

Application Number: 25/10891 Full Planning Permission
Site: LAND ADJACENT HILL VIEW, RINGWOOD ROAD, SOPLEY
BH23 7BE
Development: Construction of dwelling
Applicant: Mr & Mrs Miller
Agent: Jerry Davies Planning Consultancy
Target Date: 28/11/2025
Case Officer: Graeme Felstead
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: i) Delegated Authority be given to the Service Manager
Development Management to Grant Permission
ii) Cllr Frampton request

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development and South West Hampshire Green Belt
- 2) Design, and impact on local character and appearance of area
- 3) Residential amenity
- 4) Highway Safety
- 5) Impacts on Ecology
- 6) Habitat Mitigation and Air Quality
- 7) Developer Contributions
- 8) Conclusion / Planning Balance

2 SITE DESCRIPTION

The application site comprises a parcel of land on the east side of Ringwood Road (B3347) at the north-western extent of Sopley, within a linear ribbon of residential plots set in the countryside and the South West Hampshire Green Belt. The land formerly formed part of the curtilage of 'Hill View' (immediately to the north-west) and is now proposed to function as an independent planning unit.

The local townscape is characterised by predominantly chalet bungalows interspersed with a small number of two-storey houses, with non-uniform/slanted building lines, generous front garden depths, and soft landscaping typical of semi-rural ribbon development. There are no trees within the site; established hedgerows to the front and rear are to be retained for biodiversity value and rural character. The site lies within Flood Zone 1 and benefits from an existing vehicular access onto Ringwood Road.

3 PROPOSED DEVELOPMENT

The proposal seeks full planning permission for the construction of a detached

dwelling on the subdivided plot. It follows the grant of outline permission (Ref. 24/10173 July 2024) which approved access, layout and scale. However, because the building envelope/design differs from the outline indication (including roof articulation and material palette), a full application is made rather than a reserved matters submission.

Key elements of the scheme:

- Form, scale and massing:
 - Maximum ridge height retained at 6.5m, consistent with the outline permission.
 - Articulated roofscape comprising two gables, the secondary gable at 5.5m, breaking down the bulk across the frontage.
- Siting and plot layout:
 - Dwelling is set back approximately 10–15m from the highway edge reflecting the slanted frontage and organic building line;
 - Slightly increased offset to the Hill View boundary compared with the outline envelope; roof slopes away from that boundary to limit enclosure;
 - Footprint extends deeper into the plot than the outline envelope while retaining adequate frontage for parking, turning and landscaping.
- Appearance and materials:
 - Blackened timber cladding and fair-faced concrete walls under a slate roof, with galvanised steel rainwater goods.
- Privacy and amenity safeguards:
 - Two first-floor windows to the north-west elevation designated secondary and to be obscure-glazed and fixed shut;
 - A rooflight on the same elevation set with the lower internal cill being 1.7m above internal finished floor level to preclude overlooking.
- Access, parking and movement:
 - Existing access retained; entrance gates set back ≥ 6 m from the carriageway;
 - Asphalt surfacing for the first 6m of driveway to prevent gravel migration, with gravel beyond;
 - On-plot parking and turning to adopted standards and cycle parking indicated.
- Sustainability and air quality:
 - Provision for solar PV, air source heat pump (ASHP), and EV charging (the latter now secured via Building Regulations), consistent with the Air Quality SPD and IMPL2.

4 PLANNING HISTORY

- 24/10173 (Outline) – Access, layout and scale approved for a single dwelling – Granted (July 2024). The outline decision accepted the appeal reasoning on Green Belt and design, secured recreational and air-quality mitigation, and established a Grampian condition route for phosphate neutrality.
- 20/11361 – Erection of a self-build three-bedroom chalet bungalow (farmhouse style) – Refused (09/02/2021); Appeal dismissed solely on Habitats Regulations grounds. The Inspector found no harm to character/appearance and concluded the site represents limited infilling in a village under national Green Belt policy, thus not inappropriate development.

This material planning history establishes the principle of a dwelling on the site and informs the assessment of the current full application.

5 PLANNING POLICY AND GUIDANCE

Part 1: Planning Strategy Policy STR3: The strategy for locating new development
Policy CCC2: Safe and sustainable travel

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

Policy ENV2: The South West Hampshire Green Belt

Policy ENV3: Design quality and local distinctiveness

Policy

HOU1: Housing type, size, tenure and choice

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Policy STR1: Achieving Sustainable Development

Policy STR5: Meeting our housing needs

Policy IMPL1:

Developer Contributions Policy IMPL2:

Development standards Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM20: Residential development in the countryside

Supplementary Planning Guidance and Documents

SPD - Air Quality in New Development.

