extremes of flooding from rivers that would occur.

10.11.3 The Flood Zones were also validated following the modelling undertaken by JBA Consulting on behalf of the Council during the Local Plan process. The Strategic Flood Risk Assessment that was carried out as part of the local plan process did factor in climate change scenarios, and as such, the Flood Zones are based upon future increases in rainfall events and associated river levels.

### 10.11.4 The Flood Zones

- Flood zone 1 is the lowest area of flood risk and covers all areas of the country not affected by flood zones 2 and 3 including land at the top of a hill. It is where new development is directed towards through national planning policy, as land at the least risk of flooding in the country
- Areas of flood zone 2 relate to land with 1 a in 1000 (0.1%) chance of flooding each year in this case from the watercourses (i.e., instances where the watercourses breach their banks)
- Areas of flood zone 3 relate to land with a 1 in 100 (1%) or greater chance of flooding each year in this case from the watercourses (i.e., instances where the watercourses breach their bank)

10.11.5 There are a number of watercourses and drainage ditches that cross and border the application site. The drainage ditches form the site's northern, western and southern boundaries and a further ditch crosses the southern area of the site. The drainage ditches are designated as 'Ordinary Watercourses' and flow towards the sites south western corner and then flow south through Hightown, into the Bisterne Stream and the River Avon. The site slopes from east to west /south west and the onsite ditches drain surface water from the land to the east of the site.

10.11.6 Based upon the Environment Agency Flooding Maps, the application site is located in Flood Zones 1, 2 and 3. Areas of land lying within the western, southern and central part of the site associated with the watercourses, which flows south are susceptible to overtopping and are categorised as Flood Zones 2 and 3. Flooding from the watercourse occurs when flows exceed the capacity of the channel or where a restrictive structure is encountered, which leads to water overtopping the banks into the floodplain.

10.11.7 The main contributor to flooding on the site is the ordinary watercourses, which overtop, and the flood water spreads laterally. Where overtopping does occur, the results show that this is relatively shallow overland flows and depths, typically less than 0.1 metre deep and which are assessed as a 'very low flood hazard'. The flood modelling carried out on the site states that whilst flood events are predicted, the flood depths remain very shallow to be one of overland flow rather than that associated with a conventional flood plain system.

#### Historic flooding in close proximity to the site and how this would be affected by the proposed development

10.11.8 Historic flooding has been identified in the vicinity of the site, including areas of Hightown Road and Crow Lane, and to the south and residential properties along Eastfield Lane. Incidents of flooding on the Hightown Road affected the Elm Tree Pub to the south west of the site in 2014. There have been several incidents of flooding along Crow Lane, in which the road had to be closed.

10.11.9 In response to the issues around the Crow Lane area, it cannot be confirmed what is the likely cause of flooding, but the application site is likely to be a contributory factor as it lies upstream. However, through the implementation of the onsite flood storage areas, it is anticipated and likely that the proposed development would lead to a reduction in the risk/ severity of flooding in this location.

10.11.10 This would be achieved through the implementation of the SUDS scheme which will lead to a reduction in the peak surface water flow rates generated on the site during larger rainfall events. For instance, for a 1 in 100 year rainfall event on the site in its greenfield state, the peak runoff rate (the greenfield run off rate) has been estimated as 14.2 litres per second per hectare. Post development and with the SUDS measures and flow control devices in place, run off from the developed areas on the site would reduce to around 4.5 litres per second for the same rainfall event.

#### Flood Risk Assessment and Flood Mitigation Strategy

10.11.11 The applicants FRA proposes detailed strategic flood mitigation measures to make the proposed development safe, ensure flood risk does not increase elsewhere and mitigate the flood risk posed by onsite ordinary watercourses. A flood modelling exercise has been carried out by the applicant to assess the effectiveness of the strategic flood mitigation measures on flood hazards posed by the onsite watercourses and the results from that have been used to inform the site layout. It is important to note that the applicant's proposed flood mitigation strategy and flood

modelling has been informed by the Environment Agency own Strategic Flood Risk Assessment adopted in 2017 and updated to ensure it remains both robust and adopts a precautionary approach.

10.11.12 The proposed strategic flood mitigation measures for the site entail the lowering the banks of onsite watercourses in combination with the lowering of adjacent land to create additional flood storage. Ground levels will be raised in the areas surrounding the strategic flood mitigation measures to ensure floodwaters are contained in these areas. The most significant part of the mitigation works will take place to the east of the site within the Green Infrastructure area and will comprises 5 flood storage areas that will appear as large depression areas both to hold back flood waters and to prevent the shallow overland flows. The proposed strategic flood mitigation measures seek to ensure the onsite watercourses will not overtop and therefore will no longer pose a flood risk to the proposed development and will ensure the proposed development is appropriately safe. Essentially the implementation of the flood mitigation strategy will remove the site from Flood Zones 2 and 3.

10.11.13 The applicant's FRA proposes that finished floor levels will (within the vicinity of the onsite watercourses and flood mitigation measures) be set at a minimum of 600mm above the 100 years plus climate change flood levels applicable through the site. Furthermore, the proposed northern site access onto Southampton Road is shown to be in a location which is predominately within Flood Zone 1 and will provide safe access and egress for motorised and non-motorised vehicles. Existing watercourses on and around the site, and the proposed SuDS Features are located within blue-green corridors. Basins B.1 and B.2 are located within an east-west orientated corridor that links watercourses and flood mitigation features in the eastern part of the site with SuDS Features and watercourses in the western part of the site. This corridor will provide an important route for exceeding flows and is supplemented by the inclusion of an overflow swale that follows the public footpath to the south.

10.11.14 Through the implementation of the strategic flood mitigation measures the onsite watercourses will not overtop and flood waters are managed in the landscaped areas. The construction of the flood mitigation in this way not only protects the site but it also produces depth reductions offsite within the Ringwood area that provide a benefit to the local community. As a result, development of the site will provide betterment over existing undeveloped conditions whereby the peak rates and volumes of runoff would continue to increase as climate change occurs if left unchecked. This approach will protect the development from flooding throughout its lifetime whilst also offering a reduced flood risk to the downstream catchment. As highlighted above, there have been historic flooding incidents downstream in Hightown Road and Crow Lane, and the implementation of the proposed flood mitigation strategy will reduce water volumes downstream. The flood mitigation strategy measures will need to be in place prior to the occupation of the first dwelling and remain in operation and this is a matter that can be secured by condition/ 106 agreement.

10.11.15 At the request of the Environment Agency, the applicant has provided a future maintenance plan of the Flood Mitigation measures. This is to ensure that the in long term, the flood storage areas and bunds function appropriate, and this would be through removing debris, vegetation management, blockages, clearing silt and sediment build up etc. The full details and long term management of the future maintenance plan can be secured through a Section 106 Agreement.

10.11.16 It should be noted that as the application site is an allocated one and because the Sequential Test in respect of flood risk was applied through the Local Plan process, there is no requirement to carry out a further Sequential Test as part of this outline planning application, as is made clear in Paragraph 166 of the NPPF.

10.11.17 The key consultees (the Lead Local Flood Authority at Hampshire County Council and the Environment Agency) are satisfied that the applicant's strategic flood mitigation and drainage strategy demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of national policy and guidance. However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward.

#### Surface Water Drainage Strategy

10.11.18 The provision of a sustainable surface water drainage strategy, incorporating SuDS features such as attenuation basins and swales is an essential requirement of new development.

10.11.19 Because this is an outline application, the full surface water drainage details will form part of the Reserved Matters Application. However, the outline application requires a strategy as to how surface water drainage for the site will be dealt with. This includes technical information with the necessary drainage calculations and indicative drainage layout and design to demonstrate the effectiveness of the SUDs and the exact area of land required to accommodate the drainage system.

10.11.20 The ground investigations carried out on the site confirm high levels of groundwater are present throughout the site which therefore precludes the use of soakaways as a form of surface water discharge. As a result, the proposed surface water drainage strategy is designed whereby the surface water runoff from the application site will be managed through two systems.

10.11.21 The two proposals to deal with surface water drainage include system for managing the residential areas and the other is employment area separately. The proposed surface water drainage strategy for the employment areas will be dependent on the particular type of employment use but could comprise green roofs on suitable areas of office buildings, Rainwater Harvesting, Permeable paving for parking areas, rain gardens, swales and feature ponds in landscaped area.

10.11.22 In relation to the proposed surface water drainage for the residential areas, this would be achieved through the provision of a combination of swales and attenuation basins within the Green Infrastructure which will intercept water from the built up areas (road, roof of houses etc) and convey into the watercourse on the western site boundary of the site. The controlled outflow will be managed by a series of hydraulic controls, limiting peak rates of discharge to the site's existing greenfield runoff rates (i.e., those prior to development).

10.11.23 The applicant's Drainage Strategy suggests that what has been designed would exceed the requirements of the NPPF by providing a comprehensive drainage system which embraces the SUDS philosophy and its key principles. The Strategy aims to manage and reduce the flood risk posed by the surface water runoff from the site. The proposed drainage strategy and associated attenuation features include capacity to accommodate:

- All runoff from the development in up to the 1 in 100 year return period storm event. This is the worst-case storm that is expected to occur throughout the development's lifetime.
- A 40% allowance for the predicted effects of climate change, in accordance with the 'upper end' requirements (worst-case projections) set by government

- An additional 10% allowance for urban creep, allowing for future impermeable areas created by residents (e.g., extensions, conservatories etc)
- Additional freeboard capacity to capture any excess runoff or to allow for potential abnormalities (sewer blockage etc)

10.11.24 Although the submitted plans are illustrative, the basins will be gently sloping with some parts permanently wet, but with dry areas. Detailed cross sections and landscaping plans of the basins have been submitted, which demonstrate that they will be seen as positive features in the landscape.

10.11.25 Hampshire County Council's Flood and Water Management team have confirmed that the applicant's drainage strategy is acceptable in principle, having regard to the underlying geology. However, more detailed drainage proposals will need to be agreed through planning conditions and at Reserved Matters stage when detailed development proposals come forward. However, with regards to the comments of the Lead Local Flood Authority, the clear conclusion that can be reached is that the flood risk associated with the development would be acceptable and that an appropriate and sustainable drainage system could be delivered.

10.11.26 The strategy has been produced to comply with local and national planning policy and industry best practice concerning the inclusion of sustainable drainage storage techniques. This will prevent an increase in the runoff rate of surface water to the watercourse by restricting the runoff rate to the annual average, reflective of the application site greenfield conditions. By doing so it will provide a betterment to the receiving watercourse catchment area, adjacent and downstream land by holding back flows of runoff from a variety of magnitude storm events, which would ordinarily be able to discharge runoff uncontrolled to the watercourse.

10.11.27 Areas of waterlogging that may occur now would not do so once the proposed development is constructed through the installation of a formalised drainage network that would intercept and control surface water runoff generated.

10.11.28 Overall, the Flood Risk Assessment demonstrates that the proposed development would be at minimal risk of flooding and would not increase flood risk elsewhere. The full details of the drainage scheme will be submitted as part of the Reserved Matters Application and secured through a suitably worded planning condition and Section 106 for long term management and maintenance.

#### Foul water drainage

10.11.29 Waste Water from the development will be discharged to the public sewerage network owned and operated by Wessex Water (the Sewerage Undertaker). There is an existing foul sewer pipe which runs along the western boundary of the site and Wessex Water have confirmed that this could serve as an acceptable point of connection for foul flows from the development.

10.11.30 Wessex Water (WW), as statutory undertaker, has confirmed that there is sufficient capacity within the existing foul water network and at Hampshire Hatches Lane Waste Water Treatment Plant to accommodate the flows from the development and that there will be negligible impact from the proposed development on the existing network as the foul flow rate is very low at peak times. This is evident through detailed assessments and modelling carried out by Wessex Water, which demonstrates that there is sufficient capacity to accommodate the proposed development.

10.11.31 Wessex Water has stated that they are currently providing additional storm storage at Ringwood Water Recycling Centre (WRC), to reduce the frequency of storm spills to the environment arising from the existing network and a programme for future capacity improvements at the WRC is to be delivered early (2025-30), and to accommodate the future housing growth. It is important to stress that the existing network can accommodate the proposed development, but Wessex Water have set out a programme to upgrade the capacity of the network in association with the future housing growth.

10.11.32 It must be stressed that the applicant has a 'Right to Connect' into the existing foul drainage network with the statutory undertaker, which is Wessex Water and new property connections to WW's foul sewerage network will also be subject to infrastructure charges, the sum of which will be used by WW as a contribution towards the network enhancements/ storage capacity.

