

NOTICE OF MEETING

Meeting: PLANNING DEVELOPMENT CONTROL COMMITTEE

Date and Time: WEDNESDAY, 11 NOVEMBER 2015, AT 9.00 AM*

Place: THE COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

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PUBLIC PARTICIPATION:

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Development Control Administration on Tel: 02380 285345 or E-mail: DCAdministration@nfdc.gov.uk

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Chief Executive

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 14 October 2015 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **Land Adjacent to Forest Lodge Farm, Fawley Road, Hythe (Application 15/10751) (Pages 1 - 24)**

Development of 45 affordable dwellings comprised: 1 three-storey block of 8 flats; 3 terrace of 4 houses; 1 terrace of 3 houses; 9 pairs of semi-detached houses; 4 detached houses; access, roadways and footpaths; parking; public open space; allotments; landscaping and associated works

Recommended:

Head of Planning and Transportation authorised to grant planning consent

(b) **Land of Amberwood, Lower Pennington Lane, Pennington, Lymington (Application 15/10773) (Pages 25 - 36)**

2 two-storey dwellings; detached garage; landscaping

Recommended:

Planning consent subject to conditions

(c) **Land Adjacent 4 Brockhills Lane, Ashley, New Milton (Application 15/10784) (Pages 37 - 54)**

7 detached houses; parking; landscaping; access from Brockhills Lane and Cullwood Lane

Recommended:

Head of Planning and Transportation authorised to grant planning consent

(d) **39-41 High Street, Ringwood (Application 15/10951) (Pages 55 - 64)**

Use of first and second floors as 2 flats; roof light; new soil vent pipe; bin and cycle store

Recommended:

Planning consent subject to conditions

(e) **51 Addison Square, Ringwood (Application 15/11015) (Pages 65 - 70)**

Retention of window alterations

Recommended:

Planning consent subject to conditions

(f) **2 West Street, Ringwood (Application 15/11067) (Pages 71 - 78)**

Display 4 awning signs; wall mounted letter sign (Advertisement Consent)

Recommended:

Refuse

- (g) **9 Elvin Close, Hordle (Application 15/11303) (Pages 79 - 86)**
Use as 2 dwellings; create separate front door
Recommended:
Planning consent subject to conditions
- (h) **232 Everton Road, Hordle (Application 15/11306) (Pages 87 - 92)**
Gates; rooflight; cladding
Recommended:
Planning consent subject to conditions
- (i) **The House Martin Public House, Christchurch Road, New Milton (Application 15/11168) (Pages 93 - 100)**
Vehicle access from Sea Road; car park alterations and extension; landscaping; create front beer garden; extend rear yard; external cladding; fenestration alterations; replacement windows; fit shutters; form gable end to roof; 4m high pole mounted lights; lighting
Recommended:
Planning consent subject to conditions
- (j) **The House Martin Public House, Christchurch Road, New Milton (Application 15/11169) (Pages 101 - 106)**
Display non-illuminated signs – 3 letter signs; 2 fence mounted signs; 4 post mounted signs; 1 V post mounted sign; window graphics; illuminated signs – 2 of 4m high post mounted hanging signs; 1 letter sign and birds; 20 down lights; 2 floodlights; 2 lantern lights (Advertisement Consent)
Recommended:
Grant advertisement consent
- (k) **Gina, Ringwood Road, Sopley (Application 15/11191) (Pages 107 - 112)**
One and two-storey front, side and rear extensions.
Recommended:
Refuse
- (l) **Unit 6 Parkland Place, 39-41 Old Milton Road, New Milton (Application 15/11242) (Pages 113 - 120)**
Display illuminated fascia sign; non-illuminated post mounted sign; canopy (Advertisement Consent)
Recommended:
Grant advertisement consent

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To: Councillors:

Mrs D E Andrews (Chairman)
Mrs C V Ward (Vice-Chairman)
P J Armstrong
Mrs S M Bennison
Mrs F Carpenter
A H G Davis
R L Frampton
L E Harris
D Harrison
Mrs A J Hoare

Councillors:

Mrs M D Holding
J M Olliff-Cooper
A K Penson
W S Rippon-Swaine
Mrs A M Rostand
Miss A Sevier
R A Wappet
M L White
Mrs P A Wyeth

STATUTORY TESTS

Introduction

In making a decision to approve or refuse planning applications, or applications for listed building consent, conservation area consent and other types of consent, the decision maker is required by law to have regard to certain matters.

The most commonly used statutory tests are set out below. The list is not exhaustive. In reaching its decisions on the applications in this agenda, the Committee is obliged to take account of the relevant statutory tests.

The Development Plan

The Development Plan Section 38

The Development Plan comprises the local development plan documents (taken as a whole) which have been adopted or approved in relation to that area.

If regard is to be had to the Development Plan for the purpose of any determination to be made the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Listed Buildings

Section 66 General duty as respects listed buildings in exercise of planning functions. Planning (Listed Buildings and Conservation Areas) Act 1990

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features or special architectural or historic interest which it possesses.

Conservation Areas

Section 72 General duty as respects conservation areas in exercise of planning functions Planning (Listed Buildings and Conservation Areas) Act 1990

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

(2) The provisions referred to in subsection (1) are the Planning Acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953.

Areas of Outstanding Natural Beauty (AONB's)

Section 85. General duty as respects AONB's in exercise of any function
Countryside and Rights of Way Act 2000

In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Trees

Section 197. Trees
Town and Country Planning Act 1990

It shall be the duty of the local planning authority (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and (b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.

Biodiversity

Section 40. Duty to conserve biodiversity
Natural Environment and Rural Communities Act 2006

Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

Conservation of Habitats and Species Regulations 2010

Under the provisions of the Conservation of Habitats and Species Regulations 2010, the Council has to ensure that development proposals will not have an adverse impact on the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site and mitigation will be required.

Any development involving the creation of new residential units within the District will have such an impact because of the resulting cumulative recreational pressure on these sensitive sites. Under Policy DM3 of the adopted Local Plan Part 2, the Council's general approach is to recognise that the impact is adequately mitigated through the payment of contributions for the provision of alternative recreational facilities, management measures and monitoring.

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.

Financial Considerations in Planning

Section 70 of the Town and Country Planning Act 1990 as amended by the Localism Act 2011 requires all reports dealing with the determination of planning applications to set out how “local financial considerations” where they are material to the decision have been dealt with. These are by definition only Community Infrastructure Levy (CIL) payments and government grant in the form of the New Homes Bonus.

New Forest District Council adopted a CIL charging schedule on 14 April 2014. The implementation date for the charging schedule is 6 April 2015. The New Homes Bonus Grant is paid to the Council by the Government for each net additional dwelling built in the District. The amount paid depends on the Council tax banding of the new dwellings and ranges between £798 and £2,304 per annum for a six year period. For the purposes of any report it is assumed that all new dwellings are banded D (as we don't actually know their band at planning application stage) which gives rise to grant of £1152 per dwelling or £6,912 over six years.

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Planning Development Control Committee 11 November 2015 Item 3 a

Application Number: 15/10751 Full Planning Permission

Site: Land adjacent to FOREST LODGE FARM, FAWLEY ROAD,
HYTHE, SO45 3NJ

Development: Development of 45 affordable dwellings comprised: 1 three-storey block of 8 flats; 3 terrace of 4 houses; 1 terrace of 3 houses; 9 pairs of semi-detached houses; 4 detached houses; access, roadways & footpaths; parking; public open space; allotments; landscaping and associated works

Applicant: Burton Property Ventures Ltd

Target Date: 09/09/2015

1 REASON FOR COMMITTEE CONSIDERATION

Discretion of Head of Planning and Transportation

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
3. Housing
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS5: Safe and healthy communities
- CS7: Open spaces, sport and recreation
- CS10: The spatial strategy
- CS12: Possible additional housing development to meet a local housing need
- CS15: Affordable housing contribution requirements from developments
- CS24: Transport considerations
- CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

- DM2: Nature conservation, biodiversity and geodiversity
- DM3: Mitigation of impacts on European nature conservation sites
- DM5: Contaminated Land
- HYD1: Land at Forest Lodge Farm

Saved New Forest District Local Plan First Alteration

DW - E12: Protection of landscaped features.

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites

6 RELEVANT PLANNING HISTORY

None

7 PARISH / TOWN COUNCIL COMMENTS

Hythe & Dibden Parish Council:- Recommend permission, but would accept a delegated decision. - Supports, but has concerns over the positioning of the public open space, which is close to a dwelling at Forest Lodge Farm; is concerned that the access road is close to the junction of Frost Lane and Fawley Road; is concerned at the lack of a footpath from the site to Frost Lane, which would need to be in place before the dwellings are occupied; is concerned that drainage on the site will need to be sufficiently robust as to remove water efficiently

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer:- No objection subject to conditions on parking, cycle storage, and parking provision during construction, footway along Fawley Road needs to be secured within a S106 / S278 agreement.
- 9.2 Environment Agency:- No comment
- 9.3 Land Drainage:- No objection subject to conditions
- 9.4 Environmental Health (contaminated land):- No objection subject to contamination conditions
- 9.5 Hampshire County Council Archaeologist:- the site has archaeological potential and therefore advises that planning permission should be subject to archaeological conditions
- 9.6 Building Control:- consideration needs to be given to access for fire appliances, width of access road and securing adequate turning circle.
- 9.7 Hampshire County Council Education:- there are sufficient school spaces in the area

- 9.8 Waste & Recycling Manager:- properties will require rear access for refuse / recycling; accessways must be to an adoptable standard; hammerheads must allow for refuse vehicles to turn
- 9.9 Development & Acquisitions Manager:- Supports - proposal will help the Council in addressing the relatively high housing need in Hythe.
- 9.10 Hampshire County Council Minerals & Waste:- the site is adjacent to a Minerals Safeguarding Area; recommends that further exploratory work is undertaken within the site to establish viability of potential mineral resources below ground level.
- 9.11 Tree Officer:- No objection subject to tree protection conditions
- 9.12 Environmental Health (pollution):- No objection subject to condition to secure adherence to mitigation measures in Noise Impact Assessment report.
- 9.13 Environmental Design (Urban Design):- The proposal would result in a fairly neat and pleasant layout and there is a very clear sense of design to the main street hierarchy and a high quality indicative landscape strategy. Has concerns about the larger block of flats in terms of the southern elevation which would inadvertently emphasise the scale of the building.
- 9.14 Health & Safety Executive:- No objection
- 9.15 Hampshire County Council (Flood Management):- advised that initial drainage proposals raised some specific concerns that should be addressed before planning permission is granted; long-term maintenance details need to be agreed. (No response has been received following further consultation).
- 9.16 Southern Water:- there is currently inadequate capacity in the local network to provide foul sewage disposal to service the development. Additional off-site sewers or improvements to existing sewers will therefore be required; advise that habitable rooms should be more than 15 metres away from the pumping station boundary; requests condition requiring approval of foul sewerage disposal details; requests informative on water supply.
- 9.17 Environmental Design (open space):- advice given on public open space contributions that would be required.

10 REPRESENTATIONS RECEIVED

- 10.1 113 letters of objection from local residents:- loss of valued greenspace; erosion of gap between Hythe and industrial areas to south; adverse impact on trees; additional light pollution; adverse impact on ecology and biodiversity; adverse impact on protected species; scale of buildings would be excessive; density of development would be too high; development would have a cramped appearance; loss of local character; overlooking resulting in loss of neighbours' privacy; inadequate on-site parking provision to detriment of highway safety; increased traffic resulting in congestion and additional highway dangers; new access would be dangerous; poor quality living environment for new residents; development / public open space will attract antisocial behaviour; noise

pollution; additional surface water runoff resulting in increased risk of flooding; increased pressures on local infrastructure; increased litter nuisance; inappropriate development in hazard zone area; proposals could prejudice the efficient future development of adjacent land; concerns about contamination; proposals rely on planting outside the site.

- 10.2 2 letters of support from local residents:- proposal would provide much needed affordable housing.
- 10.3 1 letter from GEO Speciality Chemicals; are concerned that the proximity of the new houses would not be an impediment to their expansion plans
- 10.4 1 letter of objection from adjacent veterinary practice:- concerned that surface water runoff from the site will result in an increased flood risk on their land

11 CRIME & DISORDER IMPLICATIONS

See Assessment Report Below

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £51,840 in each of the following six years from the dwellings' completion, and as a result, a total of £311,040 in government grant under the New Homes Bonus will be received.

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

Based on the information provided at the time of this report this development has a CIL liability of £316,800.00.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.

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

In this case all the above apply. There were lengthy negotiations with the applicants before the application was submitted and these have continued since the application was registered. Amended plans and additional details have been submitted during the course of this application and this has enabled a positive recommendation to be made.