Adopted June 2022 SPD - Parking Standards Relevant Advice

NPPF (December 2024)

Emerging Local Plan:

On February 4th 2026 a report to Cabinet recommends that this Council starts the public consultation stage into the Regulation 18 version of the new Local Plan. This Regulation 18 version of the Plan will represent an early point in the plan-making process. At this stage, the National Planning Policy Framework (NPPF) paragraph 48 advises that only limited weight can be afforded to emerging plan policies when determining planning applications, as the weight given depends on the stage of preparation, the extent of any unresolved objections, and the degree of consistency with the NPPF. Given that the Regulation 18 draft is at the initial consultation stage and has not progressed to examination, it cannot be considered to carry significant material weight. Accordingly, while the emerging Local Plan is a material consideration in decision making and may provide helpful context, decisions should continue to be primarily guided by the adopted development plan unless other material considerations indicate otherwise.

6 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council: Par 1 -

- Cllr D: Notes that while the proposed building is “not the prettiest” (personal view), Ringwood Road presents a mixed streetscape with varied styles and sizes, and many properties are extending “up and out”. No objection; considers the scheme infill.
- Cllr M: Observes the dwelling would not look out of place, utilising a decent-sized plot within an existing row of mixed houses and bungalows. No objection; PAR 1.
- Cllr P - No objections. Par 1

7 COUNCILLOR COMMENTS

Cllr Frampton has requested Committee consideration.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecologist Comment – 19.12.2025

Requested further information that was subsequently provided. NFDC Ecology is satisfied that the outstanding concerns could be addressed by planning condition and raised no objection subject to conditions.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 3

Matters raised include:

Departure from approved outline and overdevelopment

- Significantly departs from the previously approved outline scheme
- The proposed building would appear overbearing and out of scale with surrounding properties, amounting to overdevelopment of the plot.

•
Loss of light and overshadowing;

- Siting further back into the plot would increase overshadowing.
- A middle room facing the proposal would experience severely reduced daylight.

•
Loss of privacy and overlooking (including Juliette balcony)

- Juliette balcony on the new dwelling which would directly overlook the entirety of their garden at very close range.

Noise and disturbance (Air Source Heat Pump)

- Air source heat pump (ASHP) directly beneath their bedroom window, raises concerns about noise disturbance and sleep disruption.

10 PLANNING ASSESSMENT

1. Housing Land Supply and NPPF Paragraph 11

The proposal will make a modest positive contribution to the District's housing land supply, which is currently 1.53 years. In determining planning applications, there is a statutory 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).

Paragraph 11 of the NPPF clarifies the presumption in favour of sustainable development. For decision-making this means:

approving development proposals that accord with an up-to-date development plan without delay; or

where policies most important for determining the application are out-of-date or there are no relevant policies, granting permission unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusal; or (ii) any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

For applications involving housing, this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable sites, or where the Housing Delivery Test indicates delivery has been substantially below requirement over the previous three years. The Council cannot currently demonstrate a five-year supply of deliverable housing land. In such circumstances, paragraph 11(d) is engaged.

Applying paragraph 11(d):

Limb 1 (protective policies test): this report identifies Framework policies that protect areas or assets of particular importance (including habitat sites where recreational and nutrient impacts must be mitigated). A judgment is required as to whether those policies provide a strong reason for refusal.

Limb 2 (the 'tilted balance'): only if there are no strong reasons for refusal under Limb 1, the decision-maker must consider whether adverse impacts would significantly and demonstrably outweigh the benefits, having particular regard to directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes.

The remainder of this assessment applies that approach.

Principle of Development (Countryside Location / Policy DM20 and Material Considerations)

The site lies outside a defined built-up area and within open countryside (South West Hampshire Green Belt). Policies STR1 and STR3 of the Local Plan seek to protect such areas from inappropriate and harmful development. Local Plan Part 2 Policy DM20 permits residential development in the countryside only for a replacement dwelling, affordable housing, or an agricultural worker's dwelling, and requires development in all cases to be of a design, scale and appearance that is in keeping with the rural character of the area.

The proposal is not a replacement dwelling, nor is it for an agricultural worker or for affordable housing. On its face, therefore, a new dwelling in this countryside location does not accord with Policy DM20. However, the site's planning history is an important material consideration.

A previous application (LPA Ref. 20/11361) for a self-build three-bedroom chalet bungalow was refused in February 2021 for conflict with Policy DM20 and impacts upon the openness of the Green Belt. On appeal, the Inspector dismissed the appeal solely on the basis of conflict with the Habitats Regulations; the Inspector found no conflict with other relevant national and local policies.

In respect of Policy DM20, the Inspector observed (emphasis added):

"There would be no harm to the character and appearance of the area and no conflict with those aims of LP1 Policy ENV3 that seeks to ensure that proposals are in keeping with the rural character of the area, sympathetic to their context, strengthening the character and identity of the locality.

The Council's decision notice also alleges a conflict with Policy DM20 of the New Forest District (outside the National Park) Local Plan Part 2 2014 (LP2) on the basis of harm to the rural character of the area. However, my findings on this issue indicate that no such conflict would arise for this reason."

While the Inspector did not endorse the principle of unrestricted residential development in the countryside (Policy DM20's core restraint), the appeal decision is nonetheless a material consideration of significant weight in this instance. Given the HLS position (above) and the appeal findings on character and appearance, the proposal's compliance with the overall development plan must be considered in the round, with the Green Belt policy test addressed next.