10.11.33 The applicant has confirmed that none of the SUDs features impinge upon the route of the foul sewer. Easements and access rights will continue to be protected and maintained. No planting will occur over the pipeline or easement.

10.11.34 In relation to a site-specific policy consideration set out in SS14, the policy states that *'provision of a new connection to Ringwood Sewage Treatment Works bypassing the town centre sewer network, to be delivered in conjunction with Strategic Site 13: Land at Moortown Lane'*, the following comments can be made following comments and discussions with Wessex Water.

10.11.35 Wessex Water has confirmed that no such bypass is required to serve the proposed development and there does not need to be any foul drainage scheme or connection that needs to be delivered in conjunction with SS13. Wessex Water state that the situation has changed since the above text was added into policy. This was a result of detailed assessments of the existing network which conclude that the proposed development can connect into the existing network and there is no requirement to deliver a joined up foul drainage scheme or connection in conjunction with SS13 Land at Moortown Lane.

10.11.36 In response to the concerns in relation to capacity and raw sewage has flooded out at the Bickerley onto the public highway, Wessex Water has confirmed that there is existing treatment capacity at the works for the increase in flows expected from the proposed development, but it should be noted that the current proposals 2025-2030 will increase biological treatment capacity by 17% - this will provide capacity for known allocations. In addition, Wessex Water has stated that they are currently providing additional storm storage at Ringwood Water Recycling Centre (WRC), to reduce the frequency of storm spills to the environment arising from the existing network

10.11.37 In summary, the key planning test is whether the proposed development would exacerbate foul sewer flooding in the local catchment. In assessing this impact and as stated above, both the applicants Drainage Consultant and Wessex Water have confirmed that whilst the 400 dwellings will add load into the existing sewer network, there is sufficient capacity to accommodate the additional foul flows and the actual increase into the system is insignificant and would not exacerbate the current situation.

## **10.12 Public Open Space**

10.12.1 The Council's policies require that new residential development makes provision towards public open space, with the expectation for larger developments being that this public open space should be on site. Public Open Space provision is additional to the requirement for ANRG provision and should be provided at a rate of 3.5 hectares of public open space per 1000 population, including all of the following elements:

- 2.05 hectares on Informal Public Open Space per 1000 population
- 0.2 hectares on Children's play space per 1000 population
- 1.25 hectares of formal Public Open Space per 1000 population

### **Public Open Space**

10.12.2 The local plan policy objectives for the site, as illustrated in the Concept Masterplan seek to create 'wedges' of greenspace in an east-west alignment and create a north-south greenspace along the site's western boundary, providing flood attenuation and drainage features as part of a high quality landscape.

10.12.3 As with the ANRG provision, the exact amount of public open space that needs to be provided will be dependent on the final mix of dwellings. However, based on the Council's calculator that assumes a mix of dwellings that reflects Figure 6.1 of the Local Plan, a minimum of 3.42 hectares of public open space should be provided on the application site.

10.12.4 The actual area of proposed public open space as defined by the applicant's parameter plans is 3.62 hectares. This area also excludes land that is needed to meet the requirement for children's play (main children's play area as set out below) but does include areas of SUDS. The phosphate mitigation which are the permanently wet forebay areas within the SUDS are not included within the 3.62 figure ( which equate to around 0.57 hectares). If the wet forebays areas are included in the calculation, the total POS equates to 4.19 hectares. If the wet forebay areas are excluded in the calculation, the total POS equates to 3.62 hectares. Accordingly, in both cases, the level of POS is in excess of the minimum policy requirement of 3.42 hectares. The open space provision is concentrated along western boundary, with a larger area provided to the south west corner adjacent to the Elm Tree Inn. Green 'wedges' are shown to be provided from in a west to east alignment providing a connection between the open space with the ANRG land.

10.12.5 The proposed landscape and open space strategy is set out in detail within the applicant's Indicative Landscape Framework. New amenity grassland, scrub, hedgerow and tree planting will make a significant element of the Open Space. It is considered that such diversity of new planting and landscaping, will not only provide an attractive space for recreation, but has also been designed to blend into the existing landscape character. A hierarchy of footpaths would be provided within the open space providing good connections between the houses, open space and ANRG areas. The proposed areas of Green Infrastructure across the site will be diverse offering a variety of character areas that will create a good experience for people to use and enjoy.

10.12.6 Parts of the recreational land proposed along the western boundary of the site are shown laid out as a small grass area, which can be used as a multi sports and recreational space not only counting towards formal open space but also enabling all ages and abilities to use. Through the use of a landscape management plan secured by condition, this can set out a maintenance regime for this area to be regularly cut (compared to the wild flower or meadows which require less cutting).

10.12.7 A significant part of the open space is shown to accommodate Sustainable Urban Drainage Systems (SUDS) and it is important that the quality, useability and attractiveness of the open space is not compromised by these features. It is important to note that there is nothing in policy or guidance which says that SUDS features should not be counted towards the quantum of Public Open Space. The key issue is how the SUDS features are designed and integrated into the POS as a whole.

10.12.8 The submitted plans show indicative details of the depth, profile and planting of the SUDS and how they relate to the surrounding built development and footpaths. The proposed SUDS will be fairly 'low key' features and are shown to be sympathetically designed that will form an attractive and useable part of the POS but noting that the final details will be provided at Reserved Matters Application stage.

10.12.9 In summary, the proposed open space, in conjunction with the ANRG land, forms an extensive network of green infrastructure that would be well distributed across the site and offer an attractive amenity for the future residents of the proposed development. The areas of public open space and their future management would need to be secured through a Section 106 legal agreement, and their detailed layout and landscape design would need to be secured at Reserved Matter stage.

### Children's Play Space

10.12.10 Assuming a mix of dwellings that reflects policy expectations, the development would be expected to deliver a minimum of 0.26 hectares of Children's Play space, in the form of a Locally Areas of Play (LEAP), which is a medium sized area.

10.12.11 The submitted Landscape and Play Strategy sets out an indicative play strategy for the site. The main play area LEAP is indicatively proposed within the central part of the site and will integrate a minimum of six pieces of play equipment and the full range of play experiences. To supplement the proposed LEAP, the play strategy indicatively proposes a variety of incidental play on the way features along the west to east greenways running through the middle of the site and western edge of the public open space. Combined, these should meet the policy requirement for 0.26 hectares of children's play space.

10.12.12 The Council's Urban Design Officer has advised that the applicant's Play Strategy document is interesting and promotes natural play in a very positive way. The location of the play areas would be close to the houses to ensure good natural surveillance.

10.12.13 It should be noted that the applicant's plan is illustrative and therefore the children's play is fixed in this position, should the outline permission be granted. What it does show, is that sufficient children's play areas can be provided based on the minimum space criteria to serve the proposed development and that the broad play strategies appropriate in principle.

10.12.14 The full details of the Public Open Spaces, in respect of play provision, including the functions and roles of the different play spaces, the relationships between them, and the type of equipment and features to be provided, will form part of a play strategy within the Reserved Matters Application. It is necessary that the proposed children's play space provision be secured within a Section 106 legal agreement, how the land will be managed in the future has not been agreed at this stage.

## **10.13 Appraisal of Site Capacity**

10.13.1 From the above assessment, it is clear that a development of up to 400 dwellings could be provided on this site and deliver an acceptable housing mix, could fully mitigate its impacts on protected habitats, could provide positive areas of Green Infrastructure, could be operated with minimal risk from flooding and could have an acceptable landscape impact on the National Park. The acceptability of the number of dwellings proposed therefore comes down primarily to an assessment of whether such numbers would achieve a well-designed and contextually appropriate development.

10.13.2 As noted above, from the Council's own work undertaken through the preparation of the Local Plan, it was deemed that over 270 dwellings could be provided in an acceptable manner on this site. The Council's Urban Design Officer has some concerns, however, that the site cannot acceptably accommodate the number of dwellings that the applicants are proposing based on the plans and supporting information submitted with the application. The concern being that the greater number of dwellings proposed by the applicants could result in 'condensed suburbia' that would not be responsive or sympathetic to the site's rural edge context. Accordingly, an objection to the application has been raised on aspects of the proposal.

10.13.3 The applicant has not reduced the number of dwellings on the site from its original submission. Given the material uplift in dwelling numbers over and above the minimum policy expectation, Officers initially asked the applicants to provide a justification for the quantum of development, by showing how a couple of perimeter blocks, character areas and density gradients within the development might work with the numbers of dwellings envisaged. There were particular concerns that a development of up to 400 dwellings might result in too harsh an edge to the countryside and National Park beyond and the Green Wedges running east to west through the site will be too narrow. This then resulted in the submission of a more detailed illustrative layout throughout the site (as discussed above).

10.13.4 The views of the Council's Urban Design Officer have been carefully considered and through additional information and amendments, considerable improvements have been made. Ultimately, however, a balanced view needs to be reached. As required by the NPPF, it is important that development makes optimal use of land and that sites allocated for development need to be utilised efficiently and the benefits of providing additional housing, including more affordable housing weighs in favour of the development.

10.13.5 Of course, this does not justify poor or contextually inappropriate design, but as discussed above, a density of around 35 dwellings per hectare in this location is not considered to be unacceptably high and would only be marginally higher than the recent development at Beaumont Park in Crow Lane, which is considered to be a well-designed scheme. Having regard to the recognised need to achieve a relatively spacious character to the site's western, southern and eastern edge, and accepting that areas within the development could be of a slightly higher density, it is considered, on balance, that an acceptable design could be achieved across the development based on a maximum dwelling number of 400. In reaching this conclusion, full regard has been given to the applicant's parameter plans, illustrative supporting information, and Design and Access Statement, recognising that some of the illustrative information will need to be refined and modified, and that there is likely to be a need for some more innovative designs when more detailed proposals are worked up.

10.13.6 A further point to raise is that, whilst the exact housing mix is unknown, the proposal seeks to provide a policy compliant mix of housing, in which there will be a higher proportion of one, two and three bedrooms. The creation of smaller units will enable the density to be raised on the site in an appropriate way, but equally provide the type of housing that is a key objective for the local plan. This is a matter that can be dealt with by a planning condition to ensure that a policy compliant housing mix is achieved at reserved matters stage, and this will ensure that a higher proportion of smaller units are provided.

10.13.7 In reaching a conclusion that a development of up to 400 dwellings would be acceptable in principle, it is important to highlight that the development's precise layout, scale, design and landscape detail will all need to be comprehensively considered at reserved matters stage. Also, because the proposal is not for an exact number of dwellings, it is quite conceivable that through Reserved Matters fewer than 400 dwellings ultimately come forward in order to achieve an appropriate design (although the Local Planning Authority could not at Reserved Matters stage resist a scheme of 400 dwellings on a point of principle).

#### **10.14 Amenity**

10.14.1 In terms of impact on residents, there are two main issues in this case. The first issue is whether the proposal would have a significant impact on the living conditions of the adjoining neighbouring properties. The second issue is whether the future occupants of the development will have an acceptable living environment given the close proximity to the A31, Elm Tree Inn Public House and proposed the employment development.

10.14.2 Starting with the first issue, there will inevitably be some impact arising from a development of this scale on the amenities of existing neighbouring properties. The most likely impact would be because of additional noise and disturbance resulting from the proposed development. However, the site forms part of the SS14 allocation for a development in excess of 270 dwellings and 3 hectares of employment. There is an expectation as a consequence that such development will have an impact on amenity, and this has to be balanced against the benefits the proposal would create.

10.14.3 There are several existing residential properties with garden boundaries that abut the application site: properties in Ash Grove; 'Oak Cottage', Hightown Road; No's 53 to 103 Eastfield Lane; 'White Hall' and 'Lynes Cottage' Nouale Lane. There are also several residential properties which front onto the application site but are separated by a road, which include the houses to the south of Hightown Road and to the east of Nouale Lane.

10.14.4 As this is an outline planning application, with matters of detail reserved for future determination, except access, the precise position of dwellings and other infrastructure is not known. However, the submitted Parameter Plans show the arrangement of proposed uses, including for residential and Green Infrastructure. In addition, the point of access into the site from the north and south of the site is fixed as part of the application.

10.14.5 The Parameter Plans show ANRG Land proposed along the eastern boundary of the site, which would immediately abut the residential properties along Nouale Lane, including 'White Hall' and 'Lynes Cottage'. Given the extent of ANRG land on the eastern part of the site and the distances between the proposed residential development and 'White Hall' and 'Lynes Cottage', it would not be harmful to the amenities of these properties by way of overlooking and loss of light/ outlook. Moreover, it is considered that the activity associated with use of the open space

would not be harmful to the amenities of these properties.