14 ASSESSMENT

Introduction

- 14.1 The application site, which is 1.7 hectares in area, is a parcel of farmland between Forest Lodge Farm and Fawley Road. Currently, the site is predominantly an area of rough grassland, although the land has previously been grazed. The site has a relatively long frontage with Fawley Road, the northern part of which is fairly open, and the southern part of which is marked by a line of mature trees within the site. To the north side of the site is the Seadown Veterinary Surgery and a small field, while to the site's north-east side is an area of mature broad-leaved woodland. To the east side of the site is the residential dwelling at Forest Lodge Farm and a small paddock, which are visually separated from the site by mature trees and vegetation alongside the site's eastern boundary. There are also mature trees and vegetation along the site's southern boundary, beyond which is a gravel track that serves Forest Lodge Farm and a small number of dwellings to the south. The western half of the site is either flat or gently sloping. However, there are some pronounced slopes to the eastern half of the site. A saddle of higher ground does extend across to the eastern boundary of the site, but either side of this the land drops away sharply. There is a distinct hollow / bowl in the south-eastern part of the site. The lowest point of the site on the site's eastern boundary is approximately 10 metres lower than the highest parts of the site that are located in the site's north-western corner.
- 14.2 The submitted application seeks to develop the site with 45 dwellings. These would be comprised of 4 detached dwellings, 18 semi-detached dwellings; 1 terrace of 3 dwellings, 3 terraces of 4 dwellings and a block containing 8 flats. Vehicular access to the development would be from Fawley Road. A separate new pedestrian access is also proposed. The steeply sloping south-eastern section of the site would be used to provide a new area of public open space, whilst the southern most part of the site would be laid out to provide 5 new community allotments.

Policy Considerations

- 14.3 The application site is the subject of a site specific planning policy. Local Plan Part 2 Policy HYD1 allocates the site for residential development, specifically to provide for local housing needs in accordance with Core Strategy policies CS12 and CS15. Policy HYD1 indicates that 70% of the dwellings that are provided should be for affordable housing. The policy stipulates that vehicular, pedestrian and cycle access should be from Fawley Road and that important trees and hedgerows on the boundaries of the site should be retained. The policy seeks an appropriate landscape treatment to the site's north-eastern boundary, the provision of public open space to include provision of children's play space, and the provision of suitable land for a minimum of 5 full size allotment plots. The supporting text to the policy suggests that the site will provide around 40-45 dwellings.
- 14.4 Because the site is allocated, there can be no objection to the principle of the residential development that is proposed. The number of proposed dwellings accords with policy guidance and the application provides public open space, and allotments and retains important trees on the site in line with policy requirements.

Affordable Housing considerations

- 14.5 The applicants are committed to securing at least 70% of the dwellings (32 dwellings) as affordable housing, and are agreeable to entering into a Section 106 legal agreement to secure this level of affordable housing provision. Of the 32 dwellings that would be secured as affordable housing, 18 units would be for social rented housing and 14 would be for intermediate (shared ownership) housing. The mix of affordable housing units would accord with the requirements of Core Strategy policy CS15, which seeks (on the scheme as a whole) a minimum of 40% social rented housing and 30% intermediate housing. Accordingly, subject to the completion of a Section 106 legal agreement to secure 70% of the dwellings as affordable housing, the development is one that would be consistent with Core Strategy Policies CS12 and CS15. It should be noted that the applicants have indicated that they may well develop a scheme that would be 100% affordable, and therefore potentially, the level of affordable housing being provided would exceed policy expectations.

Design considerations

- 14.6 The proposed development is considered to be of an acceptable design quality. The layout is to a large extent dictated by the site's topography and natural features. The steeply sloping land on the eastern side of the site is difficult land to develop, and there is therefore a design logic to this land being public open space. The public open space would have an acceptable degree of natural surveillance, and although the topography would naturally limit it from being used for certain activities, it would still provide an attractive amenity for occupants of the proposed development. A natural play area would be provided within the lowest part of the site and this would provide children with opportunities for play. Some of the precise design features of the public open space would need to be agreed by condition, but based on the landscape proposals that have been submitted with the application, it is considered the public open space would be a well designed space, both in terms of its visual appearance, and in terms of the way in which it would function.

- 14.7 The new houses would address the new streets in a positive manner. Most dwellings would have little in the way of front gardens, but they would have narrow, defensible landscape margins to ensure the new street is not too hard edged. A new square that would be provided would be a strong and distinctive feature that would add visual interest to the streetscene, (as well as helping to slow down traffic speeds). With appropriate hard and soft landscaping the new streets would be attractive, well designed spaces. Although the new street would be quite tightly knit in places, the dwellings would have decent sized rear gardens, where there would be good opportunities for tree planting. The rear garden areas would provide adequate private amenity spaces for the new dwellings. The layout includes a new footpath link onto Fawley Road, and it is felt the layout as a whole would be sympathetic to the needs of pedestrians.
- 14.8 Dwellings on corners would have sufficiently active frontages on their exposed side elevations to ensure that the dwellings would interact appropriately with the street, thereby helping to create a high quality public realm. The dwellings would be a mix of 2-storey and 2.5 storey dwellings. The advantage of providing some 2.5 storey dwellings is that it would help to create more variation in the roofscape of the dwellings, and thereby create a more articulated streetscape. Dormers would be in proportion to the roofs in which they would sit. It is not felt the scale of the dwellings would be excessive.
- 14.9 A significant element of the flatted building in the northern corner of the site would be 3-storeys high. This building would therefore have a greater scale and mass than the other dwellings on the development. It is felt that the provision of a single building of a greater scale in this corner of the site would not appear out of keeping, provided the building is given an adequate spatial setting and provided the mass of the building is sufficiently articulated. The Urban Design Officer has concerns about the apparent scale of the south elevation of this building, however, this is considered to be appropriate in this location. The building that is proposed would have a significant landscape setting on its northern side, with areas of parking to the west and east, so that it would not appear cramped. The mass of the building would be adequately articulated with the northern wing of the building having a subordinate 2-storey scale and form. The building would be visible from Frost Lane to the north-west of the site, but with appropriate landscaping, it is not felt that this part of the development would be too hard-edged.

Neighbour Amenity Impacts

- 14.10 A development of the size and scale proposed would inevitably have some impact on the amenities of nearby dwellings. Although the premises to the north side of the site is a Veterinary Surgery, there is also a residential building to the side of the Veterinary Surgery. The rear of the dwelling on Plot 1 would face this adjacent residential building. A small first floor window on this rear elevation would be about 23 metres away from this adjacent residential building, whilst other rear windows would be about 26 metres away. Given these distances, and given the small size of the nearest window, it is felt that the development would not cause undue harm to the privacy of this property. The veterinary surgery itself would not be as sensitive to overlooking impacts, and it is felt that the development would not materially affect the amenities of people employed here.

- 14.11 On the site's eastern side, Plot 25 would be sited about 27 metres away from the neighbouring dwelling at Forest Lodge Farm at its nearest point. This would be an acceptable degree of separation. In any event, the orientation of Plot 25 and the intervening vegetation would ensure that Forest Lodge Farm would not be unduly overlooked by any of the proposed dwellings. Forest Lodge Farm would be bounded by the proposed public open space, and inevitably use of the public open space would generate some noise and activity that would be appreciated by the occupants of Forest Lodge Farm. The tranquil environment currently enjoyed by the occupants of Forest Lodge Farm would inevitably be eroded to a degree. However, taking into account that the site is allocated for residential development, it is not felt that the noise generated by development as a whole, and use of the public open space in particular, would be materially harmful to the amenities of the occupants of Forest Lodge Farm. It should be noted that the dwelling at Forest Lodge Farm is sited below the level of the public open space, and the natural play area that is proposed. However, there is good screening along this boundary at present (much of which is in the neighbour's control). Provided this screening is reinforced to include additional planting on the application site, it is not felt that people using the public open space would overlook Forest Lodge Farm in a manner that would be detrimental to the privacy of the occupants of that property.
- 14.12 Other dwellings to the south and west would be set a generous distance away from the proposed development, and the privacy and amenities of the occupants of these properties would not therefore be materially affected by the proposed development. The new dwellings would have acceptable size rear garden areas or an acceptable size amenity area in the case of the flatted block. It is also of note that the applicants have submitted a detailed noise impact assessment. This adequately demonstrates that occupants of the new development would not be subject to adverse noise impacts. It is felt the occupants of the proposed development would enjoy satisfactory living conditions.

Boundary concerns

- 14.13 During the course of the application representations have been submitted questioning the accuracy of the site's eastern boundary with Forest Lodge Farm. The applicants have submitted land registry title plans to confirm land ownership. It is considered that Plan 14.072.010 rev C reasonably reflects these title plans. The defined application site would not extend onto land owned by Forest Lodge Farm. It is, however, recognised that the landscape strategy plan shows vegetation that is growing on adjacent land, including land at Forest Lodge Farm. However, this plan simply is designed to show the site's landscape context (quite legitimately). It does not purport to control vegetation growing outside of the application site (including an existing laurel hedge on Forest Lodge Farm's western boundary). Questions have also been raised about the thickness of the red-line plan boundary around the site. However, it is felt the red-line defines the application site adequately, and it is not felt that there is any sound reason to question the legal validity of this application.
- 14.14 It has been suggested by a third party that the proposal is contrary to policy HYD1 as the requirement of this policy to retain important trees and hedgerows around the boundaries of the site can only be achieved with the co-operation of the adjoining landowner. However, this is not

accepted because the policy requirement can only relate to the land that is allocated for development and not land immediately adjacent to it. It is also suggested that the proposal is contrary to saved Policy DW-E12 of the New Forest District Local Planning Authority Alteration, which relates to the protection of important landscape features. Again, this is not accepted. The proposal would not compromise existing landscape features. It is recognised that the Local Planning Authority cannot, as part of this application, secure the permanent retention of trees and hedges that are outside of the site. However, nor would the proposal compromise the existing eastern boundary vegetation. The applicant's landscape strategy clearly shows that additional native tree and shrub screening will be provided within the site to ensure an acceptable landscape treatment to the site's eastern boundary, the precise detail of which can reasonably be secured through a landscape condition.

- 14.15 Concerns have also been expressed about land stability and the possibility of land collapsing onto land at Forest Lodge Farm, given that property's lower level. The applicant's specialist consultant indicates that slope stability will be adequately managed during the development and advises that there are no aspects of the design that are likely to lead to short-term or long-term instability. There is no reason to doubt the applicant's consultant's assessment on this matter.

Highway Considerations

- 14.16 The application is accompanied by a Transport Assessment. This assessment concludes that the additional vehicular trips generated by the development can be accommodated within the adjacent highway network without any adverse impact upon the safety and convenience of existing users of the network. The Highway Authority accept this conclusion. The Transport Assessment also concludes that visibility splays of 2.4 metres by 120 metres can be achieved for the main vehicular access into the development. These splays would be contained fully within the existing highway envelope and would be acceptable from a highway safety perspective.
- 14.17 The current application proposes 90 on-site car parking spaces, although the net allocation for the residential development would be 84 car parking spaces, the remaining spaces being intended for the community allotments. Based on the Council's own car parking standards, the recommended level of car parking for this development would be 104 car parking spaces (assuming that the car parking spaces would all be allocated). As such, the amount of car parking would be 20 spaces less than the recommended level of provision. However, allowing for the potential for parking within the courtyard areas to be shared / communal, the Highway Authority consider that an objection based upon an under-provision of car parking would be neither appropriate or sustainable. In reaching the conclusion that the level of on-site parking is acceptable, the Highway Authority have had regard to National Planning policy which indicates that parking standards should only be imposed where there is a clear and compelling justification that such standards are necessary to manage the local road network.
- 14.18 There is currently no footway along the site's frontage with Fawley Road. To ensure that the needs of pedestrians are safeguarded, the Highway Authority require the provision of a new footway between the existing Fawley Road footway to the north of the site and the proposed new

footpath entrance onto Fawley Road. This will need to be secured through a Section 278 legal agreement with the Highway Authority, which in itself will need to be secured as part of the Section 106 legal agreement for the site.

- 14.19 The applicant's Transport Statement indicates that the site has been tested for the tracking of 11 metre refuse vehicles and confirms that refuse vehicles can access the site, turning adjacent to the allotment area and within the north-west square. The Highway Authority have not raised any objection to the layout of the new access roads, and therefore, the layout of the proposed development is considered to be acceptable in terms of highway safety issues. The applicants will obviously need to ensure that the access arrangements also satisfy Building Regulations requirements, but this is not a matter that is necessary to consider here. The Highway Authority have indicated in their response that it is unlikely that they would wish to secure the adoption of new access roads as highways maintainable at public expense. However, this is ultimately a matter for the Highway Authority. It is not necessary as part of this application to agree who will maintain the new access roads in future.