The South West Hampshire Green Belt

The site is within the South West Hampshire Green Belt. Chapter 13 of the NPPF (December 2024) and Local Plan Part 1 Policy ENV2 attach great importance to protecting the Green Belt. NPPF paragraph 142 sets out the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies openness and permanence as its essential characteristics. Paragraph 152 confirms that inappropriate development is, by definition, harmful to the Green Belt

and should not be approved except in very special circumstances. Paragraph 154 treats the construction of new buildings as inappropriate, but lists exceptions, including limited infilling in villages (sub-paragraph 154(e)).

In the appeal relating to LPA Ref. 20/11361, the Inspector gave significant weight to the 'limited infilling in villages' exception (then paragraph 145(e), now paragraph 154(e)), concluding that the proposal would fall within that exception and therefore would not be inappropriate development in the Green Belt. The Inspector reasoned:

“Some of the exceptions in the Framework require consideration of effects on openness as to whether development would be inappropriate in the Green Belt, but that is not the case for the exception at paragraph 145(e). Effects on openness are, by implication, already considered and accepted within that exception. As such, the development would not run contrary to the aims of Green Belt policy to prevent urban sprawl by keeping land permanently open, nor to the essential characteristics of Green Belts, namely their openness and permanence. Therefore, there would be no conflict with national policy for the Green Belt, no harm to the Green Belt and, by extension, no conflict with the aims of LP1 Policy ENV2.”

In this case, the application site is within the village of Sopley, identified as a small rural village in the settlement hierarchy (Policy STR4). It sits within a continuous run of existing dwellings on the east side of Ringwood Road. Consistent with the appeal findings, the proposal therefore constitutes limited infilling in a village under NPPF 154(e) and is not inappropriate development in the Green Belt. The Inspector's overall conclusion on Green Belt and character was:

“the proposal would not conflict with Green Belt policy and would not harm the character and appearance of the area.”

Accordingly, the proposal complies with Local Plan Part 1 ENV2 (The South West Hampshire Green Belt) and STR1 (Achieving Sustainable Development), and with NPPF paragraphs 152–156 insofar as they relate to Green Belt policy.

Overall conclusion on the principle

Although the proposal conflicts with DM20 in principle (countryside restraint), the development plan must be read as a whole. Here, there is clear compliance with ENV2 (Green Belt) by virtue of the NPPF 154(e) limited infilling in villages exception, and there are weighty material considerations, notably the appeal decision on 20/11361, supporting the site-specific acceptability of development in this location.

Subject to securing mitigation for habitats impacts in accordance with ENV1 (as addressed later in this report), the current housing land supply shortfall engages NPPF paragraph 11(d). On that basis, the proposal benefits from the presumption in favour of sustainable development. The remainder of the report assesses the relevant material planning considerations and, in the planning balance, weighs any identified harms against the benefits.

2. Design, site layout and impact on local character and appearance of area

Local Plan ENV3 (Design quality and local distinctiveness) sets out that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate and attractive. New development will be required to meet supporting design criteria (as set out).

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

The proposed dwelling would sit approximately 10–15 metres behind the highway edge, reflecting the slanted frontage along Ringwood Road. While there is a broadly consistent building line, frontages are not strictly linear and exhibit an organic rhythm typical of ribbon development in this part of Sopley. The siting is pulled slightly further back than the immediately adjoining Hill View, mirroring the pattern evident further to the south-east (e.g., Avoncroft Farm) and maintaining the established cadence of built form and space.

Compared with the outline envelope, the footprint would project deeper into the plot, but this is balanced by a marginally greater offset to the shared boundary with Hill View. Importantly, the roof planes slope away from the Hill View boundary, softening any perceived mass and limiting any sense of enclosure. The frontal set-back retains sufficient depth for on-plot parking and turning alongside meaningful soft landscaping, which is characteristic of this semi-rural frontage.

The maximum ridge is retained at 6.5m, consistent with the height previously accepted at outline, thereby corresponding to the scale of a chalet-style dwelling prevalent in the locality. The massing is articulated into two gables: a primary gable at 6.5m and a secondary, subservient gable at circa 5.5m. This articulation breaks down the bulk across the width of the plot and reduces the overall perceived scale when read in the street scene. Although elements of the eaves are locally higher than indicated at outline, the absence of an uninterrupted, full-width ridge and the stepping of the roof forms ensures that the development does not present as materially larger than the outline envelope when viewed from public vantage points.

The immediate landscape context is predominantly chalet bungalows with a small number of two-storey houses interspersed. The site's set-back, subordinate secondary gable, and stepped massing allow the new dwelling to read comfortably within this mixed but modest townscape. The proposed width and depth are consistent with neighbouring plots and will not appear at odds with the established pattern of development.

In architectural terms, the proposal adopts a contemporary vernacular approach: simple dual pitched gables, restrained eaves, and a limited materials palette (brick/boardings under a plain-tile roof) with vertically proportioned openings. These references align with local characteristics, satisfying ENV3's expectation for design that is sympathetic to context while promoting high design quality. The secondary gable remains visually subordinate, ensuring the dwelling reads as modest within the mixed street of predominantly chalet bungalows and occasional two-storey houses.