10.14.6 The residential properties in Eastfield Lane have their rear gardens backing onto the application site. The submitted Parameter Plans show public open space along the western boundary immediately adjacent to their rear gardens. Given the proposed development would be set back from their boundaries, it is considered that the impact on these residents will not be significant to affect their living conditions. This equally applies to the existing properties in Ash Grove, which are separated from the proposed housing by existing and proposed public open space. This will ensure that the proposal will not result in adverse impact to the living conditions to the properties in Ash Grove. Again, it is considered that the activity associated with use of the ANRG land would not be harmful to the amenities of these properties.

10.14.7 The residential property most greatly affected by the proposal is 'Oak Cottage' in Hightown Road, which has its side and rear garden backing onto the site. The Parameter Plans show an area of public open space that would extend around the side and rear boundary of this property, which will provide some separation and a buffer to this property. Overall, the actual position, scale and relationship of the proposed development is unknown at this stage, but the submitted Parameter Plans do show development will be located close to the boundaries of these properties. As such, the arrangement and layout of buildings, windows, roads and car parking will need to be carefully considered as part of any future reserved matters application.

10.14.8 The proposed access onto Hightown Road will directly face several residential properties to the south side of the road at 'Willow Cottage', 'Sunnyside' and 'Fairoak'. The position of the access is shown to predominately face the driveway to 'Sunnyside' and there is a good degree of vegetation on the front boundary of 'Willow Cottage', which will help reduce its impact. Whilst there will be some harm to that neighbour caused by additional noise and disturbance, and light spillage from vehicles, it will not be so severe or adverse to refuse permission.

### Noise

10.14.9 The application is accompanied by a noise impact assessment of potential noise impacts upon the future occupiers of the site. The main source of noise was observed to be road traffic on the A31. Other noise sources include the proposed 3 hectares of employment, road traffic on the A31 slip road, Nouale Lane and Hightown Road and the Elm Tree Public House.

10.14.10 The submitted Parameter Plan shows that the proposed dwellings are located approximately 100 metres south of the northern boundary and the A31. The submitted acoustic report states that areas of the site identified for residential development, daytime and night time noise levels are below the thresholds and therefore appropriate internal noise levels would be achieved through standard design practices. As such, the acoustic report concludes that no specific acoustic mitigation measures would be required. The Environmental Health Officer agrees with this assessment.

10.14.11 In relation to the Elm Tree Public House, this is located immediately adjacent to existing residential properties in Ash Grove, Hightown Gardens and 'The Cloisters'. The applicant's submitted Parameter Plan shows that the proposed dwellings would be located further away from the Public House than these existing properties and accordingly it is considered that the proposal would not require any new restrictions to be placed on existing businesses.

10.14.12 With regard to the impact from commercial and industrial noise, the proposal provides 3 hectares of employment land to the north of the site, immediately to the south of the A31. Given that the application is in outline, the exact types of employment use, the siting of the buildings and layout is not known at this stage. What is known is the location and extent of employment areas which are shown on the submitted Parameter plan and that the uses could comprise Classes E (c and g) and B2. Minimising the impact on the living conditions can be achieved through careful design, internal fabric of the buildings, layout of buildings, car parking and window/door openings. This can be appropriately resolved through the reserved matters application.

10.14.13 The proposal includes Class E uses, which are uses that are normally considered appropriate within or close to residential development and could comprise offices or research and development and are types of uses that do not generate high levels of noise. The only noise issue that could arise would be features such as air handling units or from car parking, and this can be mitigated through design and layout, and a suitably worded condition that require the submission and control of details for air handling units to be submitted and agreed by the Local Planning Authority. The proposal for Class B2 uses is defined as an industrial use which could result in noise or odour issues. Again, the careful arrangement of the buildings, hours of operation, internal acoustic insulation and/ or siting of any doors and windows can be arranged to minimise impact on residential amenity. The Environmental Health Officer considers that a suitably worded planning condition can be imposed for an acoustic assessment to be submitted.

10.14.14 The Council's Environmental Health Officer has considered this noise assessment and agrees with its conclusions, namely that the noise impacts associated with the development would be acceptable subject to adherence to a number of detailed mitigation measures, all of which can reasonably be secured through planning conditions.

10.14.15 It is proposed to impose several specific mitigation conditions to ensure the noise impacts associated with the development are acceptable. These include a requirement to adhere to an agreed Noise Management Plan and a Construction Environment Management Plan, a requirement to restrict construction working hours (to normal working hours), and a requirement to ensure the noise levels within dwellings and their gardens do not exceed national minimum standards, having regard to the site's location. Subject to these conditions, it is considered the development can be provided without there being material harm to the amenities of existing and future residents.

#### Air Quality Impacts

10.14.16 The proposed developments impact on air quality is an important environmental consideration that has been considered in detail in the applicants Environmental Statement. Evidently, the proposals will generate emissions during both the construction and operational phases of the development.

10.14.17 The Council's Environmental Health Officer agrees with the conclusions of the assessment and the methodology that has been used. As such, with respect to construction related activities, it is considered that the dust impact of the development would not be significant provided appropriate dust mitigation measures are implemented throughout the construction of the development, and this is something that can reasonably be secured through a planning condition requiring the submission and approval of a Dust Management Plan (DMP) as part of a wider Construction Environment Management Plan (CEMP).

10.14.18 The Council's Environmental Health Officer also agrees with the conclusions of the applicant's air quality assessment insofar as there should be a negligible impact on air quality as a result of vehicle movements associated with the development. Additionally, based on current pollutant concentrations, there should be a negligible air quality impact on the end users (future residents) of the site. Overall, therefore, it can be reasonably concluded that the development is capable of being provided without harming air quality, or without there being adverse air quality impacts on future residents.

### **10.15 Affordable housing**

10.15.1 The District Council's adopted policies in respect of affordable housing require that at least 50% of the dwellings within the development be for affordable housing. They also require that the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership.

10.15.2 The application has been submitted on the basis that a policy compliant number and mix of affordable housing dwellings will be provided. Because the application is in outline, the actual housing mix (i.e., 1, 2, 3 or 4 bedroom houses/flats), distribution of affordable housing across the site and types of housing is unknown and is not a matter to be considered at this stage.

10.15.3 The proposed scheme seeks to deliver a policy compliant level and mix of affordable housing. Therefore, subject to securing these requirements through a Section 106 legal agreement, the proposed development would be consistent and in accordance with the Council's affordable housing policies.

10.15.4 The applicant has confirmed that they can provide the policy compliant affordable housing contribution and accordingly have confirmed that they the 50% policy compliant affordable housing will be secured as part of the s106 Agreement. However, the applicant has advised that, as the application is in outline, the overall development costs including significant infrastructure and off site mitigation is still being assessed and reviewed as part of all abnormal costs of the development. If following further costing the development is unviable, the applicant will need to submit a financial viability assessment (FVA) to demonstrate why they cannot make the development viable if the policy level of affordable housing is delivered. In the event that the applicant seeks to make a Financial Viability Assessment, this will need to be done as through a new planning application or prior to the determination of the application (in which the application will need to be re-assessed and brought back to committee).

10.15.5 The proposal to provide 50% affordable units on the site, which would equate to 200 dwellings should be given significant weight given the shortfall in affordable housing in the District.

### **10.16 Sustainable Design**

10.16.1 The application is accompanied by a Sustainability Statement which sets out how the development will achieve sustainability objectives in a number of key areas, including measures to reduce emissions and promote sustainability. The incorporation of detailed design features into the development will need to be considered through the use of planning conditions which secure the delivery and implementation of these features. The applicant has noted the specific requirements of Local Plan Policy IMPL2 and have confirmed that its proposals will provide:

- Improved energy efficiency by way of a fabric first approach;
- A higher water use efficiency standard of 110 litres per day;
- Accessibility in accordance with Visitable Dwellings standards;
- The provision (where practicable) of a high speed fibre broadband connection to the property threshold;
- Provision to enable the convenient installation of charging points for electric vehicles.
- New commercial developments of 250-999 square metres Gross Internal Area to achieve Building Research Establishment Environmental Assessment Method (BREEAM) excellent standard in water consumption criterion. Commercial development of 1,000 square metres or more GIA is also required to achieve BREEAM excellent standard overall.
- Energy efficient. A new build development signifies the building regulations approved document Part L1A 2016 will be referred to with regards to the relevant legal requirements. New homes will achieve compliance with L1A – Conservation of fuel and power in new dwellings of the building regulations.

10.16.2 It is important to note that in December 2021 the Government confirmed that new Building Regulations will come into effect in June 2022 in the form of amendments to Approved Document L 'Conservation of Fuel & Power' that will require new homes to produce around 30% less CO<sub>2</sub> than the current standards. These requirements are enforced through the Building Regulations which the applicant will be required to adhere to.

10.16.3 In essence, all new dwellings will be constructed to secure a reduction in carbon emissions, reduce energy usage and minimise energy loss (e.g., through enhanced building fabric). A range of technologies and products will be drawn on to achieve this, for instance solar photovoltaics (PV), air source heat pumps, battery storage and waste water heat recovery. Under the new regulations, CO<sub>2</sub> emissions from new build homes must at least 31% lower than current standards and emissions from other new buildings, including offices and shops, must be reduced by at least 27%.

10.16.4 Heating and powering buildings currently makes up 40% of the UK's total energy use. Installing low carbon technology, such as solar panels and heat pumps, and using materials in a more energy efficient way to keep in heat will help cut emissions – lowering the cost of energy bills for families and helping deliver the UK's climate change ambitions.

10.16.5 In addition to the submitted Sustainability Statement, the applicants have their own Environmental Strategy which is set out in their '*Building a better world Environmental Strategy 2021*'. The strategy focuses on climate change, nature, and resources and waste and sets ambitious quantitative targets to help drive progress in each area up to 2030. The sustainability credentials that the applicants seek to deliver and incorporate in their developments, could be provided at the Reserved Matters Stage.

10.16.6 Some measures proposed to reduce the impact on climate change include purchasing 100% renewable energy for all new construction sites, and dwellings by including renewable and lower energy use, and reducing car and grey felt emissions – making it easier for customers to work from home and enable more sustainable transport choices through EV charging points and bike stands. The applicant has stated that their revised house types of portfolio in 2021 are better designed to achieve

carbon reduction including waste water heat recovery, flue gas heat recovery, PV, car charging points and air source heat pumps.

10.16.7 In construction, the applicant's Environment Strategy states that the majority of the materials used embody lower carbon and energy. This includes the use of timber frames where suitable as these have a significantly lower carbon footprint than traditional brick and block techniques, use of glass mineral wool insulation which is made from recycled glass bottles, use of recycled uPVC in windows - recycled uPVC makes up over 60% of the material used in window frames and cavity closers, use of recycled aggregates and bricks and blocks and use of chipboard flooring that contains 30% recycled wood and 70% wood sourced from Forest Stewardship Council certified.

10.16.8 Whilst the Environment Strategy highlights many other features, the applicant's vision strategy for their developments seek to tackle climate change issues and it is a matter that can be incorporated into the detailed design of the development. Clearly these will need to be considered in detail at Reserved Matters Stage, but the applicant has noted the specific requirements of Local Plan Policy IMPL2 and together with their own environmental strategy have confirmed that their proposals will meet these.

### **10.17 Education Provision**

10.17.1 Hampshire County Council, as the Local Education Authority, has advised that Ringwood School (Secondary school) is full, but is only at capacity owing to the recruitment of pupils from out of county. Consequently, the demand for secondary school provision generated by the development could be managed within existing local facilities and no additional secondary school places will be needed to cater for these pupils and no contribution will be sought from the proposed development.

10.17.2 Hampshire County Council has advised the contribution towards the expansion of junior and infant schools is necessary as without an expansion they will not be able to accommodate the children from the proposed development. It is not possible to expand Ringwood Infant and Junior Schools further owing to a restricted site at Ringwood Infant School so the expansion of pupil places to accommodate the anticipated primary pupil yield will be provided at Poulner Infant and Junior Schools.

10.17.3 The County Council has estimated the contribution at £1,721,100, which is based on the provision of two teaching spaces at both Poulner Infant and Junior School (i.e., a total of four classrooms). The level of contribution being sought is based on the number of additional classrooms required to accommodate these children at the schools and therefore is fairly and reasonably related in scale and kind to the development.

10.17.4 It is important to note that there is a policy requirement set out in Local Plan Policy SS13 (Moortown Lane Policy) which states that two hectares of land is to be reserved for a primary school within that site allocation. The supporting text to the policy states that unless confirmed in writing to be unnecessary by Hampshire County Council, two hectares of land will be reserved on-site for a new primary school in a location that is conveniently walkable from both the development and the adjacent settlement'.