Ecological considerations

- 14.20 One of the main concerns raised by local people, is the impact of the development on the local flora and fauna, and in particular the impact on an area of adjacent woodland. The applicants have submitted an ecological assessment. Based on both this assessment and the records held by the Hampshire Biodiversity Centre, the Council's Ecologist is satisfied that the existing grassland habitats on the site, which show signs of agricultural improvement, are unlikely to compromise a habitat of principle importance (ie a national Biodiversity Action Plan priority habitat). Although the grassland still provides valuable habitat for more common species, the loss of this grassland habitat is considered acceptable subject to ecological mitigation (which could partly be provided through the landscape scheme for the site).
- 14.21 The adjacent woodland at Kitcher's Copse is not currently recognised as ancient woodland in Natural England's Ancient Woodland Inventory. Although this copse has a longstanding wooded history, the number of plants within the copse that are associated with ancient woodland is low, possibly indicating the copse has been cleared or grazed at some point, before reverting to woodland. Nonetheless, the woodland is an important nature conservation asset in the local context, and therefore impact on this woodland is an important consideration. As a precautionary measure, the Council's Ecologist has considered the standing advice of Natural England and the Forestry Commission as though Kitcher's Copse was identified in the Ancient Woodland Inventory. Even applying this precautionary approach the Council's Ecologist is satisfied that impacts on the adjacent woodland are not likely to be significant, and as such, the development is not contrary to standing advice. Importantly, there would be no direct loss of the woodland habitat, and drainage, lighting, and landscape maintenance details could all be controlled by condition to satisfactorily minimise any indirect impacts on this adjacent woodland habitat. As such, it is not felt the proposal would harm the ecological interest of this adjacent ancient woodland.

- 14.22 Based on the applicant's survey work, the Council's Ecologist considers that there is no evidence that the area is of particular importance for local bat populations or other protected species. With respect to protected species, the Council's Ecologist is satisfied that impacts can be adequately mitigated by condition. Therefore, the overall impact of this development on ecology and biodiversity is considered to be acceptable.

Arboricultural considerations

- 14.23 A small number of trees in the southern part of the site are proposed to be removed, but these are of low quality. The loss of a small number of trees of limited amenity value could be mitigated by a comprehensive landscaping scheme. The more significant trees on the site would be retained. The Tree Officer is satisfied that there is adequate separation distance between the proposed buildings and retained trees. Accordingly, from an arboricultural perspective, the proposed development is considered to have an acceptable impact, subject to conditions to ensure construction of the development takes place in an appropriate manner.

Hazard Zone issues

- 14.24 The south-eastern section of the site is within the Fawley Major Hazard (outer) Consultation Zone. The Health and Safety Executive have not objected to this application and therefore, the proposed development would be consistent with Core Strategy Policy CS5.
- 14.25 The nearby company GEO Speciality chemicals has expressed concern that residential development should not prejudice their future plans to expand their premises, which are about half a mile away from the site. GEO Speciality chemicals already benefit from an unimplemented planning permission which would not be prejudiced by this application. Any alternative expansion plans would need to be considered at the time they were submitted. Any future plans this company may have would not be a justification to withhold granting permission for a development that is consistent with policy.

Drainage Considerations

- 14.26 Another concern that has been raised is the impact of surface water runoff on adjacent properties. Because of the site's sloping topography, the development could potentially increase surface water runoff, if an adequate drainage system is not in place. There were concerns with the initial drainage proposals, particularly because the position of a proposed swale could have adversely affected the downhill property at Forest Lodge Farm. The adjacent Veterinary surgery have also made detailed representations due to concerns that their land could be subject to increased surface water runoff and flooding. In the light of these concerns, the applicants have amended their drainage strategy, which has involved changing the position of the swale to the northern corner of the site. The Council's drainage team are satisfied that if the development is built in accordance with the amended details, it would have an acceptable drainage system that would not result in adjacent properties being at increased risk of flooding.

- 14.27 Government policy now requires developments of 10 dwellings or more to ensure that sustainable drainage systems (SUDS) for the management of run-off are put in place, unless demonstrated to be inappropriate. The applicant's drainage proposals include an appropriate SUDS drainage scheme that would ensure that during times when the design storm rates are exceeded, any surface water runoff will be contained within the site.

Minerals considerations

- 14.28 Hampshire County Council, who are the minerals and waste authority advise that the application site is close to an allocated minerals and waste site at Forest Lodge Home Farm. The allocated minerals site is situated about 200 metres to the south-east, although there are safeguarded areas (where viable minerals are likely to be found) that extend much closer to the site. However, the site itself is not a safeguarded area. The proposed development should be sufficiently far away from the allocated minerals site for there to be no undue conflict between the proposed uses. The County Council have suggested that there may also be viable mineral deposits on the application site and have recommended that further exploratory work be undertaken on the site to establish the presence of mineral resources. However, as the site is outside the defined safeguarding area, there is no policy requirement for any mineral deposits on the site to be investigated. To require the applicant to carry out an investigation of mineral deposits on the site could cause significant delay to the implementation of the development and is not felt to be a reasonable or necessary requirement of granting planning permission.

Habitat Mitigation Contributions

- 14.29 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. Therefore, in the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. In this case, if mitigation is to be by means of financial contributions, then a contribution of £166,350 would be sought, part of which could potentially be met through CIL payments.

Other considerations

- 14.30 Concerns have been raised about potential contamination on the site. There is apparently a buried pony on part of the site, and concerns have been expressed that the applicants have not submitted an adequate contamination assessment. However, the applicants have submitted a desk study report, and although there are evidently some fairly limited contamination issues that will need to be addressed, it is not considered necessary for the applicant to submit additional details on contamination at this stage. It is felt contamination issues can reasonably be dealt with through planning conditions recommended by the Environmental Health

Officer, and with such conditions it is felt that the proposal would be consistent with Local Plan Policy DM5.

- 14.31 A concern has been raised that planning permission should not be granted without the developer first demonstrating that their proposals will not prejudice the possible future residential development of land at Forest Lodge Farm. This point is not accepted as the adjacent land is in the countryside and is not allocated for development.
- 14.32 The public open space that is being provided would need to be secured within a Section 106 legal agreement. There would additionally be a need to secure a maintenance contribution of £32,550 towards the future upkeep of this area. The Section 106 legal agreement would additionally need to ensure that the proposed 5 allotments are provided to an adequate standard and thereafter retained as allotments.

Conclusions

- 14.33 Overall, the proposed development is considered to be consistent with Core Strategy policies and objectives. The proposed development would be well designed and deliver a significant number of much needed affordable dwellings on an allocated site. The development would be contextually appropriate and would be sympathetic to the character and appearance of the area. The development could be provided without detriment to the amenities of nearby dwellings, and without adversely affecting highway safety. The proposal could moreover be provided without harming ecological interests or important trees. The development would have acceptable drainage arrangements. Subject to conditions and subject to a Section 106 legal agreement to secure the appropriate provision of affordable housing, public open space, allotments and footway improvements, the development is one that would have an acceptable impact, and accordingly the application is recommended for permission.
- 14.34 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.

Developers' Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	32	32	0
Financial Contribution			

Public Open Space			
On site provision by area	0.25	0.3	+0.05
Financial Contribution			

CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	3960		3960	£316,800.00

15. RECOMMENDATION

That the Head of Planning and Transportation be **AUTHORISED TO GRANT PERMISSION** subject to:

i) the completion, by 30th November 2015, of a planning obligation entered into by way of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure appropriate provision towards affordable housing, public open space and allotments and to secure footpath improvements along Fawley Road

ii) the imposition of the conditions set out below.

BUT, in the event that the Agreement is not completed by 30th November 2015, the Head of Planning and Transportation be **AUTHORISED TO REFUSE PERMISSION** for the reasons set out below.

Conditions to be attached to any consent:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 14.072.020 rev B, 14.072.021 rev B, 14.072.022 rev A, 14.072.023 rev A, 14.072.024 rev B, 14.072.040 rev A, 14.072.041 rev A, 14.072.042 rev A, 14.072.043 rev A, 14.072.044 rev A, 14.072.045 rev A, 14.072.046 rev A, 14.072.047 rev A, 14.072.010 rev C, 14.072.030 rev B, Existing Site Survey, 515-103 rev B, 14.072.025 rev C, 515-0102 rev B, BPV-sk1 rev G, 14389-BT2.

Reason: To ensure satisfactory provision of the development.

3. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological assessment and mitigation of impact in accordance with a written scheme investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Following completion of archaeological fieldwork, a report will be produced and submitted to the Local Planning Authority, in accordance with the approved programme, detailing, where appropriate, a post-excavation assessment and analysis.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

4. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 5 to 7 have been complied with.

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 condition 8 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

5. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

6. A detailed remediation scheme 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.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

7. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. 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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

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 CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

9. Prior to the commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees, in accordance with the submitted Barrell Tree Consultancy Arboricultural Impact Appraisal and Method Statement ref 14389-AIA-PB and Plan Ref: 14389-BT2 dated 20/05/15 (or as modified by condition 10), shall be implemented, and at least 3 working days notice shall be given to the Local Planning Authority that the approved tree protection measures have been installed before any other works are carried out.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

10. Before the commencement of development, an updated arboricultural report, detailing how the carparks to units 31 and 32 are to be installed shall be submitted to and approved in writing by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

11. The development hereby permitted shall not be occupied until the spaces shown on the approved site plan for the parking and garaging of motor vehicles have been provided. The spaces shown on the approved site plan for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

12. No development shall start on site until plans and particulars showing details of the provision of cycle storage within the site have been 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 use of the development is commenced and shall be permanently retained thereafter.

Reason To ensure adequate cycle parking provision within the site, in accordance with Policies CS1, CS2, and CS24 of the Core Strategy for New Forest District outside of the National Park.

13. The approved areas for the turning of vehicles on site shall be provided before the commencement of development, and these areas shall be subsequently kept available for their intended purposes at all times.

Reason: In the interests of highway safety and to comply with Policy CS24 of the Core Strategy for New Forest District outside of the National Park.

14. No development shall start on site until plans and particulars showing details of the provision for the turning, loading, unloading and the parking of vehicles during the construction of the development has been 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 use of the development is commenced and shall be retained thereafter throughout the construction of the development.

Reason: In the interests of highway safety, and to comply with Policy CS24 of the Core Strategy for New Forest District outside of the National Park.

15. Before the commencement of development, full details of the external lighting that is to be provided in association with the approved development shall be submitted to and approved in writing by the Local Planning Authority. Development shall only be implemented in accordance with the approved details, and no external lighting shall be installed thereafter, outside of the residential curtilages of the approved dwellings, unless details have been first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard ecological interests in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

16. Before the commencement of development, a detailed ecological mitigation and biodiversity compensation and enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include compensation measures for the loss of existing grassland habitats,

details of how landscaped areas are to be managed to benefit wildlife, and details of roosting and nesting features and refuges for protected species that will be incorporated into the development. Development shall thereafter be implemented fully in accordance with the approved details.

Reason: To safeguard ecological interests in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM2 of the Local Plan Part 2: Sites and Development Management.

17. Before development commences, samples of the facing and roofing materials to be used shall be 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 development in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

18. Before development commences, the proposed slab levels of the dwellings 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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

19. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) the treatment of the boundaries of the site and other means of enclosure;
- (e) the precise design of the pump house enclosure;
- (f) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the

development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy).

21. The surface water drainage layout shall be built fully in accordance with Drainage Strategy Drawing BPV-sk1 rev G, the Andrew Malcolm Associates Ltd Micro Drainage Calculations dated 28/08/15, and porous paving detail BPV-sk2. Development shall additionally be carried out in accordance with Geo-Environmental's letter of 10th September 2015.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policies CS2 and CS6 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

22. Before development commences details of the means of the future maintenance of the approved surface water drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority. The drainage arrangements shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

23. Before development commences, details of the means of disposal of foul drainage / sewerage disposal from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the foul drainage / sewerage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

24. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

25. The development hereby approved shall be built in accordance with the mitigation proposed in the Noise Impact Assessment document report: AS8203.15.05.05.NIA1 dated 5 May 2015. The sound insulation measures shall thereafter be retained and maintained in accordance with the approved scheme of sound attenuation.

Reason: To ensure that occupants of the proposed development are not adversely affected by noise in accordance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

Reason(s) for Refusal:

- 1. The proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS15 and CS25 of the Core Strategy.
- 2. The proposed development would fail to make any contribution to enhance or create off-site provision and management of public open space to meet the needs of the occupants of the development for public open space. The proposal would therefore be contrary to an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS7 and CS25 of the Core Strategy.
- 3. The proposed development would fail to secure an appropriate area of allotments for future public use, contrary to Policy HYD1 of the New Forest District Local Plan: Sites and Development Management.

4. The proposed development would fail to secure footway improvements to Fawley Road, and therefore the proposed development would not be a sufficiently safe or accessible development for pedestrians, contrary to Policy CS24 of the Core Strategy for New Forest District outside of the National Park.