The set-back position leaves ample room for vehicles within the frontage while reserving space for soft landscaping to reinforce the green, hedged character of Ringwood Road. This arrangement is consistent with the Parking Standards SPD and preserves the semi-rural grain that contributes to local distinctiveness.

The proposal's set-back, articulated massing, modest ridge height, and landscape-led plot collectively respect local distinctiveness and integrates with the semi-rural ribbon of Ringwood Road. With standard conditions for materials, landscaping, and privacy (obscure glazing/non-opening, rooflight height), the development accords with Local Plan Policies ENV3 and ENV4.

3. Residential Amenity (ENV3)

Policy ENV3 requires a high standard of amenity for existing and future occupiers. The dwelling's maximum ridge of 6.5m, stepped roof form and increased offset from the Hill View boundary limit dominance and enclosure to the amenity of the neighboring property. While the building is deeper than the outline envelope and is positioned to the south of Hill View, the principal roof planes slope away from the shared boundary, and the eaves are kept low to mitigate any overbearing effect along the garden interface.

With respect to sunlight and overshadowing, third party concerns note that midday/early-afternoon shading could occur. The indicative winter/summer shadow sketches on file show limited effects at the extremes. There is no development plan requirement for a technical shadow assessment being necessary to satisfy policy ENV3. Officers can accept that the deeper projection would marginally extend shading duration around solar noon, but the combination of increased boundary offset, the roof pitching away from the boundary and the modest overall height means the extent and duration of overshadowing to the main rear garden at Hill View would remain limited and does not result in an unacceptable effect to the amenity of the neighbouring property.

In terms of privacy, the two first-floor windows on the northwest elevation are secondary. These will be obscure-glazed and fixed-shut to a height of at least 1.7m above finished floor level (secured by condition). The roof light on the same elevation is set so that the internal lower cill is at least 1.7m above finished floor level, precluding downward views. There are no other elevated openings that would give rise to harmful overlooking.

Several third-party representations refer to the proposed development including a balcony. The submitted plans confirm that the only external feature of this type is a *Juliet balcony* serving Bedroom 4 at first-floor level. A Juliet balcony does not provide an external platform capable of being used as a sitting-out area and therefore does not ordinarily give rise to the same potential for overlooking as a conventional projecting balcony or terrace.

In this case, due regard has been given to the position of the Juliet balcony on the east elevation and the established separation distances between the application property and Hill View. Having assessed these factors, it is not considered that the development would result in any significant loss of privacy or general amenity to nearby occupiers.

The originally proposed position of the air source heat pump raised concerns regarding its proximity to the shared boundary. In response, the applicant has relocated the ASHP to the opposite side of the dwelling, further from neighbouring properties. A revised drawing has been submitted to reflect this amended siting. The new location increases the separation distance and is considered to reduce any potential noise or amenity impacts. On this basis, and subject to a standard noise-level condition, the revised proposal is not expected to give rise to any unacceptable impact on residential amenity.

Accordingly, having regard to the articulated massing, modest height, increased boundary offset, and privacy safeguards, the proposal would not result in harmful impacts on neighbouring amenity and would provide a high standard of amenity for future occupiers. The development complies with the amenity provisions of Policy ENV3 and the relevant objectives of the NPPF.

4. Highways and Servicing

Local Plan Policy CCC2 (Safe sustainable travel) states new development will be required to provide sufficient car and cycle parking, including secure cycle parking in schools and colleges, workplaces, bus and rail stations, and in shopping areas in accordance with adopted Parking Standards Supplementary Planning Document.

Ringwood Road (B3347) is a 'B' class distributor with local parking restrictions. The site benefits from an existing vehicular access which was assessed at the outline stage and found to be acceptable in principle. The present, detailed scheme retains this access and carries forward the Highway Authority's requirements.

In line with the Highway Authority's advice on the outline application, the scheme now incorporates a 6-metre gate set-back from the carriageway edge to allow vehicles to pull clear of the highway before the gates are operated. To prevent loose material migrating onto the highway, the first 6 metres of the driveway from the back edge of carriageway will be finished in asphalt, with gravel surfacing beyond. These details respond directly to the previous consultation response and are shown on the submitted plans.

The access arrangement provides appropriate visibility splays for a B-class road and frontage speeds, as confirmed at the outline stage. The site layout retains a frontage depth of approximately 10–15 metres, reflecting the slanted boundary. This affords safe ingress/egress, on-plot turning so that vehicles can enter and leave in a forward gear, and clear space to accommodate visitor parking without reliance on the highway.

Although bedroom numbers were not fixed at outline stage, the quantum of on-plot space comfortably meets the NFDC Parking Standards SPD for typical dwelling sizes in this location. The detailed scheme illustrates cycle parking within the plot, supporting mode choice consistent with Policy CCC2 (safe and sustainable travel).