10.17.5 The supporting text goes on to state that Hampshire County Council preference is for extensions to existing primary schools rather than provision of a new school, subject to technical confirmation that expansion is feasible and deliverable. If a new school is required, then the land and the necessary contributions to help to

deliver the school will be sought. At this stage, no decision or commitment has been made to reserve part of SS13-Land at Moortown Lane for a primary school.

10.17.6 In relation to this current application, if the decision is made that a school is not required, the applicant will be required to make the financial contribution towards expanding Poulner Schools; If the school is required, which is unlikely to be known in the short term, it is important that there is a mechanism within the Section 106 Agreement that secures the financial contribution towards the new primary school and not expanding Poulner schools. Overall, it is considered that the outline application makes appropriate provision towards education for infant and junior, but with more precise delivery needing to be determined and secured through a Section 106 legal agreement and subsequent reserved matters applications.

### **10.18 Community Facility**

10.18.1 The Local Plan Policy SS14 sets out the following policy requirement.

*Providing a community focal point in a prominent location including ground floor premises suitable for community use.*

10.18.2 The policy does not expand on what type of community facility or community use is required or the size of the facility or building. The need for a community facility was incorporated into the policy as part of the master planning work. Whilst the policy does not stipulate the particular type of facility to be provided for the site (such as a community hall, retail shop etc) or its size, the need to provide a community facility is considered important to meet the needs of those living in the properties that will be delivered by this development having supporting infrastructure to ensure the development will create a place that delivers the planning objectives.

10.18.3 The proposed development does not provide an on-site community building or facility. The applicant states that whilst the proposal does not provide an onsite facility or building, they consider that there is no suggestion that a community building being promoted on-site through the development would meet a particular community need. Indeed, in the absence of a particular end user, it is not entirely clear what type or size of building or facility is being planned for and the provision on the site could have a negative impact on other community projects for the town which are properly planned for.

10.18.4 In assessing the case by the applicant, and considering the comments from the Town Council, it is considered that a contribution towards a community facility elsewhere within the town would be more appropriate and would enable the needs of the community can be delivered in a coherent manner. As such, it is considered appropriate that the development secures an appropriate contribution to community facility off the site, officers will need to ensure that there is an identified, deliverable project secured through a Section 106 Agreement and Community Use Agreement. Depending on the land owner it may be necessary to have a separate Section 106 to secure delivery within an agree timeframe.

### **10.19 Archaeology**

10.19.1 The archaeological potential of the site is considered within the submitted Desk-Based Heritage Assessment and Archaeological Evaluation. The Desk-Based Assessment of the site identified a number of findspots of Palaeolithic artefacts recovered in the immediate surroundings of the site and this concentration of findspots is in part due to the presence of Quaternary River Terrace Deposits which are known to occur within the site.

10.19.2 The Desk Based Assessment also identified the proximity of the Stoney Cross to Otterbourne Roman Road to the northern boundary of the site is indicative of activity in the area during the Roman period and there is a potential for archaeological remains of this period to be present possibly comprising evidence for land division and agriculture. Moreover, the site lies on the periphery of known areas of medieval occupation, with the potential for associated remains, possibly including traces of agricultural practises.

10.19.3 In order to further assess the archaeological interest within the site and the possible potential of any buried archaeological remains, the applicant carried out an archaeological trial trench evaluation. The evaluation concluded that the site contains a low number of widely dispersed archaeological features, in which the potential significance is low, and most features remain were likely to be natural in origin and did not correlate with the geophysical survey results.

10.19.4 Notwithstanding the detailed assessment and evaluation already carried out on the site, to satisfactorily mitigate the development's impact on potential archaeological remains, and in accordance with the advice of the Council's archaeologist, it is considered reasonable to impose conditions requiring the submission, agreement and implementation of a Written Scheme of Investigation for the areas identified as of potential archaeological interest. Provided such conditions are imposed, it is considered that the proposed development could be implemented without adversely affecting archaeology.

## **10.20 Contamination**

10.20.1 Ground conditions and contamination have been assessed in detail in the submitted Gas Monitoring and ground conditions Report. The previous use of the site is agricultural, and the report concludes no significant sources of contamination are present. Soil samples were taken and analysed for herbicides and pesticides which were all below laboratory limits of detection. Groundwater was at depth and no viable sources and pathways exist for ground gas; therefore, the ground gas risk can be assessed as being very low or negligible which was confirmed by no significant flow detected in boreholes during ground gas monitoring.

10.20.2 The reports submitted conclude that the site poses no significant risk to human health or the environment to the proposed use. However due to the scale and sensitive nature of the development if unexpected contamination is found during construction, then it is imperative a plan is put in place to ensure the site is remediated/verified to ensure the site is suitable for its proposed use.

10.20.3 It is considered that through the imposition of appropriate conditions and more detailed consideration of contamination at reserved matters stage, that existing site contamination can be adequately dealt with, and the ground made safe, so as to ensure there are no adverse effects on human health or the environment.

## **10.21 Development Phasing**

10.21.1 The applicant's supporting statement suggested that the residential scheme is highly likely to be delivered as a single phase. However, in subsequent discussions, it has been suggested there may be a preference for the site to come forward in more than 1 phase - most likely 2 phases, reflecting the 2 main built-development parcels. This would not be unreasonable. If the development does come forward as 2 phases rather than as a single phase, it will be important to ensure that the two phases work together on the basis of a single coherent masterplan, and that there is no prejudice to the delivery of the green infrastructure that is necessary to mitigate the

development's impact. These are matters that can be addressed through a planning condition and phasing requirements within the Section 106 legal agreement.

### **10.22 Appropriate Assessment**

10.22.1 As required by the Habitats Regulations, the Local Planning Authority (as the Competent Authority) has carried out an Appropriate Assessment.

10.22.2 The Appropriate Assessment concludes that subject to relevant mitigation measures, the development would have no adverse impact on the integrity of the affected European sites.

### **10.23 Environmental Impact Assessment**

10.23.1 In accordance with the Environmental Impact Assessment (EIA) Regulations, this report has considered the application submission which includes the applicant's Environmental Statement (ES).

10.23.2 EIA is a procedure used to assess the likely significant effects of a proposed development upon the environment. The conclusion of the EIA process results in the provision of an Environmental Statement by the applicant. The ES is required to provide the Local Planning Authority with sufficient information about the potential effects of the development before a decision is made on the planning application. The information contained in the ES must be taken into account in deciding whether to grant planning permission and reasons must be given.

10.23.3 In this case, the ES has been refreshed and updated during the consideration of the application. The ES includes a description of the current environmental conditions known as baseline conditions, against which the likely significant environmental effects of the development are assessed both during construction and once completed. The technical assessment is based on the upper dwelling number of 400 dwellings and 3 hectares of employment. Each Chapter of the ES states which effects are considered significant.

10.23.4 As required by the EIA Regulations, the application and associated ES have been publicised and consulted upon. Where necessary, the relevant consultee responses have taken account of the relevant parts of the ES.

10.23.5 The conclusions of the ES are noted and have been considered by Officers in the assessment of the application through this report. It is considered that the applicant has undertaken the EIA process appropriately and adequately. The use of planning conditions and legal agreement(s) can secure suitable mitigation measures where significant environmental impacts would otherwise occur.

### **10.24 Community Infrastructure Levy (CIL)**

The application is CIL liable. The exact CIL figure will depend on the precise floorspace of the development, which can only be determined at reserved matters stage.

### **10.25 Response to the further comments submitted by Town Council**

#### **Transportation matters and accuracy of traffic surveys**

10.25.1 In response to the concerns raised in relation to the accuracy of the Traffic data collected, the initial Transport Assessment submitted as part of the planning

application, presented a suite of baseline traffic count data that was used for the purposes of traffic impact analysis, and this recognised that the traffic surveys were carried out a few years ago. The traffic surveys carried out were pre Covid 19.

10.25.2 At the request of the Highway Authority, and to confirm the accuracy of the traffic data, the applicant carried out an evidence base methodology using future traffic growth to provide a more accurate representative of the current base line traffic. Essentially, the applicant updated the traffic growth to the possible first occupation year in 2025 and full occupation in 2029 and growth until the end of the plan period. The impact on the road network, proposed accesses and junctions were re-assessed

10.25.3 The results show that the additional data captured was comparable to that utilised to undertake the traffic impact analysis within the submitted Transport Assessment with no significant magnitude of difference in link flows at either of the surveyed junctions recorded. The data utilised for traffic impact analysis purposes within the Transport Assessment therefore remained representative of 'typical traffic volumes on the local highway network and the conclusions of the Transport Assessment remain valid.

10.25.4 Accordingly, Officers and the Highway Authority have robustly assessed the applicant Transport Assessment and are content with the methodology of the surveys and modelling that has been carried out to assess the transport impact of the proposal on the highway network and key junctions.

#### Are there any plans for the long term maintenance of ditches

10.25.5 Concerns have been expressed in relation to the long term maintenance of the watercourses, ditches and the southern access to the site which will be culverted to take surface water overflow from Hightown Hill and the surrounding land. Concerns have been raised that the water is heavily silted, and the ditches are not regularly maintained, and this would place increased risk of flooding onto the highway.

10.25.6 In response, the long term maintenance of the watercourses or ditches are the responsibility of the riparian landowner. As such, should the function of these watercourses be affected by silt or vegetation, the responsibility falls within the landowner. In relation to the culvert for the southern access, this will be designed to ensure that surface water can run through the system and there reason why this would lead to flooding issues if designed appropriately and maintained.

10.25.7 In this case, the watercourses and ditches within the site which include the watercourses on the west and north boundary, together with the watercourse running east to south west through the site are within control of the applicant and as such, will be responsible for the management and maintenance of the watercourses. As part of the wider landscape enhancements for the site, the watercourses form an integral part of the Green Infrastructure with new planting and a detailed long term management plan to ensure that they are adequately maintained, and function will be required, and this will be secured by condition and Section 106 Agreement as part of the planning permission.

#### Impact on local infrastructure

10.25.8 Concerns has been expressed that the development would give rise to unacceptable pressures on other local infrastructure (health facilities, schools, emergency services etc). New Forest District Council do not seek contributions towards healthcare facilities, and these are matters for central government funding. The full education contribution required by the Local Education Authority would be

included. It is a matter for the LEA to bring forward proposals and use the money contributed by this site and other strategic sites.

### Public Consultation

10.25.9 Concerns have been expressed that there has been very little consultation with the local community at the pre-application stage and was therefore not in accordance with the National Planning Policy Framework NPPS2 of July 2018 nor of the Localism Act of November 2011. In addition, representations have been raised that they did not receive neighbour notification letters to notify them of the application.

10.25.10 In response the application has been accompanied by a Statement of Community Involvement and engagement that has been undertaken by the applicant, to inform the outline planning application for development at land to the north of Hightown Road, Ringwood. The report states that the applicants engaged in pre application engagement, undertaken discussion with statutory and non-statutory consultees, the local community via public exhibition events and the circulation of 1,300 leaflets to residents neighbouring the site, Ringwood Town Council and carefully considered the responses received through the local plan process. In addition, the report states that the applicant engaged both directly and through consultants sought to proactively engage with other stakeholders during the pre-application stage and the scope of the EIA.

10.25.11 It is considered that the applicants have endeavoured to undertake and complete a full and comprehensive consultation exercise that complies fully with both National and Local policy guidance.

10.25.12 Moreover 23 neighbouring properties were notified of the application, internal and external consulted, Local District Councils, Ringwood Town Council, displayed site notices, and placed a newspaper advertisement. This fully accords with the statutory requirements for advertising as to the receipt of a planning application and is in accordance with our Statement of Community Involvement.

### Light Pollution

10.25.13 In relation to the concerns regarding light pollution, both in terms of the impact on the New Forest National Park and neighbour amenity, the full details of any street lighting or lighting to be placed on the dwellings or employment development will need to be submitted together with the lighting standards and lux levels of lighting. The condition also states that any lighting installed shall not exceed maximum values of vertical illuminance at the facade of any residential property or employment development in accordance with Environmental Zone E2 (Rural).

### Concerns with the Validity of the Ecological Surveys

10.25.14 In relation to the concerns raised that the Ecological Surveys failed to identify several species such as Owls, Birds - buzzards, Pine Martins, Woodpeckers and Jays, and stag beetles, the following comments have been made. In addition, concerns have also been raised that the proposed development and recreational use of the ANRG will reduce the foraging habitat for wildlife.

10.25.15 Whilst it is noted that there may be other species that have not been picked up in the ecological survey, the Ecological surveys are carried out over a period of time and may not pick up on other particular species. Several comments made in relation to birds relate to species outside the application site, and whilst they may use the application site to commute or forage, as set out below, the proposed development

will provide ecological benefits.