Notes for inclusion on certificate:

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

In this case, there were lengthy negotiations with the applicants before the application was submitted and these have continued since the application was registered. Amended plans and additional details have been submitted during the course of this application and this has enabled a positive recommendation to be made.

2. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel 0330 303 0119) or www.southernwater.co.uk.
3. In discharging condition No. 24 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



Chris Elliott
Head of Planning & Transportation
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee
November 2015**

Item No: 3a

Adj Forest Lodge Farm
Fawley Road
Hythe
15/10751
SU4406

Scale 1:1250

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



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Application Number: 15/10773 Full Planning Permission

Site: Land of AMBERWOOD, LOWER PENNINGTON LANE,
PENNINGTON, LYMINGTON SO41 8AN

Development: 2 two-storey dwellings; detached garage; landscaping

Applicant: AJ Developments Ltd

Target Date: 21/07/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council View

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
3. Housing
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS15: Affordable housing contribution requirements from developments
- CS24: Transport considerations
- CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM3: Mitigation of impacts on European nature conservation sites

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Lymington Local Distinctiveness

SPD - Mitigation Strategy for European Sites

SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

6.1 5 houses; detached garages; parking; access alterations; demolition of Amberwood (07/91178) - refused 27/12/07

6.2 4 houses; parking; landscaping; demolition of existing (15/10169) - refused 8/4/15

7 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council:- Recommend refusal - objection to overlooking of neighbouring property at 4 High Trees; support the concerns of the Tree Officer

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Hampshire County Council Highway Engineer:- no objection subject to conditions.

9.2 Land Drainage:- No objection subject to drainage conditions

9.3 Building Control:- Fire Authority access needs to be carefully considered

9.4 Tree Officer:- No objection subject to tree protection conditions.

9.5 Ecologist:- No objection subject to condition.

9.6 Estates & Valuation:- it would be viable for the development to secure the full affordable housing contribution

9.7 Southern Gas Networks:- No comment

9.8 Waste & Recycling Manager:- properties must be aware that their refuse will need to be presented at the highway boundary on collection day.

10 REPRESENTATIONS RECEIVED

10.1 7 letters of objection from neighbouring dwellings / nearby properties:- adverse impact on privacy of neighbouring dwellings; loss of neighbouring property's outlook; overdevelopment of plot; adverse impact on local character; inappropriate loss of garden land; increase in traffic to detriment of highway safety; development would be too close to open countryside and would harm the rural edge character; unsafe access; adverse impact on ecology and biodiversity; question marks about speed survey.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £2304 in each of the following six years from the dwellings' completion, and as a result, a total of £13,824 in government grant under the New Homes Bonus will be received.

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

Based on the information provided at the time of this report this development has a CIL liability of £26,960.00.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

In this case, there have been negotiations with the applicant since the application was submitted, which has resulted in the submission of amended plans, which has enabled a positive recommendation to be made.

14 ASSESSMENT

- 14.1 Amberwood is a detached 2-storey dwelling set within a large garden plot. The dwelling lies on the edge of the built-up area, with open countryside bordering the southern boundary of the site. To the north side of the site

is a 2-storey dwelling known as Quadrant House, which is also set within a large garden plot. To the north of this are 4 fairly recently built detached dwellings set within smaller plots than is typical of the area. One of these plots (4 High Trees) borders the rearmost part of the large rear garden of Amberwood. Although this dwelling is essentially 2 storeys high, it does have a 3-storey rear gable feature. Properties within this part of Lower Pennington Lane are generally of a traditional 2-storey character and are set within large garden plots with many mature trees. The application site itself has a significant number of mature trees along the frontage of the site, which are an important feature of the streetscene. There are also some significant trees and mature hedging along some of the other boundaries of the site. Northfield to the south of the site is a modest bungalow. A public footpath runs to the side of this property, and also along the boundaries of the adjacent field to the south of the application site.

- 14.2 There was a previous application to develop this site with 5 dwellings that was refused planning permission in December 2007. That application, which included part of the rear garden of Quadrant House, was refused on account of the development's cramped layout, the dwellings' dominant and intrusive appearance and the development's adverse impact on the amenities of the occupants of the neighbouring dwelling at Quadrant House.
- 14.3 Earlier this year, an application to redevelop the site of Amberwood with 4 dwellings was refused planning permission because it was felt the development would be harmful to the character and appearance of the area. It was felt the development was too intensive; the access drive was too urban in character; the layout was cramped and awkward; and that dwellings would appear too dominant from open countryside to the south. It was also considered that the development would be detrimental to the amenities of neighbouring dwellings, it would be harmful to protected trees, and it would be detrimental to highway safety due to unsatisfactory access arrangements. The development was also deemed unacceptable for a lack of on-site cycle parking provision; a failure to secure contributions to affordable housing; and for failing to mitigate the development's impact on designated sites.
- 14.4 The application that has now been submitted is materially different to the recently refused 4 dwelling application. In contrast to that application, it is proposed to keep the existing dwelling at Amberwood. 2 new dwellings and detached garages are proposed within the property's rear garden. An existing detached garage building would be demolished to facilitate access to the dwellings.
- 14.5 The property Amberwood has a particularly large rear garden, and in principle, it is felt that the plot is large enough to be able to accommodate additional residential development to the rear of the frontage dwelling, having regard to the fact that to the north of the site there are many examples of dwellings in a backland location that are served off narrow access drives that lead onto Lower Pennington Lane. The development that is now proposed is considered to be more sympathetic and contextually appropriate than the previously refused schemes. It is a less intensive development, and the proposed new dwellings would be of a more modest one and a half storey scale. Whilst 4 dwellings were previously felt to be too intensive in what is a spacious semi-rural context, it is felt that 3 dwellings would feel more comfortable. Although the

garden sizes would be somewhat smaller than on some other nearby properties, it is felt that they would provide an adequately green and spacious context. The scale and mass of the 2 new dwellings is such that the development would not feel too intrusive from areas of open countryside to the south of the site. The access road is narrower than on the previous application, and its curved route is very different. If appropriate surface materials are used and if an appropriate soft landscaping proposal is put forward (which could be secured by condition) the access drive would have an acceptable appearance. The existing southern access onto Lower Pennington Lane would be slightly widened, which would result in the removal of some of the existing front boundary vegetation. However, the vegetation that would be lost would be limited in extent and would not include important trees (see Para 14.8 below). Overall, whilst the proposal would clearly result in some change to the character of the site, it is felt that the change would be contextually appropriate. It is, moreover, felt the layout, scale and appearance of the development would be sympathetic to the character and appearance of the area. However, as the development would be close to the limit of what the site can comfortably absorb, it is considered that permitted development rights should be removed to ensure that future alterations do not harm the character of the area.

- 14.6 As the dwelling Amberwood is to be retained, the proposed development would avoid many of the unneighbourly impacts of the previously refused scheme. The orientation of the new dwellings and the position of first floor windows would ensure that the adjacent dwellings at Quadrant House and Northfield are not materially overlooked. Initially, the proposed dwelling on Unit 2 was considered to be too close to the neighbouring property at 4 High Trees. However, amended plans have been submitted, which have sited the dwelling so that it would be sited about 9 metres away from the side of 4 High Trees, which would be sufficient to maintain the reasonable light and outlook of that property. There are rooflights on the north elevation of Unit 2, which would materially overlook 4 High Trees if they were to be sited too low down on the roof. A condition could reasonably be imposed on the height of these rooflights to ensure that the neighbouring property's privacy is not unduly compromised. Overall, it is considered that the proposed development would have an acceptable impact on neighbours' amenities.
- 14.7 Initially, the Highway Authority had concerns with the access arrangements. However, the application has subsequently been amended to show a widened southern access onto Lower Pennington Lane. A speed survey has also been undertaken. The submission of additional information and amended details has enabled the Highway Authority to withdraw its original objection. They are satisfied that the access would have adequate visibility and would be of sufficient width. Following confirmation that the dwellings would have a sprinkler system installed and a refuse collection point provided, the Highway Authority are also satisfied that there would be adequate on site turning facilities. The level of on-site parking would be acceptable. Therefore, from a highway safety perspective, the proposal would be acceptable.
- 14.8 A couple of trees on the southern boundary of the site, and 3 trees in the south-west corner of the site are protected by a Tree Preservation Order. On the basis of amended arboricultural details that have been submitted, the Council's tree officer is satisfied that the dwellings and garages could be built without detriment to protected trees. The works to the southern

access would be capable of being built without adversely affecting the root system of adjacent trees, but more information is needed here on construction methodology and hardstanding details, which can reasonably be secured by condition.

- 14.9 The application is accompanied by a biodiversity report that indicates that the site offers some potential for species of local importance and that are protected by law. Provided a mitigation plan is secured by condition, the Ecologist is satisfied that the development will not harm ecological interests.
- 14.10 The proposed development is one that would be expected to secure a contribution to affordable housing in line with Core Strategy policy CS15. In this case, the development generates a requirement to secure a contribution of £97,350. The applicants have entered into a Section 106 legal agreement to secure this contribution, and as such, the proposal would be consistent with Core Strategy Policy CS15.
- 14.11 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. In this case, the required Mitigation Contribution would be £10,700, part of which could potentially be met through CIL.
- 14.12 Overall, the proposed development is considered to be consistent with Local Plan policies and objectives. Although the development would result in some change to the site, it is felt that the intensity and scale of the development would be an acceptable response to the site's green and spacious context. The development could be implemented without detriment to the amenities of neighbouring properties and without adversely affecting highway safety or important trees. As such, the application is recommended for permission.
- 14.13 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.

Developers' Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution	£97,350	£97,350	0
Habitats Mitigation			
Financial Contribution	£10,700		

CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	372	35	337	£26,960.00

15. RECOMMENDATION

That the Head of Planning and Transportation be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) the completion, by November 30th 2015, of a planning obligation entered into by way of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the provision of an affordable housing contribution.
- ii) the imposition of the conditions set out below.

BUT, in the event that the Agreement is not completed by November 30th 2015, the Head of Planning and Transportation be **AUTHORISED TO REFUSE PERMISSION** for the reasons set out below.

Conditions to be attached to any consent:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 8529-200 rev F, 8529-201, 8529-202 rev A, 8529-203 rev B.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

4. Before the development is first occupied, details of the future maintenance of the approved drainage system / watercourse, shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall thereafter be maintained in accordance with the approved details at all times.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. Development shall only proceed in accordance with the recommendations in the Biodiversity Report from Phil Smith dated 3rd July 2015 (REF Amberwood_30062015), unless an amended biodiversity report has been first submitted to and approved in writing by the Local Planning Authority, in which case development shall only proceed in accordance with the approved amended report.

Reason: To safeguard biodiversity / ecological interests in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park.

6. Prior to the commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted Gwydion's Tree Consultancy Arboricultural Impact Appraisal and Method Statement ref GH1517.2 and Plan Refs: GH1517.1 b and c dated 27/10/15 shall be implemented. At least 3 working days notice shall be given to the Local Planning Authority that the approved tree protective measures have been implemented before any other site works are implemented. The approved tree protection method statement shall be adhered to in full and the approved tree protection measures shall be retained for the full duration of the development or until such time as agreed in writing with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. The development hereby permitted shall not be occupied until the approved spaces shown on plan 8529/200 rev F for the parking and garaging of motor vehicles and cycles have been provided. The spaces shown on plan 8529/200 rev F for the parking and garaging of motor vehicles and cycles shall be retained and kept available for the parking and garaging of motor vehicles and cycles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

8. Before development commences, samples or exact details of the facing and roofing materials to be used shall be 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 development in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

9. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) the treatment of the boundaries of the site and all other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

10. Before development commences, 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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

12. The bottom of the first floor rooflights on the north elevation of the approved building on Unit 2 shall be positioned so as to be at least 1.7 metres above the first floor level within the building. No other rooflights shall be installed on this north elevation unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

13. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

Reason(s) for Refusal:

1. The proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS15 and CS25 of the Core Strategy.

Notes for inclusion on certificate:

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

In this case, there have been negotiations with the applicant since the application was submitted, which has resulted in the submission of amended plans, which has enabled a positive recommendation to be made.