In accordance with the Air Quality SPD and Policy IMPL2, the dwelling will include an electric vehicle charging point (noting this is now secured via Building Regulations). The specification also includes low-carbon technologies (ASHP and PV), which, while primarily energy measures, also contribute to air-quality objectives by reducing traffic-related idling at refuelling destinations and supporting EV uptake.

The depth of frontage and internal turning allow for temporary bin presentation at the kerb on collection days without obstructing visibility or the running carriageway. Servicing can be undertaken from the main road in line with existing residential practice along Ringwood Road.

To conclude, the proposal utilises the established access, secures the 6-metre gate set-back, provides asphalt surfacing for the initial driveway section, and delivers compliant on-plot parking, turning and cycle storage. The Highway Authority raised no objection at outline stage subject to conditions, which are now incorporated and can be secured on this permission.

Accordingly, the development would not result in adverse impacts on highway safety or operation and as such complies with Policy CCC2 of the Local Plan Part 1 and the NFDC Parking Standards SPD.

5. Ecology

Local Plan Part 2 DM2 (Nature conservation, biodiversity and geodiversity), Local

Plan Part 1 ENV1 (Mitigating impacts on International Nature Conservation sites) and ENV3 (Design quality and local distinctiveness), ENV4 (Landscape character and quality) are relevant.

Submissions and consultation

The application is supported by a Preliminary Ecological Appraisal (PEA) (site visit 15/02/2024) and a Reptile Precautionary Working Method Statement (24/05/2024) previously considered at outline; in response to the current consultation, the applicant has submitted an updated Preliminary Ecological Appraisal Report (PEAR) dated 27/11/2025 following a site re-visit on 26/11/2025. The updated PEAR confirms no material change to the site baseline other than removal of a small area of Dogwood (*Cornus*) adjacent to the rear of the existing shed and includes appended GCN Precautionary Working Method Statement, a bat-sensitive lighting strategy, and nesting bird mitigation measures.

The Council's Ecologist initially objected, noting that the 2024 report was greater than 18 months old and therefore required updated commentary; they also advised that the site falls within a red-risk zone for great crested newt (GCN), requested a bat-sensitive external lighting strategy, sought ecological enhancements to be secured by condition, and confirmed the need for nutrient neutrality and recreational habitat mitigation.

Designated sites (Habitats Regulations; ENV1)

The site lies within the River Avon catchment. Residential development may increase phosphorus loading and therefore must achieve nutrient neutrality before occupation and is addressed in this report by a Grampian condition requiring an approved mitigation/offset package (phosphate budget, securing mechanism and monitoring).

The development also contributes cumulatively to recreational pressure on the New Forest European sites; the necessary recreational mitigation contributions will be secured via a legal agreement consistent with the Council's Mitigation Strategy. This deals with the primary reason for the Inspector dismissing the appeal for the previous reason on the site

Protected species (DM2) and landscape/ecology context (ENV3/ENV4)

Great crested newt (GCN)

The site is mapped within a red-risk zone on the Nature space District Level Licence (DLL) system, indicating wider landscape suitability and the need to address connectivity to potential breeding habitats. The updated PEAR provides a GCN Precautionary Working Method Statement (PWMS) and sets out avoidance/response procedures; officers propose a condition to require either engagement with the DLL (evidence of registration) or implementation of the PWMS, together with a stop-work protocol if a GCN is discovered.

Bats

The Ecologist disagreed with the earlier assertion that bats would not commute/forage over the site, citing the rural landscape and proximity of the River Avon; a bat-sensitive lighting strategy is therefore required (locations, luminance, shielding, controls) and the inclusion of at least one integrated bat box as an enhancement. The updated PEAR includes a lighting strategy drawing on ILP/BBRS guidance (GN08/23) and officers will secure this by condition.

Birds

Works must comply with the Wildlife and Countryside Act 1981 protections for nesting birds (typically 1 March–31 August). The updated PEAR's bird mitigation appendix sets out pre-works checks by a qualified ecologist, buffering where nests are present, and seasonal restrictions on hedge works; the Ecologist welcomes the inclusion of a Schwegler 1SP Sparrow Terrace (or similar) within the dwelling. These measures will be secured by condition.

Reptiles

Given the age of earlier survey work and previous grassland condition, the Ecologist seeks updated commentary on reptile potential and refresh of mitigation if necessary. The updated PEAR confirms the current baseline and carries forward the Reptile Precautionary Working Method Statement (24/05/2024). Officers will require a qualified pre-commencement walkover and, where presence/likelihood is identified, implementation/refresh of the RPWMS, including any translocation, prior to works starting. This will be conditioned.

Ecological enhancements (DM2; ENV3/ENV4)

The Ecologist requests that a proportionate Ecological Enhancement Schedule be secured by condition, with a location plan and evidence prior to occupation (photographic record or an ecologist's signed statement) confirming the installation of features. Enhancements supported include: native planting, bird boxes, integrated bat box(es), bee bricks, and hedgehog access/nest box, all of which are consistent with the site's semi-rural character and will be monitored by NFDC.

Recommended controls

The updated PEAR (27/11/2025) and appendices address the Ecologist's information currency and protected species points (GCN PWMS; bat lighting; nesting birds), and officers are satisfied that harm can be avoided and enhancements delivered through proportionate planning conditions.