10.25.16 In response to the concerns raised that the proposed development and recreational use of the ANRG will reduce the foraging habitat, the application includes an ecological management plan, but it is recognised that the full details of the ecological enhancement and mitigation will be provided at the reserved matters stage and by condition.

10.25.17 It is considered that the proposal green space will provide species rich woodland, grasslands and hedgerow planting which will enhance habitat corridors and ecological networks. This will enhance the foraging and commuting habitat for bats and potential roosting opportunities. The retention of areas of boundary scrub and hedgerows and the creation of hedgerows and species rich grassland would benefit bird breeding and feeding. Other enhancement measures include hedgehog houses, benefits for stag beetles through felled broadleaved trees to be buried in the ANRG and green space.

Effects of Flood Attenuation on the Elm Tree and Oak Cottage, in which the oldest part has no foundation and will be subject to heave and subsidence

10.25.18 SuDS Features can be lined as needed to ensure there is no interaction with groundwater if required. The SuDS Features and flood mitigation measures will reduce uncontrolled flows in these locations and as such, they would not adversely impact on existing buildings in the vicinity of the site. A Construction Management Plan will need to take into account any potential construction effects on neighbouring properties.

The current application for SS13 Land at Moortown Lane does not propose the link road or connection to the Wellworthy site. Unless this access is resolved, the application at Hightown Road is not in accordance with the local plan.

10.25.19 In response to these concerns, it is important to note that the current application at Hightown Road (SS14) is not reliant on the deliverability of the access connections at Moortown Lane (SS13).

10.25.20 The Policy requires creating a new site access spur from the A31 slipway (Southampton Road) roundabout to a main north-south street serving as both the focal point for development and an alternative route for local traffic to the A338 Christchurch Road in conjunction with Strategic Site 13: Land at Moortown Lane.

10.25.21 Essentially, the policy requires the link road to be provided through the application site (as stated above is proposed and can be secured via a S106 Agreement) but is not required to wait until the deliverability of the connecting road through Moortown Lane (SS13).

10.25.22 As stated above, the proposed Spine Road that would route through the site is required to satisfy Local Plan policy and to serve as both a focal point for development and an alternative route for local traffic. The applicants traffic modelling has therefore been undertaken on the basis that a balance of flows, in respect of movements between Southampton Road/the A31 and Crow Lane would achieve between the two route option, that around 50% of movements along Eastfield Lane would re-distribute through the site. That is the justification for the 50% re-distribution of existing traffic movements.

No regard has been given to a footpath or cycleway along much of Crow Lane, which is unlit and poses a danger to pedestrians.

10.25.23 Concerns have been raised that the proposed off site highway works do not take into account a new footpath or cycle lane along Crow Lane. The proposals are heavily focussed on improvements west and north of the application site. In response, it is accepted that other than the proposed works to make improvements to pedestrian connectivity immediately to the south of the site opposite the Elm Tree, no further off site highway works are proposed along Crow Lane.

10.25.24 As set out above in the Transportation heading, a Non-Motorised User (NMU) Audit / WCHAR assessment was carried out by the applicant to review any existing issues with pedestrian and cyclist routes to key destinations (such as facilities, schools, shops etc) from the application site. However, the assessment did not consider the links to the south given that the key destinations are to the north and west. The key destinations are not to the south. Notwithstanding this, there is an existing footpath that has been provided as part of the recently built Ringwood development at Beaumont Park, on the inside of Crow Lane that provides direct pedestrian access to the south and towards the recreational greenspace.

Concerns that most of the Open Space and ANRG will be used for flood mitigation and SUDS, which will have deep water, and this will affect the availability and useability of the green space to walk and enjoy and therefore should not count towards the provision. In addition, the flood storage areas will pose a risk to children and will need to be fenced off and further reduce the availability of open space.

10.25.25 In response, the flood mitigation features in the ANRG are designed as dry features. The Flood Mitigation features will be planted with a tolerant wet meadow, and it is not anticipated that they will need to be fenced. In the event of an extreme flood, they will contain water, which will gradually displace through the connection swales. The SUDS within the open space will have contain areas of permanent water, which provides biodiversity enhancement, contributes to reducing pollution and phosphates and has been designed as part of the wider landscape. The design of the SUDS entails very gradual slopes and the extent of permanent water ranges from 0.3 metres to 0.9 metres. As the application is in outline, the actual design of these features including fencing and planting is not known. However, given the shallow profile and depths of the SUDS, they could be planting with aquatic vegetation to as a safety deterrent.

The application does not address the issue of drainage and flooding south of the site. In particular, the concerns raised state that despite work undertaken as part of the Beaumont Park development and regular maintenance by both Hampshire Council and local volunteers, the stream running along Crow Lane still regularly floods. The proposal would worsen the situation.

10.25.26 In response, the issues of flooding south of the application site along Crow Lane are noted and it cannot be confirmed what is the likely cause of flooding. Firstly, whilst it is not for the planning application to resolve an existing problem, the application site is likely to be a contributory factor as it lies upstream. The applicant's Flood Risk Assessment states that through the implementation of the on-site flood storage areas and SUDS, it is anticipated and likely that the proposed development would lead to a reduction in the risk/ severity of flooding in this location.

10.25.27 This would be achieved through the implementation of the SUDS scheme which will lead to a reduction in the peak surface water flow rates generated on the site during larger rainfall events. For instance, for a 1 in 100 year rainfall event on the

site in its greenfield state, the peak runoff rate (the greenfield run off rate) has been estimated as 14.2 litres per second per hectare. Post development and with the SUDS measures and flow control devices in place, run off from the developed areas on the site would reduce to around 4.5 litres per second for the same rainfall event

10.25.28 As a result, development of the site will provide betterment over existing undeveloped conditions whereby the peak rates and volumes of runoff would continue to increase as climate change occurs. This approach will protect the development from flooding throughout its lifetime whilst also offering a reduced flood risk to the downstream catchment.

10.25.29 Consideration should be given to the 'do nothing approach', i.e., if the site development was not to come forward. The rate of surface water run-off will continue to rise as climate change occurs. The proposed drainage approach protects development in the long term whilst offering a reduced flood risk to the neighbouring catchment.

10.25.30 The long term management and maintenance of the proposed drainage system including the ditch that runs north south through the application site will be secured by condition Section 106 Agreement as part of the planning permission

The Acoustic appraisal makes no mention of the impact of the development density on the sound levels within the neighbouring housing both on the Hightown and Poulner sides of the A31

10.25.31 In response, residential development does generally not create a significant amount of noise and would therefore not be expected to result in adverse impact at existing noise sensitive receptors.

10.25.32 The proposed development does include a portion of 'employment development area' to the north of the site adjacent to the A31. This area backs on to the rear gardens of properties to the east on Eastfield Road. The employment uses are expected to be commercial office type development and therefore unlikely to generate significant noise. However, it is standard practice to control noise from commercial type development at existing noise sensitive receptors through the use of suitably worded planning conditions. These conditions are normally based on guidance in British Standard 4142:2104+A1:2019 'Methods for rating and assessing industrial and commercial sound'. It should also be noted that the background sound levels at this northern portion of the site are likely to be higher due to the proximity to the A31 and this will reduce the impact of any commercial noise at existing receptors.

Response to concerns over the accuracy of the air quality assessments

In response to the representations, the NO<sub>2</sub> AQS objective of 40 ug/m<sup>3</sup> is an annual mean objective and it is therefore not appropriate to compare it with measured concentrations in one month. The objector notes that the measured concentration in January 2019 was 46.1 ug/m<sup>3</sup> taken from Table B.1 of the New Forest District Council 2020 Air Quality Annual Status Report. This is the raw data before it has been bias adjusted and annualised. After it has been bias adjusted and annualised, as required by Defra, the annual mean NO<sub>2</sub> concentration at monitor 46 in 2019 is given as 24.3 ug/m<sup>3</sup> in Table B.1 of the council's report. This is well below the annual mean NO<sub>2</sub> AQS objective of 40 ug/m<sup>3</sup>. The annual mean concentrations measured by the council at monitors 44 and 45 in 2019 were 25.4 and 26.6 ug/m<sup>3</sup> respectively, also well below the objective of 40 ug/m<sup>3</sup>.

As outlined in paragraph 9.5.17 of the June 2021 ES Air Quality Chapter:

*“A receptor along Eastfield Lane predicted higher annual-mean NO<sub>2</sub> concentrations without development than with; as part of the proposed development, a link road would be constructed that would provide a route through the site. The introduction of the link road would result in background traffic and committed development traffic re-routing through the site, and this has been taken account of in the modelled traffic flows”.*

Therefore, air quality at Eastfield Lane is expected to improve with the development. As outlined above, the measured concentrations in 2019 were well below the NO<sub>2</sub> AQS objective and therefore the concentration at Eastfield Road with the development is predicted to remain well below the AQS objective.

## 11 CONCLUSION

11.1 The site is allocated for development under policy SS14 of the Local Plan which establishes the principle of development on this Greenfield site. The tilted balance as set out in the NPPF does apply in this case as the Council cannot demonstrate a 5-year supply of housing land. The tilted balance sets out a presumption in favour of sustainable development and that greater weight should be afforded to the delivery of new housing unless other harmful impacts outweigh that presumption.

11.2 The above assessment has highlighted how the proposed development would deliver a range of significant, economic, social and environmental benefits. The proposed development would significantly change a greenfield site on the edge of Ringwood into a large housing and employment development including many affordable homes for local people, as well as significant new areas of open space and habitat would be created, resulting in a more connected landscape that would benefit both people and biodiversity.

11.3 The above assessment has highlighted how the proposed development would deliver a range of significant, economic, social and environmental benefits. The proposed development would significantly change a greenfield site on the edge of Ringwood into a large housing development including much needed additional housing and affordable homes for local people, as well as significant new areas of open space, children’s play area and habitat would be created, resulting in a more connected landscape that would benefit both people and biodiversity.

11.4 The proposal would create large areas of new employment space and deliver significant employment opportunities during the construction of the development, when fully occupied.

11.5 The proposal would also provide several highway benefits and promote sustainable modes of transport including enhancing the existing bus services and facilitating a new bus route through the site. New off-site crossing links and footpath/cycle path would be provided outside the site, together with a new connecting road link through the site which would help relieve congestion along Eastfield Lane, simplification of the access junction at Crow Lane and Hightown Road.

11.6 It is accepted that the number of dwellings significantly exceeds the minimum quantum of housing that has been allocated through the Local Plan. It is also accepted that by increasing the number of dwellings on the site, this would clearly intensify the development on this rural edge character and that design concerns have been raised.

However, the applicant has shown how a sympathetic edge to the site's sensitive southern and eastern boundary might be achieved, whilst an overall density of about 35 dwellings per hectare is not considered to be inconsistent with the need for a high quality design in this context. The density of the development will be similar to the recent development constructed in Crow Lane at Beaumont Park.

11.7 What considerably assists the setting of this development is the significant and generally well-considered green infrastructure that would be provided. This green infrastructure would not only mitigate the development's impact on protected nature conservation sites, but it would also provide important health and well-being benefits for the occupants of the development and beyond.

11.8 One key area of balance that must be considered is in relation to the less than substantial harm that there would be to the setting of designated and non-designated heritage assets. In applying this balance, it must be noted (as per paragraph 199 of the NPPF) that the significance of the Heritage Assets is particularly high and therefore great weight must be given to the conservation of all these assets.

11.9 If the economic, social and environmental benefits of the policy allocation are to be realised, then some harm to the setting of the Heritage Asset through increased development spread is considered inevitable and should be accepted. The benefits of developing the site would provide significant boost in housing supply, together with 200 new affordable dwellings. The proposal would provide social and economic benefits including employment areas and for construction workers and increased spending in local shops. Therefore, in accordance with a policy allocation are considered to provide a clear and convincing justification for accepting at least some harm to the setting of the relevant heritage asset. It is considered that the scheme's public benefits very much outweigh the identified harm to the setting of these heritage assets.

11.10 As such, it is considered that the relevant tests of the NPPF (notably paragraphs 199 and 203 are satisfied) and special regard has been paid to the desirability of preserving the setting of the Listed Building as set out Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11.11 In respect of other matters, it is considered that the environmental effects of the development would be satisfactorily mitigated through the proposed recreational mitigation land and the provision of significant areas of new green infrastructure and landscaping throughout the application site area. The development will evidently impact significantly on the character of the area, but through its carefully considered design and its successful integration of landscape and built form, it is considered that the development would not cause harm to the site's existing context.