2. In discharging condition No. 13 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



Application Number: 15/10784 Full Planning Permission

Site: LAND ADJACENT 4, BROCKHILLS LANE, ASHLEY,
NEW MILTON

Development: 7 detached houses; parking; landscaping; access from Brockhills
Lane and Cullwood Lane

Applicant: Solent Projects Ltd

Target Date: 03/08/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council and Councillors views.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
SINC

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
3. Housing
6. Towns, villages and built environment quality
8. Biodiversity and landscape

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS6: Flood risk
- CS7: Open spaces, sport and recreation
- CS10: The spatial strategy
- CS15: Affordable housing contribution requirements from developments
- CS24: Transport considerations
- CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

- NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development
- DM2: Nature conservation, biodiversity and geodiversity
- DM3: Mitigation of impacts on European nature conservation sites
- NMT14: Transport schemes

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 6 - Delivering a wide choice of high quality homes
NPPF Ch. 7 - Requiring good design
NPPF Ch. 11 - Conserving and enhancing the natural environment
Section 197 Trees
Town and Country Planning Act 1990

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - New Milton Local Distinctiveness
SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

- 6.1 10/96346 - 8 detached houses, associated parking. Refused 16.12.11, appeal dismissed.
- 6.2 10/95626 - 8 houses, 4 garages, parking, open space. Refused 17.8.10
- 6.3 07/89756 - 23 dwellings (11 houses, 12 flats), garages, cycle store, access. Refused 22.6.07
- 6.4 03/78539 - (O/L) 6 houses and garages. Refused.
- 6.5 98/64985 - 7 dwellings and new access. Refused 8.3.99, appeal dismissed.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council - recommend refusal and would not accept a delegated approval. Contrary to policy, impact on SINC, amenity of trees are threatened, access would be dangerous, stepped turning circle is impractical, drainage issues not addressed.

8 COUNCILLOR COMMENTS

- 8.1 Councillors John Ward and Mrs Cleary - object to the proposal which is not thought through - inappropriate location due to designation as an SSSI. An application was turned down two years ago for these reasons.
- 8.2 Councillor Rice (HCC) - strongly objects

9 CONSULTEE COMMENTS

- 9.1 Drainage Engineer - request conditions and informatives
- 9.2 Tree Officer - no objection subject to conditions.
- 9.3 Environment Agency - no objection in principle, request informative

- 9.4 Hampshire County Council Highway Engineer - no objection subject to conditions
- 9.5 Ecologist - no objection subject to appropriate mitigation
- 9.6 Environmental Design (Open Space) - on site public open space will be required, footpath to highway should be reinstated

10 REPRESENTATIONS RECEIVED

Following the initial notification process, objections were received from 34 local residents concerned with the following:

- the land floods regularly
- the lane isn't suitable for heavy vehicles/increased traffic
- the applicant has no right of way
- residents in Cullwood Lane haven't been notified
- Brockhills Lane should be the sole access point
- Cullwood Lane is maintained by residents
- the red line doesn't relate to land ownership
- proposal conflicts with 1977 Area TPO and trees within this were unlawfully removed in 1986
- Brockhills Lane is dangerous near the site
- the meadow is home to much wildlife
- Cull Lane would become dangerous with construction traffic
- turning into Cullwood Lane is dangerous
- location of bin collection point is a health hazard
- developer has not made provision for the public right of way
- impact of the proposal on financial loss to other properties should be considered
- can't understand why proposal has been 'resurrected' given previous refusals
- many local residents are pensioners and access for emergency service vehicles could be compromised
- a previous Inspector said there should be no access from Cullwood Lane
- there would be a ramp at the end of Cullwood Lane
- impact on character of Cullwood Lane
- there are stag beetles on site
- large oak tree would require severe pruning and could sustain damage to its roots
- there will be a significant increase in traffic on Brockhills Lane as they are building at the pub too
- wildlife is only around the edge as they cut the grass
- loss of landscape amenity and damage to a SINC
- the proposal doesn't comply with affordable housing requirements
- there are inaccuracies in the application documentation
- wider consultation with residents is required
- tree survey is not complete
- foul sewer provision could harm off site trees
- inadequate thought given to turning circle
- Cullwood Lane is too narrow
- 1999 decision should still stand
- wrong location for play area; concerns regarding access over private land, future maintenance and whether there are sufficient children locally to justify its provision; associated noise and antisocial behaviour.

The subsequent notification advising of the addition of public open space within the site resulted in the following additional comments from 19 local residents:

- Many elderly people live nearby and play area would result in additional traffic and noise generation
- Play areas will have health and safety issues
- Rowdy teenagers/ASB would be attracted to the area
- Play area not required for locals who are elderly, appears to be for statistics purposes
- Pedestrian bridge access to Brockhills Lane would become slippery
- Addition of play area to proposal is ridiculous
- Potential overlooking from play area
- Play trail would be at odds with policy DM2/protecting the SINC
- Parking problems could arise
- Proposed path through the site encroaches upon migration paths of various species
- There is no public right of way along Cullwood Lane
- Concern it is possible to override residents' rights along Cullwood Lane
- Play area would result in children walking along Cullwood Lane which is already dangerous
- Concern that NFDC has misused its authority to push the application through
- Proposal is for a greenfield site and brownfield sites should be utilised first
- Risk of fire will be increased

Following the deferral of the application from the October Committee, a further notification process has been undertaken advising of the provision of the continuation of the footpath from outside no.4 Brockhills Lane to the proposed vehicular access. Local residents have until the end of the day on which the application is to be considered to comment. A verbal update will be given at Committee.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £8,064 in each of the following six years from the dwellings' completion, and as a result, a total of £48,384 in government grant under the New Homes Bonus will be received.

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development has a CIL liability of £65,520.00.

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development

Management Procedure) (England) Order 2015, New Forest District Council take a positive and pro active approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
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- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The agent was aware of concerns raised during the consultation process and additional information has been provided in order to address these issues relating primarily to bats and tree protection. Further details were subsequently requested in respect of the provision of on-site public open space and access, together with details of a pedestrian access from Brockhills Lane. The application was subject to re-consultation on the 22nd September and 21st October 2015 following receipt of amended plans.

14 ASSESSMENT

14.1 Introduction

This application was deferred by this committee at it's last meeting in October. The reason was in order to allow re-consultation of the application following the addition of a length of footpath to the scheme as a result of a late highway objection being received. Members did not debate the application and this report has been augmented to incorporate references to the changes made and further comments that have been received. A verbal update will be made at the meeting if any additional comments are received.

14.2 Site and proposal

14.2.1 The site lies within but on the edge of the built up area of New Milton. There are residential properties to the north and south although those

to the north are separated by a band of woodland. The area of land between Otters Walk and The Fallows to the north and west of the site is designated as public open space and together with the site forms a Site of Importance for Nature Conservation (SINC). There is open countryside to the east of the site which is bound by Brockhills Lane with Cullwood Lane to the south western corner of the site. The lane turns into an informal footpath which runs along the west-north boundary of the site. The site contains protected trees, most significantly along the road boundary and also a large oak close to Cullwood Lane. The land slopes up from Brockhills Lane and there is a water course running through the northern part of the site which is culverted under the road. There are no buildings on site at present following the demolition of a bungalow approximately 30 years ago.

- 14.2.2 The proposal entails the provision of 7 detached dwellings, four accessed from Brockhills Lane and three from Cullwood Lane. All units would comprise a hall, WC, kitchen and lounge/dining room at ground floor level with four bedrooms (one ensuite) and a family bathroom at first floor level. They would each have an integral single garage and space for a car to park on the drive. Plots 2 and 3 are proposed to be affordable in accordance with policy CS15.

14.3 **Background**

- 14.3.1 The application follows a scheme for 8 dwellings and which was refused in 2010 by Members for the following specific reasons:

1. the positioning of plot 1 and its impact on the residential amenities of 14 Cullwood Lane and
2. the loss of the SINC.

In determining the subsequent appeal, the Inspector concluded 'that there would be no unacceptable harm to the living conditions of the adjoining neighbours'.

In dismissing the appeal, the Inspector was concerned that the ecological enhancements had been designed to fit in with the site layout rather than leading the design of the scheme.

- 14.3.2 Since the appeal decision, the applicant has worked with their ecologist and the Council's Ecologist in order to address this issue and the result is a scheme where the SINC and its associated flora and fauna has taken a priority in the layout of the development. The sole reason the appeal was turned down has therefore been addressed.

14.4 **History**

- 14.4.1 Comments have been received in response to the current application that reference to a further proposal in 1999 has not been made or seen as publicly available. Following an administrative correction in terms of information viewable on the Council's website application 98/64985 is now available. This application went to appeal where the main considerations related to whether the site could accommodate 7 dwellings due to the TPOs and whether the use of Cullwood Lane for access to all the dwellings would prejudice the safety and convenience of all road users. The Inspector concluded that there was insufficient information to demonstrate that the dwellings could be satisfactorily

accommodated within the site without adversely impacting on the protected trees and that Cullwood Lane was 'inadequate to serve an additional seven dwellings and garages'.

- 14.4.2 There are several differences between the 1999 scheme and the current one which suggest that it does not carry weight as a material consideration given that the proposal was in outline form and limited information as to the siting of the 7 dwellings was submitted; there was no arboricultural report and the proposal was indicated as having all 7 dwellings accessed off Cullwood Lane. In addition Policies and Highways documents and standards were different. The current scheme proposes just three additional dwellings off Cullwood Lane and, in addition to being a full planning application, has been supported with a full arboricultural report.
- 14.4.3 A further proposal in 2003 proposed just 6 dwellings, all to be accessed off Brockhills Lane. This scheme was refused for reasons including inadequate information relating to trees, inadequate visibility splays and that the proposed density (14 dwellings per hectare (dph)) fell far short of the required 30dph.
- 14.4.4 Local residents are also concerned with land ownership issues with regard to Cullwood Lane (which is maintained by residents), rights of access along Cullwood Lane and the access from Cullwood Lane along the footpath. However, ownership is not a planning matter and the application has served the appropriate notices in respect of land outside the applicants ownership but within the red line. There are no works proposed to Cullwood Lane that do not form part of the site area. Residents are also concerned about protected trees that were removed from the site in 1986 and this is dealt with in more detail at paragraph 14.6.

14.5 **Residential and visual amenity**

- 14.5.1 The dwellings have been designed with just one ensuite first floor window in the north elevations and no windows in the southern elevation of any dwelling resulting in no overlooking towards Brockhills Lane or Cullwood Lane dwellings. The front elevation of plots 1-3 are over 30m from the boundary with Cullwood Cottage and the proposal is not considered to give rise to overlooking. Similarly, as the dwellings are at least 16m from any residential boundary, there would not be any overbearing impact or loss of light as a result of the development. With regard to noise and disturbance, the provision of three additional dwellings to Cullwood Lane is unlikely to cause adverse impacts on nearby residents who presently may be affected by vehicles turning outside their properties due to the lack of a proper turning head. This issue would be resolved by the proposal which would incorporate a turning head. The only residential amenity issue previously of concern has been addressed and in any case, had been dismissed by the Inspector as having no unacceptable impact.
- 14.5.2 Visually, the design of the dwellings reflects the brick and render detailing of others in the area and although Cullwood Lane has more of a variety of dwelling types, they are considered appropriate in this location having regard to the simple roof forms of adjoining housing as noted in the New Milton Local Distinctiveness SPD.

14.6 Highways

- 14.6.1 It is accepted that many local residents are concerned with the principle of using both proposed access points for reasons including the narrow nature of the road, bends and speed of traffic. However, the Highway Authority did not object to 8 dwellings, nor has it objected to the current scheme for 7. Further, in dismissing the appeal, following a thorough inspection of the site and surroundings, the Inspector did consider the impact of 4 additional dwellings on Cullwood Lane concluding that 'the level of traffic involved with an additional four houses would not be significant and, as a result I do not consider that the proposal would lead to any concerns in respect of highway and pedestrian safety'. Given the reduction in the dwellings proposed to use this access point, it would not be possible to sustain an objection on this ground.
- 14.6.2 The proposed visibility splays to Brockhills Lane include a 'y' distance of 37m. The submitted speed survey, utilising the formula in Manual for Streets, has resulted in a safe stopping distance of 35.8m. Given the proposal has a longer 'y' distance than figures suggest is necessary, the Highway Authority has no objection to this part of the proposal. This was the case for the previous proposal where no objections were raised by the Highway Authority and this was accepted by the Inspector.
- 14.6.3 The proposed turning head would enable all vehicles, including service and emergency vehicles to gain access to/egress from Cullwood Lane in a forward gear. This offers an improvement on the current situation and is acceptable to the Highway Engineer. Concerns have been expressed locally with regard to the construction of the turning head including steps. It is accepted that the finished levels are a little different to existing ground levels in places - a requirement in order to prevent damage to protected tree roots - although they are not adversely different to the extent that the resultant gradients would be difficult to enable proper access to either existing or proposed properties. The edges of the access would be graded down to existing levels where appropriate and this detail is shown on the submitted plans.
- 14.6.4 The Council's Parking Standards SPD recommends 2.5 parking spaces per dwelling. The proposal offers 2 spaces per dwelling, a shortfall of 3.5 spaces. Whilst the SPD only recommends an average provision, the Highway Authority consider it would be inappropriate and unsustainable to object to the lack of parking. A condition to retain the proposed parking is requested in order to ensure there is no unmet demand for parking on Brockhills Lane where it could cause safety concerns.
- 14.6.5 The Highway Authority has always been keen to have the inclusion of a pedestrian access from Brockhills Lane into the site. The initial submission included a footpath link through the boundary hedge close to no.4 although this was not considered acceptable in tree terms given the roots within the raised bank at this point. As an alternative, a footpath is proposed continuing the existing pavement along Brockhills Lane from no.4 up to the proposed vehicular access. The Highway Authority is satisfied that this can be achieved to an adoptable

standard and will provide the necessary link. The Highway Authority would require a S.278 Agreement to be completed between the developer and Hampshire County Council in this respect.