To conclude; subject to the updated ecological information now provided and the conditions/obligations listed, the proposal would avoid harm to protected species and designated sites, deliver proportionate ecological enhancements, and comply with Local Plan DM2, ENV1, ENV3 and ENV4. The outstanding consultation points can be satisfactorily resolved through these controls and, on that basis, officers recommend no objection on ecology grounds subject to conditions to be confirmed.

Biodiversity Net Gain (BNG)

BNG requirements for smaller sites commenced 2 April 2024. The outline application pre-dated this trigger and therefore did not require BNG. The Planning Statement indicates that the current proposal is submitted as self-build, and the applicant contends an exemption from BNG (and CIL) on that basis. Irrespective of BNG status, the enhancement condition described above will ensure a measurable ecological uplift on site.

6. Habitat Mitigation and Air Quality

Policy ENV1 (Local Plan Part 1) requires that development is only permitted where the necessary mitigation, management and monitoring measures are secured in

perpetuity so that no adverse effect arises on International Nature Conservation sites within the District. The updated ecological evidence (PEAR, 27/11/2025, with GCN PWMS, bat-sensitive lighting, nesting bird measures, and refreshed reptile commentary) is summarised in the Ecology section; the Council's Ecologist raises no objection subject to conditions. This section draws those strands together and sets out the Habitats Regulations conclusion and delivery mechanisms.

While the previous Appeal Inspector found no conflict with most Development Plan policies, the appeal was dismissed solely on Habitat Regulations grounds. The current application will address those matters directly through a completed legal agreement and conditions, as set out below.

(a) Recreational impacts – New Forest SPA/SAC/Ramsar

An Appropriate Assessment identified that, in combination, the proposal would give rise to adverse recreational effects on the New Forest European sites unless site-specific mitigation is secured. In accordance with the Council's Mitigation Strategy, the applicant has agreed to enter into a legal agreement to secure the recreational mitigation contribution. This ensures delivery of measures (infrastructure and non-infrastructure) to avoid significant effects and meets the requirement of ENV1 that mitigation be secured in perpetuity.

(b) Air quality monitoring – traffic-related nitrogen deposition

Since July 2020 the Council requires mitigation for traffic-related nitrogen air pollution (NO_x, nitrogen deposition and ammonia) affecting sensitive habitats. A financial contribution for ongoing monitoring and, if necessary, management/mitigation will be secured via the same completed legal agreement. In addition, the applicant's Air Quality Statement (as referenced in the Planning Statement) specifies on-site measures that accord with the Air Quality SPD (June 2022) and IMPL2, including:

- Low-carbon heating (air source heat pump) and renewables (roof-/ground-mounted PV);
- No kerbside development (dwelling set back >10m from carriageway);
- Electric vehicle charging provision (now delivered through Building Regulations, so not conditioned).

Collectively, these measures reduce potential air-quality impacts and support health and wellbeing outcomes alongside the secured monitoring contribution.

(c) Phosphate neutrality – River Avon SAC / Ramsar / SSSIs

The Council and Natural England consider that residential development within the River Avon catchment has a likely significant effect on the SAC/Ramsar features via phosphorus loading unless mitigation is provided. Natural England has advised that reliance on the 2019 Interim Delivery Plan (and subsequent ODI assumptions) does not provide sufficient reasonable certainty for current decisions; mitigation must therefore be secured by a project-specific approach.

In this case, the application proceeds on the basis that phosphate neutrality will be delivered through an approved mitigation project, anticipated to include the purchase of credits (or equivalent offset) to fully budget and neutralise the development's phosphate impact. A Grampian-style condition will be imposed to prevent occupation until the phosphate mitigation proposals (including delivery

mechanism, securing instrument and monitoring) are submitted to and approved by the Local Planning Authority and implemented. A draft nutrient budget accompanies the application, and the Planning Statement confirms the applicant's intention to use available phosphate credits to satisfy the Habitats Regulations.

Conclusion

With recreational mitigation and air-quality monitoring secured by a legal agreement, and phosphate neutrality guaranteed via the proposed Grampian condition and associated mitigation project, the development would avoid adverse effects on International Nature Conservation sites. The proposal therefore complies with Policy ENV1 of the Local Plan Part 1 and addresses the sole issue that previously led to dismissal under the Habitats Regulations.

7. Developer contributions

In accordance with Policy ENV1 and the Council's mitigation strategy, the development will be supported by a completed legal agreement securing the following measures in perpetuity:

- Habitat Mitigation – Infrastructure: contribution towards on-site and strategic infrastructure that manages visitor pressure on the New Forest European sites;
- Habitat Mitigation – Non-Infrastructure: contribution towards monitoring, management and behavioural interventions to avoid significant in-combination effects;
- Air Quality Monitoring: contribution to the District-wide programme for monitoring and, where necessary, managing traffic-related nitrogen deposition (NO_x, ammonia and nitrogen deposition) at sensitive locations.