11.12 The applicants Flood Risk Assessment demonstrates that the proposed development would be operated within minimal risk from flooding and would not increase flood risk elsewhere and through the implementation of mitigation measures and a surface water drainage strategy, it can be concluded that the flood risk associated with the new development would be acceptable. Key consultees raise no objection to the proposal.

11.13 The Environmental Statement has demonstrated that the development's significant environmental effects can generally be effectively mitigated. Whilst a few effects would be difficult to mitigate, it is considered that the development's overall impacts on relevant receptors would be acceptable. A more detailed assessment of these various impacts would need to be made through the submission of applications for reserved matters.

11.14 Overall, the proposed development is considered to be one that meets the three key objectives of sustainable development, it would meet social objectives, by creating a safe, vibrant and healthy new community; and it would meet environmental objectives by securing a high quality built environment and by protecting and enhancing the natural environment. It is considered that the proposed development would satisfy all of the relevant requirements of Policy Strategic Site 14, as well meeting other relevant local and national planning policy requirements.

11.15 As such, it is considered appropriate to grant outline planning permission subject to a detailed Section 106 legal agreement, subject to an extensive list of conditions as described below,

#### Conditions and Section 106 legal agreement

Those matters that need to be secured through the Section 106 legal agreement include all of the following:

#### Affordable Housing

- There will be a requirement to secure 50% of the proposed dwellings as Affordable Housing in a policy compliant mix, in which the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership.

#### Education

- There will be a requirement for developer to pay a contribution of £1,721,100 to junior and infant education provision, whether this would at existing education facilities in the vicinity at an agreed rate or to pay a contribution towards a new education facility.

#### Public Open Space

- There will be a requirement to secure a policy compliant level of public open space within the development to an approved design.
- There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design
- There will be a requirement to secure the long term maintenance of the Public Open Space and Childrens Play Areas

#### ANRG Mitigation Land

- There will be a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
- There will be a requirement for a detailed management plan and contribution to future monitoring of the SANGS. The SANG must be laid out as agreed together with a Habitat Mitigation Scheme and made available for use prior to first occupation of any Dwelling on the land.
- There will be a requirement to secure the long-term maintenance of the ANRG land and associated maintenance contributions.

## Other Mitigation Contributions and Measures

- There will be a requirement to secure the New Forest Access and Visitor Management Contribution, the New Forest (recreational impact) Monitoring Contributions and the New Forest Air Quality Monitoring contributions in full.

## Transport

- There will be a requirement to secure the provision, implementation, timing and delivery of the accesses, junction and associated highway works along the A31 Slip road , Southampton Road and Hightown Road.
- There will be a requirement to secure the provision, implementation, timing and delivery of a link road to an adoptable standard between the A31 Slip road and Hightown Road. The relief road shall be implemented and made available for use prior to the occupation of the 200th Dwelling.
- The internal relief road will need to be offered for adoption to the highway authority
- There is a requirement to provide a footpath along the northern side of Hightown Road towards Crow Lane
- There is a requirement to provide a crossing point along Hightown Road
- There is a requirement to secure a financial contribution towards a new footpath link from the application site through the existing Ash Grove play area to the existing public footpath in Ash Grove.
- There will be a requirement to make a financial contribution towards the maintenance of PROW 34
- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- There is a requirement to secure sustainable travel improvements including new bus stop(s) on Eastfield Lane and provision of hourly bus service and re-routing of bus service through link road if available at point of commencement
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Gardens/ Hightown Road together with footpath realignment;
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Old Stacks Gardens/ Hightown Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Road/ Eastfield Lane
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Woodford Close/ Eastfield Lane
- Three pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Ash Grove
- Re-location of Bus stop along Eastfield Lane/ Ash Grove
- A financial contribution towards a new footpath through the existing play area to the west of the site to link onto Ash Grove
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Hightown Road opposite bus stop and near Ash Grove
- Crossing along Eastfield Lane at the end of the pedestrian/cycle link within the site
- A pedestrian crossing with dropped kerbs and tactile paving along Parsonage Barn Lane/ Cloughs Road
- A pedestrian with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Cloughs Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Eastfield Court

- Eastfield/Southampton Road Contraflow cycle lane, road marking and signage to provide more direct route to Gorley Road for northbound cyclist
- Seek to remove stiles/narrow kissing gates to improve access to Footpath 34 and review the potential to upgrade the route to a multi-use path. This would enable more users to use the route between residential areas to the west and the countryside to the east via Milky Down Back Lane

#### Community use off site contribution

- There will be a requirement to secure appropriate contributions to community facility off the site, together with any further agreement needed to secure delivery and ongoing community use

#### Flooding and Drainage

- There is a requirement for the developer to provide a flood mitigation scheme prior to first occupation, together with its maintenance and long term management. There is also a requirement to provide a surface water drainage scheme on site, together with its maintenance and long term maintenance.

#### Biodiversity Net Gain

- There will be a requirement to secure the on site BNG including and the necessary off site contributions / charges associated with the management and monitoring of the proposals for achieving Biodiversity Net Gain.

#### Monitoring charges

- As set out in the April 2022 Cabinet paper relating to affordable housing , BNG, POS, and ANRG

It is to be noted that some of the finer details of these obligations are still the subject of ongoing discussion with the applicants and would need to be resolved after this Committee meeting.

## 12 **OTHER CONSIDERATIONS**

#### Crime and Disorder

The detailed design of the proposed development will be considered through the submission of reserved matters. However, the Parameter Plans and supporting details set a clear development framework, and it is fully expected that the development will be designed so as to have good natural surveillance, and in a way that will help to minimise potential crime and disorder.

#### Local Finance

If this development is granted permission, it is currently expected that the Council will receive the New Homes Bonus (up to £489,600) in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

The CIL liability associated with this development can only be determined at Reserved Matters stage.

### Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

### Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

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

## **13. RECOMMENDATION**

Delegated Authority be given to the Executive Head for Planning, Regeneration and Economy to **GRANT PERMISSION subject to the completion of the Section 106 Agreement and any associated Agreement to secure the delivery of off-site community facility space provision and the following conditions**

- the completion by end of the 30th of March 2024, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits
  - **Affordable Housing (AH)** - 50% of the proposed dwellings as Affordable Housing in a policy compliant mix, in which the affordable housing mix be comprised of 70% dwellings for rent, split equally between social and affordable rent, and 30% intermediate or affordable home ownership tenures including shared ownership. Phasing delivery of units to be agreed, and long-term retention as AH.
  - **Biodiversity net gain (BNG).**
  - **Community use off site contribution** - There will be a requirement to secure appropriate contributions to community facility off the site, together with any further agreement needed to secure delivery and ongoing community use

- **Public Open Space**
  - There will be a requirement to secure a policy compliant level of public open space within the development to an approved design.
  - There will be a requirement to secure a policy compliant level of children's playspace within the development to an approved design
  - There will be a requirement to secure the long term maintenance of the Public Open Space and Childrens Play Areas
- **Education Contribution** - There will be a requirement for developer to pay a contribution of £1,721,100 to primary and junior education provision.
- **ANRG provision and maintenance** and monitoring
- **ANRG Mitigation Land**
  - There will be a requirement to secure a policy compliant level of ANRG land in accordance with approved designs, and to secure permanent public access to these areas in an appropriate phased manner.
  - There will be a requirement for a detailed management plan and contribution to future monitoring of the SANGS. The SANG must be laid out as agreed together with a Habitat Mitigation Scheme and made available for use prior to first occupation of any Dwelling on the land.
  - There will be a requirement to secure the long-term maintenance of the ANRG land and associated maintenance contributions.
- **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula
- **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
- **Flooding and drainage** - There is a requirement for the developer to provide a flood mitigation scheme prior to first occupation, together with its maintenance and long term management. There is also a requirement to provide a surface water drainage scheme on site, together with its maintenance and long term maintenance.
- **Air quality assessment** monitoring contribution in line with Local Plan policy.
- **Off-site highway works** -There will be a requirement to secure the provision, implementation, timing and delivery of the accesses, junction and associated highway works along the A31 Slip road , Southampton Road and Hightown Road.
  - There will be a requirement to secure the provision, implementation, timing and delivery of a link road to an adoptable standard between the A31 Slip road and Hightown Road. The relief road shall be implemented and made available for use prior to the occupation of the 200th Dwelling.
  - The internal relief road will need to be offered for adoption to the highway authority
- There is a requirement to provide a footpath along the northern side of Hightown Road towards Crow Lane
- There is a requirement to provide a crossing point along Hightown Road
- There is a requirement to secure a financial contribution towards a new footpath link

from the application site through the existing Ash Grove play area to the existing public footpath in Ash Grove.

- There will be a requirement to make a financial contribution towards the maintenance of PROW 34
- There will be a requirement to pay the Travel Plan approval and monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.
- There is a requirement to secure sustainable travel improvements including new bus stop(s) on Eastfield Lane and provision of hourly bus service and re-routing of bus service through link road if available at point of commencement
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Gardens/ Hightown Road together with footpath realignment;
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Old Stacks Gardens/ Hightown Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Hightown Road/ Eastfield Lane
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving on the corner of Woodford Close/ Eastfield Lane
- Three pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Ash Grove
- Re-location of Bus stop along Eastfield Lane/ Ash Grove
- financial contribution towards a new footpath through the existing play area to the west of the site to link onto Ash Grove
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Hightown Road opposite bus stop and near Ash Grove
- Crossing along Eastfield Lane at the end of the pedestrian/cycle link within the site
- A pedestrian crossing with dropped kerbs and tactile paving along Parsonage Barn Lane/ Cloughs Road
- A pedestrian with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Cloughs Road
- A pedestrian crossing with dropped kerbs, pram ramps and tactile paving along Eastfield Lane/ Eastfield Court
- Eastfield/Southampton Road Contraflow cycle lane, road marking and signage to provide more direct route to Gorley Road for northbound cyclist
- Seek to remove stiles/narrow kissing gates to improve access to Footpath 34 and review the potential to upgrade the route to a multi-use path. This would enable more users to use the route between residential areas to the west and the countryside to the east via Milky Down Back Lane
- **Provision of a full Travel Plan** with bond, monitoring fees and approval fees.

- **Other Mitigation Contributions and Measures**
- There will be a requirement to secure the New Forest Access and Visitor Management Contribution, the New Forest (recreational impact) Monitoring Contributions and the New Forest Air Quality Monitoring contributions in full.
- **Monitoring contributions**

Delegated authority be given to the Executive Head of Planning, Regeneration and Economy to include the conditions as set out in this report together with any further additions, and amendments to conditions as appropriate

### **Proposed Conditions:**

1. **General Conditions applying to all parts of the development**

**Condition 1 – Time Limit for Approval of Reserved Matters**

The first application for the approval of reserved matters shall be made within a period of three years from the date of this permission. All subsequent reserved matters applications shall be submitted no later than 3 years from the date of the approval of the first reserved matters application.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Condition 2 – Time Limit for Commencement of Development**

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last reserved matters to be approved, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Condition 3 - Development phasing plan**

Prior to the commencement of any part of the development including any site clearance and demolition works, a detailed phasing plan, the number of reserved matters phases and including all on and offsite works, including all highway and drainage infrastructure works, green infrastructure works, landscaping, public open spaces, recreation facilities, and all on and off-site foul and surface water drainage and highway works, shall be submitted to and agreed in writing with the LPA.

The phasing plan as so agreed shall be implemented in full unless any written variation has been agreed beforehand in writing with the LPA.

Reason: To ensure the development is fully completed in an acceptable timetable and in accordance with the approved plans hereby permitted or to be permitted as part of future phases.

4. **Condition 4 – Reserved Matters Details**

In respect of each phase of development, no development shall commence until the layout, scale and appearance of the development, and the landscaping of the site (herein referred to as the reserved matters, as well as any outstanding conditions set out below), insofar as they relate to that phase of development, have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

5. **Condition 5 - Parameter Plans**

The reserved matters shall fully accord with the Development Parameter and Access Plans comprising:

- Landscape Parameter Plan No RG-M-38 Rev E
- Land Use Parameter Plan No RG-M-08 Rev AB
- Access and Movement Parameter Plan No RG-M-37 Rev G
- Building Heights Parameter Plan No RG-M-39 Rev J
- Density Gradient Parameter Plan RG-M40 Rev B

Reason: To ensure high standards of Urban Design are achieved and maintained; to ensure that there is a coordinated and harmonious integration of land uses, built form and spaces, reflecting the scale and nature of development; and to ensure that the development is responsive to its context.