14.7 **Trees**

- 14.7.1 The site contains several statutorily protected trees under TPO 68/01. Earlier Tree Preservation Orders within the site were reviewed in accordance with government guidance prior to the current one being designated. Comments received with reference to unlawful tree removal in the mid-1980's have been noted although it is unclear how it was resolved. However, as 68/01 is the only TPO covering the site at present, it is under this order that the application has to be considered.
- 14.7.2 The main areas of concern with regard to this application relates to the large oak close to the Cullwood Lane entrance and the row of trees along the Brockhills Lane frontage. The arboricultural report specifies the use of special measures in relation to surfacing where turning heads and driveways are proposed within the root protection area (rpa) of protected oak trees that form the woodland edge. The special measures entail the use of a cellular confinement system (CCS). This form of construction within the rpa of retained trees is generally acceptable and together with the additional clarification stated in the consultant's letter of August 13th 2015, the Arboriculturist is satisfied that the CCS can be installed without compromising nearby trees, namely the large oak to the west of the site and those either side of the access off Brockhills Lane.
- 14.7.3 The positioning of plots 1-3 is similar to the previously proposed plots 2-4 when no arboricultural objections were raised. However, plots 1 and 2 are angled slightly differently or set back from the position of plots 2 and 3 of the previous scheme whilst plot 3 is approximately 0.5m further forwards than plot 4. These slight differences in positioning should not give rise to significant concerns with regard to the long term retention of the large oak tree.
- 14.7.4 In respect of the proposed footpath along Brockhills Lane the Tree Officer is satisfied that this can be implemented without compromising the on-site oak trees subject to conditions.

14.8 **Ecology**

- 14.8.1 The sole reason that the last appeal was dismissed was on ecology grounds. The site's designation as a Site of Importance for Nature Conservation (SINC) (not an SSSI as suggested by the Ward Members) was only established during the course of the last application and as a result, the Inspector concluded that the previous scheme had not properly considered the SINC in its layout. While mitigation measures were proposed, they were added onto the scheme rather than considering the necessary mitigation necessary before determining the proposed layout. Policy DM2 of the Local Plan Part 2 states that development that results in damage to or loss of a SINC will not be permitted unless the benefits of the development outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity. The Ecologist has advised that the development does not lead to destruction of a SINC. Previous evidence (e.g. Hampshire County

Council Ecologist, evidence before previous Appeal) has established that the area concerned is not of sufficient interest in its own right to justify SINC designation and it is the connectivity function that confers some level of importance, the development has sought to address this by providing compensation. The Ecologist's view is that the proposal is in accordance with policy.

- 14.8.2 Having regard to this designation in terms of wildlife and the appeal Inspector's comments, the applicant has now demonstrated that ecological input was used to aid the design and layout of the current proposal. It is therefore considered that the local wildlife value of the site has been adequately considered and conditions are recommended to ensure the appropriate management of ecological features. The Ecologist is satisfied with the proposals following detailed negotiation.
- 14.8.3 With regard to protected species, the current proposal will not adversely affect the population status of bat species and it is maintained that the current application is legally compliant. Appropriate levels of survey for bats have been undertaken given the level of evidence of likely presence on the site and the impacts of the development. Importantly, the most up to date activity surveys for bats have shown the roost, which was previously thought to be of low conservation importance (i.e. it was used by very low numbers of a more common species and was not thought to be a maternity roost), is in any event not active.
- 14.8.4 Having regard to concerns raised in respect of the presence of bats in trees unlawfully felled, previous management activities on the site have been undertaken by third parties and not by the Council. There is no appropriate professional evidence to establish that bats were present in the trees lost, although the possible presence is not ruled out. As the Wildlife & Countryside Act 1981 was in force which gave protection to bat roosts, it is expected that the police and Nature Conservancy Council would have taken matters further if there was credible evidence that bat roosts were lost. It is not considered that the Council has committed any offences in relation to wildlife legislation in this respect (or any other relating to the site).
- 14.8.5 The suggested mitigation and compensation measures appear suitable and would ensure that the proposal is not detrimental to the maintenance of the species. Conditions will be required to secure the mitigation measures along with the translocation of reptiles found within the site, the provision of further roosting opportunities and biodiversity enhancements.

14.9 **Contributions**

- 14.9.1 The proposal generates a requirement for contributions to be made towards the provision of on site public open space, affordable housing and habitats mitigation. It is also CIL liable. As stated above, the proposal includes two on site affordable houses with a further financial contribution secured through the S.106 Agreement which is presently being drafted. The submitted plans also indicate an area of public open space which includes children's play equipment and which would be accessible from both Brockhills Lane and Cullwood Lane. The lack of play equipment within the previous submission was raised as a concern and a full financial contribution sought as an alternative. The

public open space provision would also be secured through the S.106 Agreement along with details of its maintenance provisions.

14.9.2 The requirement for habitats mitigation is detailed below. Much of the contribution (for its provision) is collected through the CIL payment although the management and monitoring parts of the contribution require a S.106 Agreement as these elements cannot be collected through CIL. In view of the possibility of a CIL exemption form being submitted (following a favourable determination of a proposal) reducing the payment to below the necessary level of habitat mitigation, a further S.106 Agreement would be sought by condition for *all* aspects of habitat mitigation following an approval.

14.10 Conclusion

14.10.1 Whilst several objections have been raised to various elements of the proposal, particularly in respect of the trees and access provisions, it should be noted that the last application did not raise any formal objections from consultees in respect of either the impact of the scheme on the trees or the access provisions within and to the site. Members did not refuse the previous scheme for either reason, highlighting residential amenity and loss of the SINC as the concerns. At appeal, only the SINC issue was upheld and the current scheme is now considered to have addressed this issue without causing demonstrable harm to any other aspect of consideration. Many issues raised by the public are not planning issues and there is only one issue to resolve following the previous appeal decision, in relation to ecological matters which have now been resolved.

14.10.2 In addition to addressing the reason for refusal, the proposal would provide two affordable units of accommodation and an area of public open space with play facilities. The proposal is therefore considered to comply with policy and approval is recommended.

14.10.3 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.

Developers' Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	2	2	0
Financial Contribution	£77,880	£77,880	0

Public Open Space			
On site provision by area	0.0538 ha	0.25 ha	0.1962 ha
Financial Contribution			
Habitats Mitigation			
Financial Contribution	£37,450	£37,450	0

CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses (Affordable)	234	0	234	£18,720.00
Dwelling houses	585	0	585	£46,800.00

15. RECOMMENDATION

That the Head of Planning and Transportation be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) the completion, by December 31st 2015 of a planning obligation entered into by way of an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the provision of two on site affordable dwellings, an affordable housing contribution, on site public open space with associated play equipment and maintenance contribution
- ii) no further substantive representations being received by 31st December 2015
- iii) the imposition of the conditions set out below.

BUT, in the event that the Agreement is not completed by December 31st 2015, the Head of Planning and Transportation be **AUTHORISED TO REFUSE PERMISSION** for the reasons set out below.

Conditions to be attached to any consent:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: Dusk and Dawn Echolocation Study Report, Ecology Mitigation, Enhancement and Management Plan, Planning and Design Statement, Arboricultural Impact Assessment, sewer record, 2009-35-30A, 2009-35-34E, 2009-35-32A, 2009-35-31, 2009-35-33, 2009-35-36C, 2009-35-38A.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be 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 buildings prior to their construction in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Before development commences a scheme of landscaping of the site, incorporating biodiversity mitigation and enhancements identified in the Ecology Mitigation, Enhancement and Management Plan (dated May 2015) shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include:

- a) the existing trees, shrubs and habitat features which have been agreed to be retained;
- b) a specification for new planting (species, size, spacing and location);
- c) areas for hard surfacing (including safety surfacing (or alternative) and the materials to be used;
- d) full (scaled) details of all play equipment and signage
- e) other means of enclosure;
- f) a method and programme for its implementation and the means to provide for its future maintenance, including the required play equipment maintenance and measures to manage the delivery of continued biodiversity enhancement as outlined in the Ecology Mitigation, Enhancement and Management Plan (dated May 2015).

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes full account of the intrinsic habitat quality of the site place prior to any potential disturbance, to ensure an appropriate landscaping scheme and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5. The development shall be implemented in accordance with the slab levels shown on drawing 2009-35-34B unless alternative levels have been previously 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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. Visibility splays of 2.4 metres by 37 metres shall be provided at the junction of the proposed private shared vehicular access with Brockhills Lane before development commences and this visibility splay shall thereafter be kept free of any obstacles over 600mm in height at all times.

Reason: In the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

7. Before use of the development is commenced provision for turning to enable vehicles to enter and leave in a forward gear shall have been provided within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate provision for turning is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

8. Before use of the development is commenced provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

9. Prior to the occupation of the development hereby permitted, plans and particulars showing details of the provisions of cycle storage within the site shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before occupation of the first dwelling and shall be retained thereafter.

Reason: To ensure adequate provision within the site and in accordance with policy CS2 of the New Forest District Council Core Strategy.

10. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

11. Before development commences details of the means of the future maintenance of the drainage system approved under condition 11 above shall be submitted to the Local Planning Authority. The maintenance arrangements and full details of the responsible parties must be confirmed to planning by the applicant prior to occupation of the penultimate dwelling.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS6 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

12. Before development commences details of the future maintenance of the watercourse within the site shall be submitted to the Local Planning Authority. The maintenance arrangement and full details of the responsible parties must be confirmed to the Local Planning Authority by the applicant prior to occupation of the penultimate dwelling.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS6 of the New Forest District Local Plan First Alteration and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local development Frameworks.

13. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:
- a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
 - 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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
 - c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

14. Prior to the commencement of development, an updated Arboricultural Method Statement and Tree Protection Plan detailing the specific pruning works for T632 and cellular confinement system for the footpath along Brockhills Lane shall be submitted to, for approval in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the occupation of the dwellings.

Reason: To ensure the appropriate retention of protected trees and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

15. Prior to commencement of works (including site clearance and any other preparatory works) a scheme for the protection of trees in accordance with BS5837:2012 'Trees in relation to design, demolition and construction: Recommendations' shall be submitted to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and at least 3 working day's notice shall be given to the Local Planning Authority that it has been installed. Prior to the commencement of works (including site clearance and demolition) a pre-commencement site meeting shall be held.

Information is required on the:

- Location of site compound and mixing areas,
- Tree work specification,
- Routes of underground services, including soakaways,
- Position of tree protective fencing/ground protection.

Note: The protective fencing shall be as specified in Chapter 6 and detailed in figures 2 or 3 of BS5837:2012 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

Reason(s) for Refusal:

1. The proposed development would fail to make any contribution toward addressing the substantial need for affordable housing in the District. The proposal would therefore conflict with an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS15 and CS25 of the Core Strategy.
2. The proposed development would fail to make any contribution to enhance or create on-site provision and management of public open space to meet the needs of the occupants of the development for public open space. The proposal would therefore be contrary to an objective of the Core Strategy for the New Forest District outside the National Park 2009 and with the terms of Policies CS7 and CS25 of the Core Strategy.

Notes for inclusion on certificate:

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

The agent was aware of concerns raised during the consultation process and additional information has been provided in order to address these issues relating primarily to bats and tree protection. Further details were subsequently requested in respect of the provision of on-site public open space and access.

2. Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the 'Danes Stream', which is designated a main river.

Please be aware that the Environment Agency has up to two months to determine applications for consent made under Section 109 of the Water Resources Act 1991 and you are therefore advised to contact the local Environment Agency office as soon as possible to discuss making an application. Consent will only be issued if the works do not pose a flood risk to people and property, and do not conflict with the Environment Agency's other duties.