These obligations reflect the approach endorsed at outline and are carried forward for the full application, thereby addressing the sole issue that previously resulted in dismissal under the Habitats Regulations.

Community Infrastructure Levy (CIL)

NFDC levies CIL on new residential floorspace, calculated on Gross Internal Area (GIA) at the adopted residential rate (currently £80/m² plus indexation). Based on the indicative GIA of 185m², the notional liability is £14,800 (subject to the RICS CIL Index at the time of commencement).

The Planning Design & Access Statement confirms the proposal is submitted as a self-build. Self-build relief may be available provided the applicant completes the correct statutory process (including submission of the relevant forms, commencement notification and post-completion occupancy evidence).

8. Conclusion / Planning balance

Decision-making framework.

In determining the application, the decision must be made in accordance with the Development Plan unless material considerations indicate otherwise (s38(6)). The Council cannot currently demonstrate a five-year housing land supply; accordingly, NPPF paragraph 11(d) is engaged. Limb (1) requires consideration of whether policies that protect areas or assets of particular importance (notably international habitats) provide a strong reason for refusal; only if they do not, Limb (2)—the “tilted balance”—is applied, weighing whether any adverse impacts would significantly and

demonstrably outweigh the benefits when assessed against the Framework taken as a whole.

Principle and Green Belt context. The site lies outside a defined settlement and, in isolation, new residential development would conflict with Policy DM20 (residential development in the countryside). However, there are significant material considerations that enable the policy to be outweighed. First, the 2021 appeal decision (ref. 20/11361) concluded that development on this plot would comprise *limited infilling in a village* under what is now NPPF paragraph 154(e) and therefore would not be inappropriate development in the Green Belt, with no harm to openness or character. Second, outline permission 24/10173 (granted July 2024) established access, layout and scale principles for a dwelling on the site. These considerations carry substantial weight but do not of themselves erase the in-principle DM20 conflict; rather, they weigh materially in favour of development in the overall balance.

In terms of the identified harms, the proposal is clearly in conflict with policy DM20 and this weighs against the scheme. Compared with the development envelope permitted by the outline permission, the deeper footprint could marginally extend midday/early-afternoon overshadowing to parts of the Hill View garden is acknowledged as an identified harm from the proposal; however, as is set out in the report above, the increased boundary offset and roof planes sloping away limit enclosure and the extent/duration of any additional effect.

Officers accept that the dwelling has a more contemporary expression than some nearby buildings; however this is mitigated by simple gables, restrained detailing and a contextual materials palette. Whilst there may be disturbance during construction this is an inevitable consequence of a planning permission. Any harm to amenity during the construction period would be temporary and in any event is controllable through a appropriately word planning conditions.

In moving to consider the benefits of the proposal, the application proposes the delivery of a single new dwelling. Whilst a very modest contribution, the delivery of one dwelling in a district with a 1.53-year supply is a clear benefit attracting significant weight.

Consistent with the appeal Inspector's findings, the proposal constitutes limited infilling in a village and is not inappropriate development in the Green Belt.

It is considered that the ridge being retained at 6.5 m (as at outline), articulated massing (secondary gable 5.5 m), and a recessive materials palette, together with the set-back and landscape opportunity, this respects the ribbon form and semi-rural character, aligning with ENV3/ENV4.

The use of appropriately drafted conditions can secure matters such as Secondary first-floor windows to be obscure-glazed/fixed as specified; rooflight cill ≥ 1.7 m Above Finished Floor Level and the only the provision of a Juliet balcony (no external platform).

The existing and established access is to be retained; The proposed gates are set-back 6m and the first 6 m of the access will be treated with in asphalt to prevent gravel migration; There is adequate on-plot parking/turning proposed and parking is to be consistent with CCC2 and the Parking Standards SPD.

The dwelling is proposed to include an Air Source Heat Pump (ASHP) (relocated further from neighbours) as well as solar PV, EV charging (now via Building Regulations), and water efficiency measures, aligning with IMPL2 and the Air

Quality SPD. The ASHP relocation reduces potential noise effects and will be controlled by condition.

Recreational mitigation and air-quality monitoring to be secured via legal agreement and project-specific phosphate neutrality will be secured via Grampian condition prior to occupation

Overall planning balance. The proposal does not accord with DM20 in pure policy terms; that conflict carries moderate adverse weight. Set against this are:

- (i) the substantial weight of the appeal Inspector's findings on Green Belt and character and the outline permission establishing the principle of a dwelling,
- (ii) meaningful housing delivery in a severe HLS shortfall context, and
- (iii) a well-designed scheme that protects neighbouring amenity through siting, roof form and targeted conditions, with highway, ecological and habitats matters acceptably mitigated.

With protected-site impacts addressed through conditions and obligations (so Limb (1) of paragraph 11(d) is satisfied), the tilted balance under Limb (2) applies. The identified adverse impacts are not considered to significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. On that basis, the proposal is acceptable when the Development Plan is read as a whole and having regard to material considerations.