6. **Condition 6 - Landscape & ANRG Framework**

The layout and landscape details to be submitted in accordance with condition no. 4 above shall be broadly consistent with the design principles and strategy that are illustrated on the illustrative Landscape Principles Drawing No JSL\_3037\_160 Rev: B and ANRG Layout Principles Drawing No: JSL\_3037\_170 Rev: B and illustrative Landscape Strategy DRG No. : JSL3037\_101 Rev G or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of an appropriate landscape framework that will provide a high quality setting for the development, and which will provide suitable recreational opportunities that will help mitigate the development's impact on European sites.

7. **Condition 7 - Dwelling Numbers & Development Mix**

The development hereby permitted shall not exceed 400 dwellings. The detailed designs for the approved development shall substantially accord with the following residential mix, or as otherwise may be agreed through the approval of reserved matters:

- 1 & 2 bedroom units: 60-70% of all Affordable Rental Homes, 55-65% of all affordable home's ownership, and 30-40% of all market homes
- 3 bedroom units: 25-30% of all Affordable Rental Homes, 30-35% of all affordable home's ownership, and 40-45% of all market homes
- 4 bedroom units: 5-10% of all Affordable Rental Homes, 5-10% of all affordable home's ownership, and 20-25% of all market homes

Reason: This reflects policy expectations and is the basis on which the required level of mitigation has been assessed. The Local Planning Authority would wish to properly consider any mix that does not reflect policy expectations to ensure that housing needs are adequately met and noting that a material change to the residential mix will affect the level of mitigation that would be necessary to offset the development's impacts, and this may not necessarily be achievable.

8. **Condition 8 - Site Levels**

Prior to the commencement of development in any phase of development, details of levels, including finished floor levels for all buildings, existing and proposed levels of public open space areas (including ANRG), and the existing and proposed site contours for that phase, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure that the development takes appropriate account of, and is responsive to, existing changes in levels across the sit.

9. **Condition 9 - Archaeology: A Programme of Archaeological Work**

Prior to the commencement of development within each residential phase or employment phase of development, a programme of archaeological work in respect of that phase, including a Written Scheme of Investigation, shall have been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure the archaeological interest of the site is investigated and assessed.

10. **Condition 10 - Archaeology: Completion and Archive Deposition**

No dwelling within a phase of residential or employment development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the archaeological interest of the site is adequately investigated and recorded.

11. **Condition 11 - Protection of Trees: Adherence to Approved Arboricultural Statement**

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement and Tree Protection Plan (RPS Tree Survey and Arboricultural Impact Assessment A dated November 2021 reference JSL3037\_771 and Tree Protection/Removal Plans JSL3037\_708-715) or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

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

12. **Condition 12 - Protection of Trees: Pre-commencement Site Meeting**

Prior to the commencement of works within each phase of development, 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as specified within the RPS Consultancy Manual for Managing Trees on Development Sites.

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

13. **Condition 13 Tree details**

No development shall take place within each phase of development until the following information has been submitted to and approved in writing by the Local Planning Authority:

- A plan showing the location of service routes, including the position of soakaways;
- A plan showing the location of site compound and mixing areas;
- A plan showing the location and details of all footpaths and roads within the root protection areas of retained trees;

Development shall thereafter be carried out in accordance with these approved details.

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

14. **Condition 14 - Landscape & Ecological Enhancement, Mitigation and Management Plan**

Prior to the commencement of development within each phase of development, a detailed Landscape and Ecological Enhancement, Mitigation and Management Plan for that phase shall be submitted to and agreed in writing by the local planning authority. The Plan for that phase shall be broadly in accordance with the outline ecological mitigation and enhancement measures detailed within the Ecology Survey Report V1 Dated 20th January 2020 by RPS Group and Environmental Statement Vol 1 Chapter 6 by WYG or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority. The Plan shall include (but not be limited to):

- details of all habitat and species-related avoidance and mitigation measures (e.g. timings, methods, responsibilities);
- plans of, and details describing, all habitat impacts and measures to compensate impacts (e.g. location, methods of establishment, responsibilities, care and maintenance);
- plans and details of all habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and maintenance);
- a programme of ongoing ecological monitoring and management.

The development shall be implemented and thereafter maintained and managed in accordance with the approved details.

Reason: To ensure that the landscape and ecological interest of the development site is maintained, enhanced, and managed in a way that will secure long-term landscape and ecological benefits.

15. **Condition 15 - Ecological Measures (Opportunities for Birds / Bats / Invertebrates)**

A minimum of 1 in 4 of the dwellings / development plots hereby approved shall incorporate either a bird nesting box (including nesting opportunities for swifts and house sparrows), a bat box or bat roosting provision, or enhancements for invertebrates such as bee bricks, the precise details of which shall be submitted with each Reserved Matters application where new buildings are proposed. The submitted details shall comprise a mix of these measures and shall be provided in accordance with the approved details before the house / plot where the measures are to be incorporated is first occupied.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development; and to ensure that a key aspect of sustainability is delivered.

16. **Condition 16 – Net Biodiversity Gain: Implementation, Monitoring and Management**

No above ground works (including vegetation clearance) shall take place until a Biodiversity Net Gain (BNG) Monitoring and Management Plan in relation to the net gain achieved on site has been submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years). The Plan shall incorporate the requirements set out in the informative note at the end of this permission. The Plan shall require the submission of a BNG monitoring report produced by a suitably qualified ecologist and shall be submitted to the LPA annually for the first five years after completion and at 5-year intervals thereafter until year 30. The development shall be completed in accordance with the BNG Monitoring and Management Plan prior to the occupation of the last dwelling on the site.

Reason: 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

17. **Condition 17 - Biodiversity Net Gain: Additional Statement**

The first residential or employment unit of the development hereby approved shall not be occupied until details of a package of off-site Biodiversity Net Gain (BNG) has been submitted to, and approved in writing by, the Local Planning Authority. This package should secure the identified 10% BNG arising from the development and include: (i) a calculation of the number of biodiversity units required to provide a 10% BNG in accordance with DEFRA Biodiversity Metric 2.0 Calculation Tool (Beta) (2019); (ii) details of the BNG project including its location; (iii) a timetable for the provision of the BNG project; (iv) details of the management of the BNG project (v) details of the future monitoring of the BNG project in perpetuity. The BNG package as approved shall be provided prior to the occupation of the penultimate dwelling on the site and thereafter retained as such.

Reason: To ensure Biodiversity Net Gain is secured as part of the development in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park 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), NFDC interim Biodiversity Guidance and the Environment Act 2021.

18. **Condition 18 - Bats Lighting**

No development shall take place until a “site wide sensitive lighting design strategy for biodiversity” in line with BCT / ILP Guidance Note 08/18 ‘Bats and artificial lighting in the UK’ for all areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their

breeding sites and resting places or along important commuting routes used to access key areas of their territory, for example, for foraging; and

- show how and where external lighting will be installed (through the provision of appropriate lighting contour (lux) plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places and that dark corridors will be maintained.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed including on or within the curtilage of any dwelling without prior consent from the local planning authority, the details of which shall be submitted as part of any reserved matters application(s).

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

#### 19. **Condition 19 - Unexpected contamination**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the [Local] Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

20. **Condition 20 - Finished floor levels (flooding)**

The development shall be carried out in accordance with the submitted Flood Risk Assessment (by PFA Consulting November 2020, updated January 2021) and the following mitigation measures it details:

- Finished floor levels of all dwellings and employment buildings shall be set no lower than 600mm above the adjacent 1 in 100 years plus climate change (40% allowance) modelled as stated in the FRA.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

21. **Condition 21 Construction Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 07:30 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities.

22. **Condition 22 Framework for lifespan of ecological reports:**

Where the approved development is to proceed in a series of phases in excess of 2 years from the date of this permission, further supplementary ecological surveys updates shall be undertaken and submitted to the LPA to inform the preparation and implementation of corresponding phases of ecological mitigation measures. 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 and in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

23. **Condition 23 - Badger pre-construction survey:**

Prior to the commencement of any construction work on site, including any site clearance, an updated badger survey shall be undertaken by a suitably qualified and experienced ecologist, and a Method Statement for Badgers

during Construction shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in full accordance with the approved Method Statement.

Reason: In the interests of protected species in accordance with Local Plan Part Two policy DM2 and Local Plan Policy STR1

#### 24. **Housing Development Related Conditions**

##### **Condition 24 - Construction Environmental Management Plan**

No phase of residential development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and ecological interest.

#### 25. **Condition 25 - Travel Plan**

Prior to the commencement of above ground works associated with the first phase of residential development, a Full Travel Plan based on the principles set out in the (PFA Consulting Travel Plan dated January 2022) Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that Single Occupancy Vehicle trips are minimised, and sustainable modes of travel are duly promoted.

26. **Condition 26 - Waste Collection Strategy**

All applications for the approval of reserved matters relating to occupiable buildings shall be accompanied by a waste collection strategy in relation to the relevant phase. The development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory form of development compliant with Local Plan policy ENV3

27. **Condition 27 - Construction Traffic Management Plan**

No phase of residential development shall commence until a Construction Traffic Management Plan is submitted to and approved in writing by the Planning Authority. The Construction Traffic Management Plan shall include the following details: construction traffic routes; the provision to be made on site for the parking and turning of contractors' / construction related vehicles; measures to prevent mud from being deposited on the highway; and a programme for construction. The agreed measures and details shall be put into place (as appropriate) before the development is commenced and shall thereafter be adhered to / retained throughout the duration of construction.

Reason: In the interests of highway safety.

28. **Condition 28 - Surface Water Drainage Details**

No phase of residential development shall commence until, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: A195-R009B, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a) A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- b) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- c) Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- d) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- e) Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.

- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall be carried out in accordance with the approved details, before the dwelling within that phase are first occupied and thereafter maintained as such.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

**29. Condition 29 - Surface Water Drainage: Maintenance**

Prior to occupation of the residential; development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- (i) a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- (ii) details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- (iii) details of protection measures;
- (iv) details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

**30. Condition 30 - Electric Vehicle Charging Points**

Prior to the first occupation of any dwelling within any phase of residential development hereby permitted, a scheme for that phase for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve that part of the development, shall be submitted to the Local Planning Authority for its written approval. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwellings within that phase.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in accordance with policy expectations.

**31. Condition 31 - Phosphate mitigation**

The residential development shall not be occupied until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:

- (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development.;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with Policy ENV1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

**32. Condition 32 Water efficiency**

The installation of fittings and fixed appliances in the dwelling(s) hereby approved shall be designed to limit the consumption of wholesome water to 110 litres per person per day in accordance with the Building Regulations 2021.

Reason: The higher optional standard for water efficiency under Part G of the Building Regulations is required in order to reduce waste water discharge that may adversely affect the River Avon Special Area of Conservation by increasing phosphorous levels or concentrations and thereby contribute to the mitigation of any likely adverse impacts on a nationally recognised nature conservation interest.

**33. Condition 33 - Noise Levels**

No phase of residential development shall commence until, a scheme including necessary mitigation to ensure that internal noise levels within each dwelling shall not exceed the minimum standards stated in BS 82233:2014 (paragraph 7.7.2 [Table 4]). External noise levels should, where feasible, not exceed the maximum value set out in paragraph 7.7.3.2. The

appropriate details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, before the dwelling within that phase are first occupied and thereafter maintained as such.

Reason: To safeguard residential amenities and to ensure that future residents have an acceptable noise environment.

34. **Condition 34 - Car & Cycle Parking**

For each reserved matters application in relation to the residential development, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

35. **Employment Related Conditions**

**Condition 35 - Construction Environmental Management Plan**

No phase of employment development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Development contacts, roles and responsibilities.
- A public communication strategy, including a complaints procedure.
- A Dust Management Plan (DMP) including suppression, mitigation and avoidance measures to control dust.
- A Noise Management Plan with noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation.
- Any use of fences and barriers to protect adjacent land, properties, footpaths and highways.
- Details of parking and traffic management measures.
- Measures to control light spill and glare from any floodlighting or security lighting that is installed.
- Details of storage and disposal of waste on site.
- A construction-phase drainage system which ensures all surface water passes through three stages of filtration to prevent pollutants from leaving the site.
- Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

The construction of the development in each respective phase shall thereafter be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and ecological interest.

36. **Condition 36 - High Speed Fibre Broadband**

Prior to the occupation of each dwelling in the development hereby approved, a high speed fibre broadband connection shall be provided to the property threshold, by way of the necessary infrastructure, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable development, in accordance with local and national planning policy.

37. **Condition 37 - Commercial Premises: Opening and Delivery Hours** Any reserved matters application which seeks approval for new commercial or employment premises must be submitted with full details of the proposed opening hours, including delivery hours. Opening and delivery hours shall be agreed in writing with the Local Planning Authority before the use commences, and the uses shall thereafter only be occupied in accordance with the approved details.