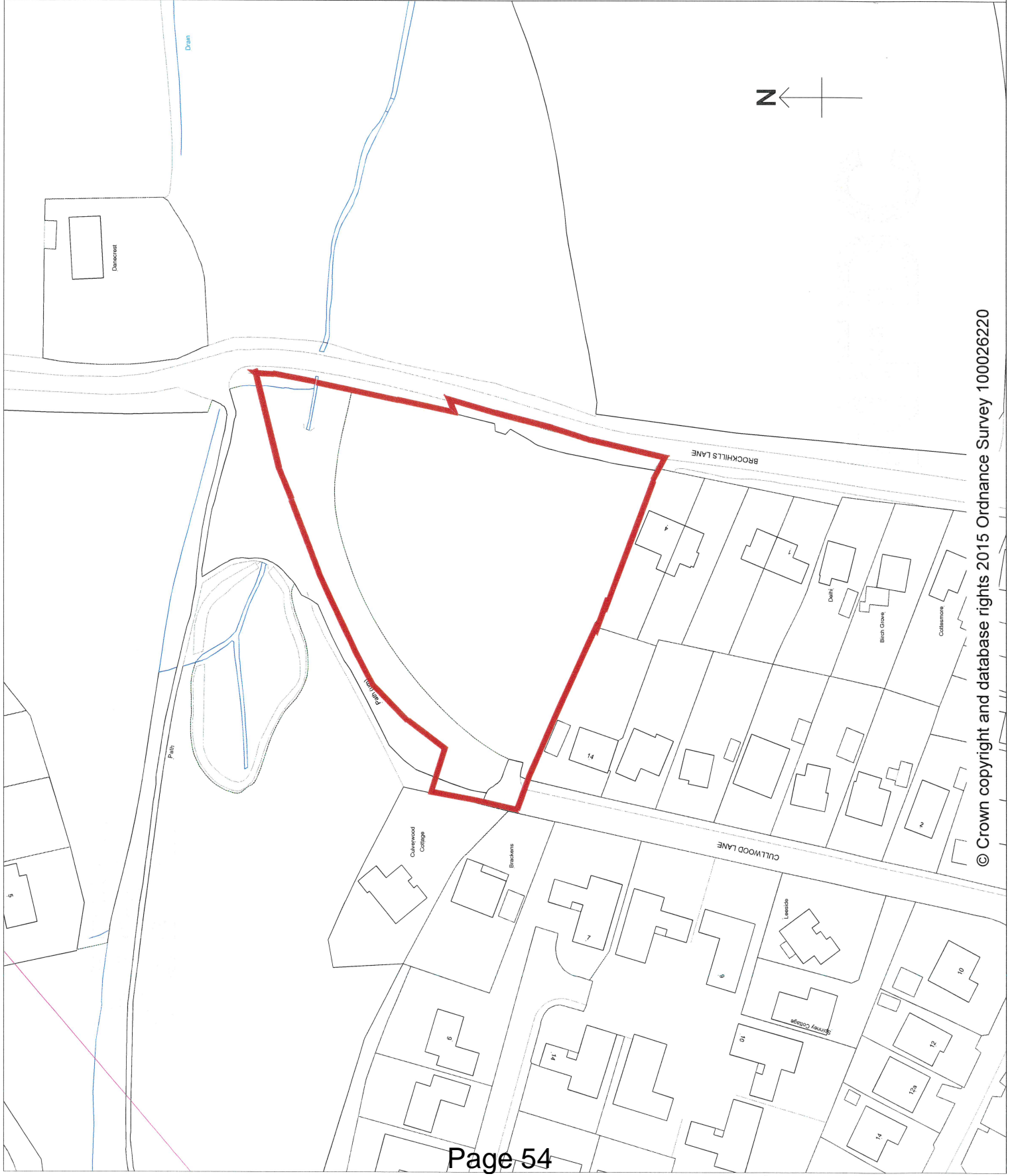
3. This Householder application may require Flood Defence Consent. Under the terms of Section 109 of the Water Resources Act 1991, and the Southern Region Land Drainage and Sea Defence Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 20 metres of the top of the bank of a main river or any proposed works or structures within 15 metres of a sea defence. This permission is separate from planning permission and cannot be considered retrospectively.

4. The Developer must contact Hampshire County Council if he intends to pipe, culvert or alter any part of a ditch or watercourse. Generally the presumption is against piping of watercourses except in locations where there is no alternative such as access crossings.

5. In discharging condition No.14 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



Application Number: 15/10951 Full Planning Permission

Site: 39-41 HIGH STREET, RINGWOOD BH24 1AD

Development: Use of first and second floors as 2 flats; roof light; new soil vent pipe; bin and cycle store

Applicant: St. Peter's Ltd.

Target Date: 04/09/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policy; to agree the waiving of the affordable housing contribution

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area, Conservation Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
3. Housing
4. Economy
6. Towns, villages and built environment quality

Policies

- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
- CS15: Affordable housing contribution requirements from developments
- CS17: Employment and economic development
- CS20: Town, district, village and local centres
- CS24: Transport considerations
- CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

- DM1: Heritage and Conservation
- DM3: Mitigation of impacts on European nature conservation sites
- DM14: Primary shopping frontages

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

- Section 38 Development Plan
- Planning and Compulsory Purchase Act 2004
- National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPG - Ringwood - A Conservation Area Appraisal
SPD - Ringwood Local Distinctiveness
SPD - Mitigation Strategy for European Sites

6 RELEVANT PLANNING HISTORY

- 6.1 Alterations to store to include reinstatement of door and 2 windows; replacement of double door with single; 2 windows; rooflights; mezzanine floor (10/95568) - refused 22/6/10 - appeal allowed
- 6.2 Remove stud walls; create doors; new stud walls. insulate and line walls; new ceilings; rooflight; new soil vent pipe; bin and cycle store (Application for Listed Building Consent) (15/10952) granted 26th October 2015.

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council:- Recommend permission, but would accept a delegated decision

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer:- No objection subject to parking condition for cars and cycles
- 9.2 Policy:- Loss of offices would be contrary to Policy DM14, but given the permission has previously been given for the conversion of the rear outbuilding to A2 offices, it is felt that the proposal may be considered acceptable, as alternative office accommodation is capable of being provided.
- 9.3 Conservation Officer:- No objection subject to conditions
- 9.4 Environmental Health (contaminated land):- No comments
- 9.5 Land Drainage:- No comment

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £2304 in each of the following six years from the dwellings' completion, and as a result, a total of £13,824 in government grant under the New Homes Bonus will be received.

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development has a CIL liability of £0.00.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

In this case, there have been negotiations with the applicant since the application was registered, and amended plans have been submitted, which has enabled a positive recommendation to be made.

14 ASSESSMENT

- 14.1 The application site is a Grade II Listed building within the Ringwood Conservation Area. The site also lies within the Ringwood Town Centre boundary. The building was originally a single house that was turned into 3 shops during the nineteenth century. Today, the building, which is 3-storeys high, is used as an estate agents, the upper 2 floors being used as ancillary offices and storage.
- 14.2 This planning application seeks to convert the first and second floors of the building to 2 flats. A new rooflight and a new soil and vent pipe are proposed on the building's rear elevation. A new bin and cycle store is proposed to the rear of the existing store building. A separate Listed

Building Consent application has been submitted for the external and internal works associated with the proposed change of use.

- 14.3 The application site is within Ringwood's Primary Shopping Frontage. Local Plan Part 2 Policy DM14 is therefore relevant. This policy indicates that on upper floors within the Primary Shopping Frontage, the provision of residential uses will be acceptable where this can be achieved without the loss of gross floorspace in retail or appropriate non-retail uses within the existing premises, or the loss of ancillary storage space, or the loss of the ability to service the premises off-street.
- 14.4 In this case, the residential development that is proposed would result in the loss of appropriate non-retail floorspace. The loss of this floorspace would not be consistent with Local Plan Part 2 Policy DM14. However, in this case, it is notable that planning permission has previously been granted for conversion of the outbuilding to the rear of the site to ancillary A2 offices. This conversion has yet to be completed, but it is understood that the applicants intend to carry out this conversion, and thus provide alternative accommodation that would help to offset the loss of existing commercial floorspace. In addition, it is important to recognise that in this case, conversion of the existing upper floors of the building would have been permitted development, were it not for the fact that the building is Grade II Listed. Furthermore, it is important to recognise that recent national policy changes have sought to facilitate residential conversions such as that proposed here, recognising the significant national need for additional residential accommodation. Taking all of these factors into consideration, it is felt that there is a reasonable justification to permit this proposal contrary to Policy DM14, provided that the development does not adversely affect the character and setting of the existing Grade II Listed Building.
- 14.5 The Council's Conservation Officer is satisfied that the proposed development could be implemented without adversely affecting the heritage interest of the Listed Building. The new conservation rooflight would be a justified alteration to the building that would not detract materially from its historic and architectural interest. The new soil and vent pipe would also be an acceptable alteration. There would be a need for conditions to ensure these external alterations to the building are appropriately detailed. The rear cycle store would be a modest structure, that would be of an acceptable design. Its position would also be acceptable. As a whole, it is considered the development would be sympathetic to the character and appearance of the Ringwood Conservation Area.
- 14.6 The proposed development would not have any material impact on the amenities of adjacent properties.
- 14.7 Under Core Strategy Policy CS15, there would be a requirement for this development to secure an affordable housing contribution. The contribution required in this case would be £30,460. However, as indicated above, planning permission is only required for this proposal on account of the building's listed status which, in turn, means that an affordable housing contribution is only required because of the building's listed status. It is felt that it would be unreasonable and unfair to require the applicant to make an affordable housing contribution, simply because the building is Listed, and therefore it is felt the affordable housing contribution should be waived.

- 14.8 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. In this case, the full habitat mitigation contribution that would need to be secured is £4100.
- 14.9 Overall, the proposed development is considered to be consistent with Local Plan policies in so far as the proposal is a well designed development that would be an appropriate use of a Grade II Listed Building. The proposed residential use would not accord with Local Plan Policy DM14, but would be justified by the site's planning history and by national planning policies and legislation. Waiving the affordable housing contribution would also be justified due to the fact that similar proposals in non-listed buildings would be exempt from the need to secure an affordable housing contribution. As such, the application is recommended for permission.
- 14.10 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.

Developers' Contributions Summary Table

Proposal:			
Habitats Mitigation			
Financial Contribution	£4100		

CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	105	105	0	£0.00
Financial and professional services	118	118	0	£0.00

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan, 1:500 Block Plan, 4188:13A, 4188:12A, 4188:14, 4188:11, HCRS/GHR/AW/01 rev 0, HCRS/GHR/AW/02 rev 0, HCRS/GHR/AW/03 rev 0, HCRS/GHR/AW/04 rev 0.

Reason: To ensure satisfactory provision of the development.

3. The new soil and vent pipe hereby approved shall be painted matt black and shall be maintained as such in perpetuity.

Reason: To safeguard the historic character and architectural interest of the Listed Building and the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management.

4. Prior to the commencement of development, large scale details of all external flues, vents and pipes and their locations on the exterior of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the approved details.

Reason: To safeguard the historic character and architectural interest of the Listed Building and the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management.

5. Prior to the commencement of development, large scale drawings and sections and details of the metal framed and structurally glazed conservation roof light shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: To safeguard the historic character and architectural interest of the Listed Building and the character and appearance of the Ringwood Conservation Area in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management.

6. Before development commences, samples or exact details of the facing and roofing materials to be used on the new cycle / bin store shall be 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 policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park.

7. Before use of the development is commenced provision for parking, for both cars and cycles, shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car and cycle parking provision for the approved development, in accordance with Policies CS1, CS2 and CS24 of the Core Strategy for New Forest District outside of the National Park.

8. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

Notes for inclusion on certificate:

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

In this case, there have been negotiations with the applicant since the application was registered, and amended plans have been submitted, which has enabled a positive recommendation to be made.