13 RECOMMENDATION

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

- i) the prior completion, of a planning obligation entered into by way of a Section 106 Agreement to secure the following:
 - New Forest recreational mitigation (infrastructure and non-infrastructure), and
 - Air-quality monitoring contributions; and
- ii) The imposition of the Conditions as set out below and any additional / amended conditions or variation to the heads of terms as 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:

Proposed Conditions:

1. Time

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

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

2. Plans

The development permitted shall be carried out in accordance with the following approved plans:

Location Plan 000
Site Plan 004 Rev D
005 Rev E
006 REVA
007 REVB
008 REVC
009
015 REV A
016 REV A
017 REVB
018 REVB

Reason: To ensure satisfactory provision of the development.

3. Samples

No development shall take place above damp proof course (DPC) level until samples or exact details of the facing and roofing materials to be used have first been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building 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.

4. Slab Levels

No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way 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.

5. Car and Cycle Parking

The dwelling shall not be occupied until the parking and cycle parking spaces as shown on plan (Block Plan 004 REVD) have been provided. The parking spaces shall thereafter be retained and kept available for the parking of motor vehicles at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. Condition – Rooflight (privacy)

Rooflight (west elevation) – cill height control

Prior to first occupation, the first-floor landing rooflight on the west elevation shall be installed so that the lowest internal cill height is not less than 1.7 metres above the internal finished floor level at that point, and it shall thereafter be retained at or above this height for the lifetime of the development.

Reason: To safeguard the privacy of adjoining occupiers 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

7. First-floor side windows (privacy)

Side windows (west elevation) to Bedrooms 3 and 4 – high-level glazing

Prior to first occupation, the first-floor side windows in the west elevation serving Bedroom 3 and Bedroom 4 shall be permanently glazed with obscured glass and fixed shut up to 1.7 metres above the internal finished floor level. The approved arrangement shall thereafter be retained for the lifetime of the development.

Reason: To safeguard the privacy of adjoining occupiers 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.

8. Hard and Soft Landscaping

No development shall take place above damp proof course (DPC) level until a scheme of landscaping of the front garden of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- (a) a specification for new planting (species, size, spacing and location);
- (b) areas for hard surfacing and the materials to be used;
- (c) other means of enclosure;
- (d) a method and programme for its implementation and the means to provide for its future maintenance.

Development shall take place only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. CEMP

No development shall take place, including any works of demolition and site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- a) An indicative programme for carrying out of the works; including site layout, (compound, site hut, welfare, material storage areas, plant storage, waste storage areas and provision for contractor parking)
- b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
- c) Measures to minimise the noise (including vibration) generated by the construction process to include, proposed construction methods, plant and machinery to be used, and noise mitigation methods to be employed
- d) Details of any construction floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- e) Areas for the loading and unloading of plant and materials, including permitted times for deliveries which should avoid the AM and PM peak travel periods;
- f) The erection and maintenance of security hoarding including decorative displays and
- g) Measures to control the emission of dust and dirt during construction.
- h) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e., no burning permitted.

The development shall be carried out in accordance with the approved details throughout the entire construction period.

Reason: To comply with Local Plan policies STR1 and ENV3

10. Sustainable Drainage Strategy

No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be fully implemented in accordance with the approved Sustainable Drainage Strategy prior to first occupation of the dwelling and maintained thereafter for the lifetime of the development.

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

11. Walk Over Schedule

The development hereby approved shall be carried out in full accordance with the recommendations and mitigation measures set out in the KJF Consultancy Ltd Preliminary Ecological Appraisal Report, dated 27 November 2025. Confirmation of the results of the walkover survey/fingertip search will be provided to the Local Planning Authority for approval within

two weeks of the survey. Should great crested newt be identified as present on site the Local Planning Authority will be notified in writing prior to the commencement of development with details of appropriate avoidance, mitigation and compensation measures and a timetable for their implementation.

Reason: To ensure the protection of Great Crested Newts, in accordance with Policy SM2 of the New Forest District Local Plan, the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework.

12. The development hereby approved shall be carried out in full accordance with the recommendations and mitigation measures set out in the KJF Consultancy Ltd Reptile Precautionary Working Method Statement, dated 24th May 2024. Should reptiles be identified as present on site the Local Planning Authority will be notified with details of appropriate avoidance, mitigation and compensation measures and a timetable for their implementation.

Reason: To ensure the protection of reptiles, in accordance with Policy SM2 of the New Forest District Local Plan, the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

13. Prior to the commencement of development hereby approved, an Ecological Enhancement Schedule supported by an appropriately detailed plan showing the locations of the enhancement measure(s), shall be submitted to and approved in writing by the Local Planning Authority. The ecological enhancements shall be installed in accordance with the approved details and prior to the first occupation of the dwelling.

Reason: To ensure that biodiversity enhancement measures are delivered throughout the development in accordance with Local Plan policy DM2

14. Water Efficiency and Phosphorus

The development hereby approved shall not be occupied unless - A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the local planning authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

- proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority.

Such proposals must:

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

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC)

Further Information:

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**PLANNING
COMMITTEE**

February 2026

Land adjacent to Hill View
Ringwood Road
Sopley
25/10891

Scale 1:1000

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