Reason: In the interests of residential amenity.

38. **Condition 38 - Surface Water Drainage**

No phase of employment development hereby approved shall commence until, a detailed surface water drainage scheme for that phase, based on the principles within the Flood Risk Assessment & Drainage Strategy ref: RBS Consulting, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- a) A technical summary highlighting changes to the design from that within the approved Flood Risk Assessment.
- b) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- c) Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.
- d) Evidence that Urban Creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
- e) Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.

- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall be carried out in accordance with the approved details before the buildings are first occupied and thereafter maintained as such.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development. No phase of employment development shall commence

**39. Condition 39 - Surface Water Drainage: Maintenance**

Prior to occupation of the employment development within a development phase, a scheme relating to the management and maintenance of the Surface Water Drainage System (including all SuDS features) within that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the following:

- i) a detailed maintenance schedule in respect of the repair and maintenance of each drainage feature type (the Maintenance Scheme);
- ii) details of intended ownership, and a management regime which shall set out the responsibility for the maintenance of the SuDS in accordance with the approved Maintenance Scheme, following their provision;
- iii) details of protection measures;
- iv) details of a monitoring and review scheme.

The approved drainage features shall thereafter be maintained in accordance with the approved scheme.

Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

**40. Condition 40 - Equipment to Commercial premises**

Any reserved matters application which seeks approval for new commercial or employment must be submitted with full details of arrangements for air handling and the necessary noise control measures to include a noise impact assessment to consider noise from the proposed external equipment in accordance with BS4142:2014. The works detailed in an approved scheme shall be installed in their entirety before the uses that are the subject of this condition are first occupied. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when the use is being carried out.

Reason: In the interest of residential amenity.

41. **Condition 41 - BREEAM requirements**

Before any commercial building with a gross internal area of 250-999 square metres is first occupied (or within an alternative timeframe that has first been agreed in writing by the Local Planning Authority), written documentary evidence demonstrating that any such building achieves a Building Research Establishment Environmental Assessment Method (BREEAM) excellent standard in the water consumption criteria element shall be submitted to the Local Planning Authority for its written approval. Furthermore, before any building with a gross internal area of 1000 square metres or more is first occupied (or within an alternative timeframe that has been agreed in writing by the Local Planning Authority), written documentary evidence demonstrating that any such building achieves a Building Research Establishment Environmental Assessment Method (BREEAM) excellent standard overall shall be submitted to the Local Planning Authority for its written approval. In all cases, the evidence shall take the form of a post construction certificate as issued by a qualified BREEAM certification body.

Reason: In the interests of resource use and energy consumption in accordance with policy IMPL2 of the New Forest District Local Plan 2016-2036 Part 1: Planning Strategy

42. **Condition 42 – Open Storage Restrictions**

No open storage shall take place on the site in association with the non-residential uses hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Open storage uses would have a harmful visual impact that would detract significantly from the scheme's overall design quality

43. **Condition 43 Restriction on types of employment use**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 or any subsequent re-enactments thereof, the employment units hereby approved within the area identified as 'Employment' on Land Use and Access Drawing No RG-M-08 Rev AB shall be used only for the purposes of commercial and business use within Class E (c) and (g) and for general industrial use within Class B2 and for no other use purposes, whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: The site is located outside the town centre and is specifically allocated in the local plan to provide employment purposes. Alternative uses

44. **Condition 44 - Requirement of Noise assessment to be submitted for Class B2 uses**

Prior to any Class B2 use occupying any of the units on the site hereby approved, a noise assessment report and noise attenuation scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed details shall be implemented concurrently with the B2 use of that unit.

Reason: In the interests of residential amenity.

45. **Condition 45 - Travel Plan**

Prior to the commencement of above ground works associated with the first phase of employment development, a Full Travel Plan based on the principles set out in the (PFA Consulting Travel Plan dated January 2022) Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, no dwelling shall be occupied until the approved Full Travel Plan has been implemented unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that Single Occupancy Vehicle trips are minimised, and sustainable modes of travel are duly promoted.

46. **Compliance condition**

**Condition 46 - Protection of vegetation for birds**

No development in any phase, including any works of site clearance, shall commence during the bird nesting season (1 March – 31 August inclusive) unless it has been demonstrated through the submission of a method statement (that shall previously have been submitted to and approved in writing by the local planning authority), that nesting birds can be adequately protected. Development shall be carried out only in accordance with the approved details which may include, but are not confined to, the timing of work, pre-work checks, avoidance of nesting areas, and protection zones around nesting areas.

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

47. **Condition 47 - Car & Cycle Parking**

For each reserved matters application in relation to the employment development, details of the car and cycle parking that is to be provided in association with that phase of development shall be submitted to the Local Planning Authority for its written approval, and, prior to the occupation of each dwelling the approved car and cycle parking arrangements for that plot shall have been provided in accordance with the approved plans, and thereafter retained for their intended purpose at all times.

Reason: To ensure that appropriate levels of car and cycle parking are delivered in association with the development.

48. **Condition 48 - Lighting details - dark skies adjacent to National Park**

Prior to the installation of any street lighting or lighting to be placed on the dwellings or employment development hereby permitted such details (including the design of lanterns and lighting standards and the lux levels of lighting) shall be submitted to and agreed in writing with the LPA. No other street lighting or on building lighting shall be erected including any security lighting without the further written approval of the LPA.

Any lighting installed shall not exceed the following maximum values of vertical illuminance at the facade of any residential premises and employment development in accordance with Environmental Zone E2: 5 lux pre-curfew (07:00-23:00hrs) and 1 lux post-curfew (23:00- 07:00hrs) in accordance with Guidance Notes for the Reduction of Obtrusive Light (GN01:2020) by the Institute of Lighting Professionals (ILP).

Reason: To promote an acceptable and light sensitive means of site and street lighting in the interests of good design, residential amenity, wildlife protection, and so as to promote dark skies in relation to the New Forest National Park and to accord with Local Plan policy ENV3.

49. **Condition 49 - Implementation of access and crossing points**

No occupancy of any of the dwellings shall take place until the proposed accesses and highway works as shown on drawing No T331/20 Rev D or in accordance with any final plans that may be agreed are completed to the required standard.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. The vehicular and pedestrian visibility splays shall be retained free from any obstruction at all times thereafter.

Reason: In the interest of highway safety and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

50. **Condition 50 Plan numbers**

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

Location Plan

Northern Access: Drawing No T331/10 Ref F

Southern Access: T331/20 Ref D

Reason: To ensure satisfactory provision of the development.

51 **Condition 51 Finished floor levels and Flood Risk Assessment**

The development hereby approved shall be carried out in accordance with the submitted Flood Risk Assessment (ref: T331-FN2A Flood Risk Assessment, dated 24<sup>th</sup> February 2023) and the following mitigation measures it details:

- Any dwelling located within 20 metres of a watercourse will have its finished floor levels set at a minimum of 600mm above the 1 in 100 year plus 38% climate change using the predevelopment flood level as stated in section 2.1 of the FRA
- Dwellings located in the wider development (at a distance more than 20 metres from a watercourse) will have finished floor levels set at a minimum of 300mm above the 1 in 100 year plus 38% climate change using the predevelopment flood level, or surrounding ground levels whichever is higher
- The sustainable drainage systems (SuDS) features hereby approved shall be maintained in accordance with the maintenance strategy set out on Table A of the Flood Risk Assessment,

The mitigation measures shall be fully implemented in accordance with the approved details prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

**Further Information:**

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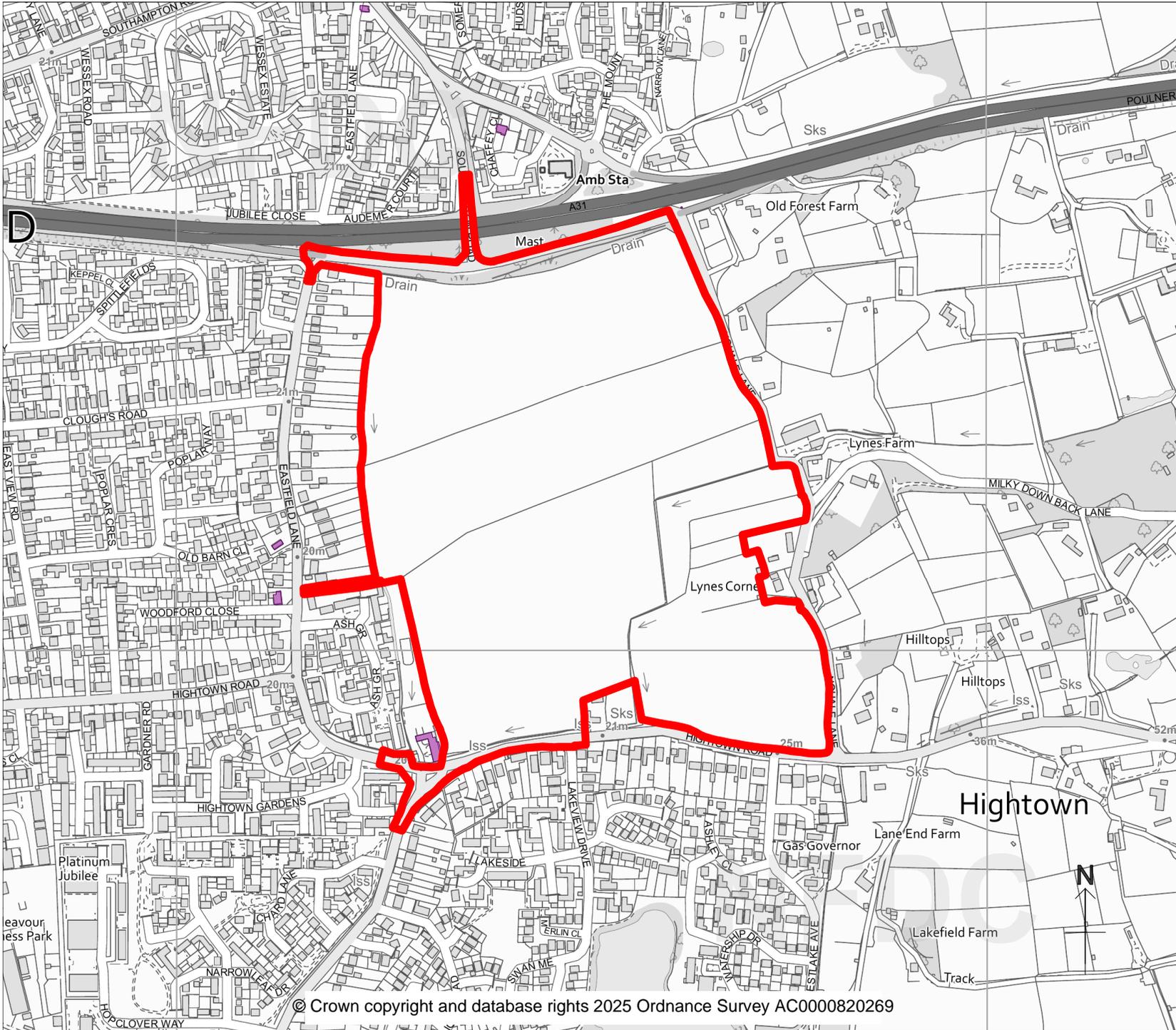
## Agenda Item 5

PLANNING COMMITTEE – 8 MARCH 2023

**COMMITTEE UPDATES****Item 3a: Land North of Hightown Road, Hightown, Ringwood (Application 21/10042)  
(Pages 5-110)**2 updates

One letter from Ringwood Society who continue to maintain an objection. In relation to Access, whilst it is recognised the application is in outline, the Submitted Parameter Plan shows the proposed with minimum points of Access. For the proposed development to be well designed, it needs to create well connected street and path networks. Further pedestrian access points should be included. The Ringwood Society maintains their previous concerns about design, flooding and infrastructure and that 50% affordable is secured.

One letter from Ringwood Junior School which states that the school is full and there is not capacity within the school to accommodate additional pupils. A contribution is sought from the proposed development of £1.7million to be made to Poulner Schools as they have been considered to have room to expand. Notwithstanding that some of the future residents of this development given its location are likely to want to attend the Ringwood school the lack of provision for Ringwood Infants and Junior and Ringwood Academy is short sighted. As such, a clear and specific condition needs to be included in any outline or detailed planning award regarding the allocation of and expenditure routes of the S106 sums for education.



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# New Forest

DISTRICT COUNCIL

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## PLANNING COMMITTEE

June 2025

Land North of Hightown Road  
 Hightown  
 Ringwood  
 21/10042

Scale 1:6641

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