2. In discharging condition No. above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

Further Information:

Major Team

Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000

www.newforest.gov.uk

Chris Elliott
Head of Planning & Transportation
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Appletree Court
Lyndhurst
SO43 7PA

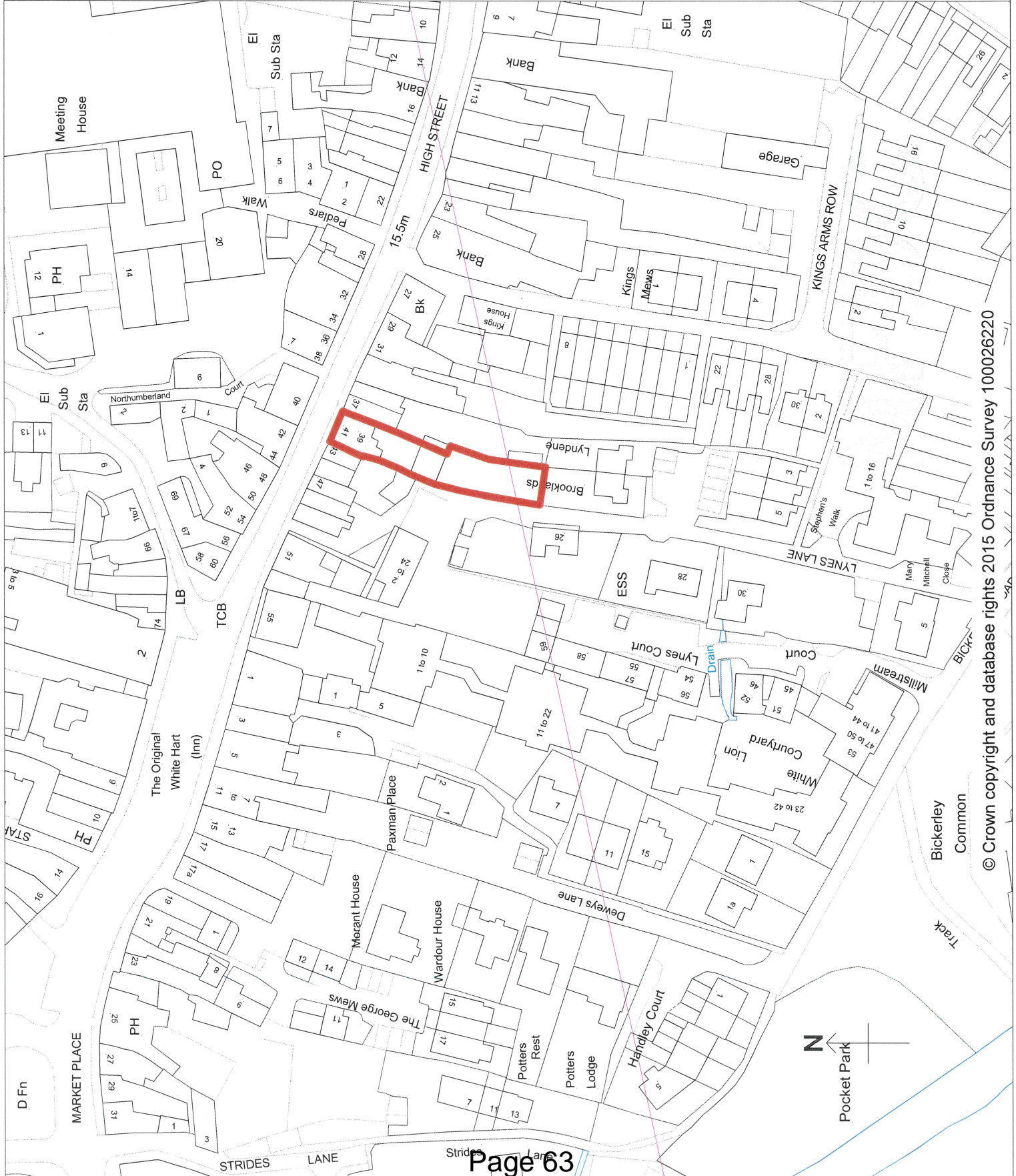
**Planning Development
Control Committee
November 2015**

Item No: 3d

39-41
High Street
Ringwood
15/10951
SU1405

Scale 1:1250

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



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Application Number: 15/11015 Full Planning Permission

Site: 51 ADDISON SQUARE, RINGWOOD BH24 1NY

Development: Retention of window alterations

Applicant: Mr Lavender

Target Date: 14/09/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS2 Design Criteria

Local Plan Part 2 Sites and Development Management Development Plan Document

None

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

Ringwood Local Distinctiveness Document

6 RELEVANT PLANNING HISTORY

15/10556 - Removal of Condition 4 of Planning Permission 15/10058 code for sustainable homes - 25/06/2015 Granted

15/10058 - House; demolition of existing - 04/03/2015 Granted

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council - recommend refusal and require the bathroom window to be obscure glazed, fixed shut, and the cill height raised to 1.7m to protect the privacy of residents of neighbouring properties

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

None

10 REPRESENTATIONS RECEIVED

Three letters have been received objecting to the windows in their new position, as they are considerably larger than those approved, set lower and substantially repositioned further to the rear of the main roof. The easternmost window gives a clear line of sight through a lounge side window, resulting in loss of privacy.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

In this case the applicant agreed to obscure glaze the bathroom window and to fit a restrictor to it to prevent full opening and inadvertent overlooking, following receipt of comments from adjoining occupiers. Whilst the offer to fit a restrictor to this window is acknowledged, it would be difficult to enforce this by way of a planning condition so it is not recommended as a condition in this instance.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Ringwood in a residential area characterised by detached dwellings, within generous curtilages. The existing dwelling is a detached bungalow, which was recently erected in place of a detached bungalow.
- 14.2 It is proposed to alter the approved bungalow through the deletion of one rooflight and the relocation of a further two rooflights in the northern roofslope. Otherwise the dwelling is exactly the same as approved under ref. 15/10058 and subsequently by 15/10556. The neighbouring properties (nos.49 and 53) are detached bungalows. The property is accessed directly from Addison Square. A condition was imposed on the previous permission requiring the easternmost rooflight on the north facing roofslope to have a cill height no lower than 1.7m above floor level. This rooflight has now been omitted from the scheme.
- 14.3 The proposal needs to be assessed only in terms of its impact upon residential and visual amenity. This assessment is under the provisions of Policy CS2 and the Local Distinctiveness Document.
- 14.4 In terms of visual impact, no adverse affect would accrue and the proposal complies with the design provisions of Policy CS2 and the Local Distinctiveness Document.
- 14.5 In terms of neighbouring privacy, the deletion of the easternmost rooflight improves the situation for no. 49 Addison Square, which has a high level window on the boundary with the application site. As far as the retained rooflights are concerned, their positions have been moved marginally, although not significantly and officers do not consider they would have any materially greater impact upon adjoining privacy than the rooflights in the previously approved scheme. However, having taken note of the representations of neighbouring parties, the applicant has agreed to obscure glaze and install an opening restrictor on the bathroom rooflight to ensure that privacy is maintained. Obscured glazing could be secured by condition.
- 14.6 Notwithstanding the applicant's agreement to fit a restrictor and to obscure glaze the rooflight, the Town Council maintain their objection as they consider the cill height should be raised to 1.7m to preserve the privacy of adjoining properties. While the cill levels of the remaining two rooflights are lower than 1.7m and their position moved marginally, compared with the previously approved scheme, they would not have any materially greater impact upon adjoining privacy. The use of obscure glazing will further improve the situation and as such the proposal complies with the amenity related provisions of Policy CS2.
- 14.7 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.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan, 1:500 Site Plan, DBR-PL51AS-06D and DBR-51AS-03D.

Reason: To ensure satisfactory provision of the development.

3. Within one month of the date of this permission, the first floor, family bathroom rooflight in the northern roofslope of the dwelling shall at all times be fitted with obscure glass, which shall be maintained in perpetuity unless the prior written approval of the Local Planning Authority is forthcoming.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

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

In this case the applicant agreed to obscure glaze the bathroom window and to fit a restrictor to it to prevent full opening and inadvertent overlooking, following receipt of comments from adjoining occupiers. Whilst the fitting of a restrictor to this window is acknowledged it would be difficult to enforce this by way of a planning condition, and so it was not recommended as a condition in this instance.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



Playing Field



L. Twr

Allotment
Gardens

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Application Number: 15/11067 Advertisement Consent
Site: 2 WEST STREET, RINGWOOD BH24 1DZ
Development: Display 4 awning signs; wall mounted letter sign
Applicant: V & G's Ristorante Italiano
Target Date: 19/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
Ringwood Conservation Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS2: Design Criteria
CS3: Protecting and enhancing our special environment
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

Ringwood Conservation Area Appraisal
Ringwood Local Distinctiveness Document

6 RELEVANT PLANNING HISTORY

- 15/11066 - Erection of a timber pergola, decking, fencing and a bin store - refused 19-10-15
- 07/89291 - Single storey side extension - approved March 2007
- 06/88909 - Single-storey side extension incorporating store and entrance way to flat – approved December 2006

06/88455 - Single-storey side extension incorporating store and entrance way to flat – refused September 2006, as the design of the single storey extension with its flat roof would be inappropriate and would detract from the architectural quality of the existing building, which would be harmful to the character and appearance of the Conservation Area.

7 PARISH / TOWN COUNCIL COMMENTS

RINGWOOD TOWN COUNCIL recommend permission. The Committee felt that in respect of the wall mounted awnings that this had been a like for like replacement, which had previously been in situ for a number of years and that permission should be granted.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

Environmental Design (Conservation) – The building in question is located in a prominent position within the historic core of the Ringwood Conservation Area. The signage scheme proposed introduces unacceptable materials and illumination that is not appropriate within the Conservation Area. It would be visible from the Market Place and would have an unacceptable detrimental impact upon the character of the Conservation Area from this point. Therefore this application for advertisement consent is not supported. That said a scheme of advertisement that omits the awnings, utilises the existing fascia board with metal cut out lettering and a simplified side sign with a more readable font may well be appropriate. A number of shops along West Street have small hanging signs which would be a more traditional form of projecting advertisement associated with this style of building. A timber projecting sign with low level illumination such as that found on pubs in the area could possibly be acceptable here subject to details being agreed.

Natural England – no objections

Hampshire County Council Highway Engineer – The proposals are for 4 awning signs together with a wall mounted sign, the application is retrospective. The awnings installed on the front elevation project a distance of 560mm over the adjacent footway and are located at a height which results in a clearance of 1.95m between the footway surface and the underside of the awning. Any such obstruction which overhangs the footway should be located so as to maintain a clearance of 2.44 metres above the surface of the adjacent footway. The awnings located on the front (south) elevation adjacent to the highway would therefore be likely to cause danger and inconvenience to users of the adjacent footway. The remaining proposals would not adversely affect users of the adjacent highway. Recommend refusal as the proposed awnings to the southern elevation by means of their siting represent a danger and inconvenience to users of the adjacent highway.

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

In this case no pre-application advice was sought from the Council on the form of development proposed. The potential concerns of the case officer were made known in the briefing note available on the Council's website. Similarly the concerns notified parties were made available to view on the Council's website, with no response from the applicant to address those concerns. In the absence of the requisite information to allay the concerns raised over character and highway impacts and in view of the limited time constraints imposed on Planning Authorities to determine applications within specified timeframes, in this instance, due to the level of harm the scheme would cause, it is not unreasonable to refuse the application.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Ringwood and is within the Ringwood Conservation Area. It is prominently located fronting West Street. The application is made retrospectively for Advertisement Consent for the display of 4 awning signs and a wall mounted letter sign. The application form suggests the signage itself would not be illuminated, although it is noted that there are 4 no. swan necked lights mounted on the front fascia of the premises, which have been in situ for some years.
- 14.2 The main issues to consider are the impact the signage has upon the character and appearance of the Ringwood Conservation Area and highway safety implications. The Council's Conservation Officer and County Highway Authority have been consulted on the proposal.
- 14.3 The building in question is an Edwardian style building with an impressive front elevation, Gables facing the street and the original timber Edwardian sash windows give the building a character that is very important given the modern building that has occurred opposite it. The front and side of the building are particularly visible from the Market Place and it is therefore placed prominently within the historic core of the Ringwood Conservation Area.
- 14.4 This application seeks to replace 4 illuminated advertisement awnings and install a new illuminated sign on the side elevation constructed of MDF to look like metal. The awnings obscure the attractive shop front that is appropriate both for the style of building and the character of the conservation area. The awnings do nothing to enhance the character of the building and could be removed easily. They are constructed of reasonably loose plastic material that will become faded over time and this material is not considered appropriate for use in a Conservation Area. The proposed side sign uses an inappropriate font that cannot be read within the street scene and it is too large for the building. The material proposed is not of the high quality expected within a Conservation Area. For these reasons the form of advertisement proposed is considered to be unacceptable and harmful to the character and appearance of the conservation area, contrary to Policies CS2, CS3, DM1 and the Ringwood Conservation Area Appraisal.
- 14.5 The Highway Authority points out that the awning signs installed on the front elevation project a distance of 560mm over the adjacent footway and are located at a height which results in a clearance of 1.95m between the footway surface and the underside of the awning. Any such obstruction which overhangs the footway should be located so as to maintain a clearance of 2.44 metres above the surface of the adjacent footway. The awnings located on the front (south) elevation adjacent to the highway would therefore be likely to cause danger and inconvenience to users of the adjacent footway.
- 14.6 In conclusion, by virtue of the impact of the proposal upon the character and appearance of the conservation area and highway safety, it is recommended for refusal.
- 14.7 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of

possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

15. RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

Reason(s) for Refusal:

1. The form of advertisement proposed is contrary to Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park, Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document, the Ringwood Conservation Area Appraisal and Ringwood Local Distinctiveness Document, as the awnings are finished in a plastic material and a font which are considered inappropriate in a conservation area. Furthermore the awnings obscure an attractive shop front which is prominently sited within the conservation area. Consequently the proposal is harmful to the character and appearance the historic core of the Ringwood Conservation Area.
2. The awnings on the southern (front) elevation of the premises, by means of their siting and height above adjoining pavement level, represent a danger and inconvenience to users of the adjacent highway, contrary to Policy CS24 of the Core Strategy for the New Forest District outside the National Park.

Notes for inclusion on certificate:

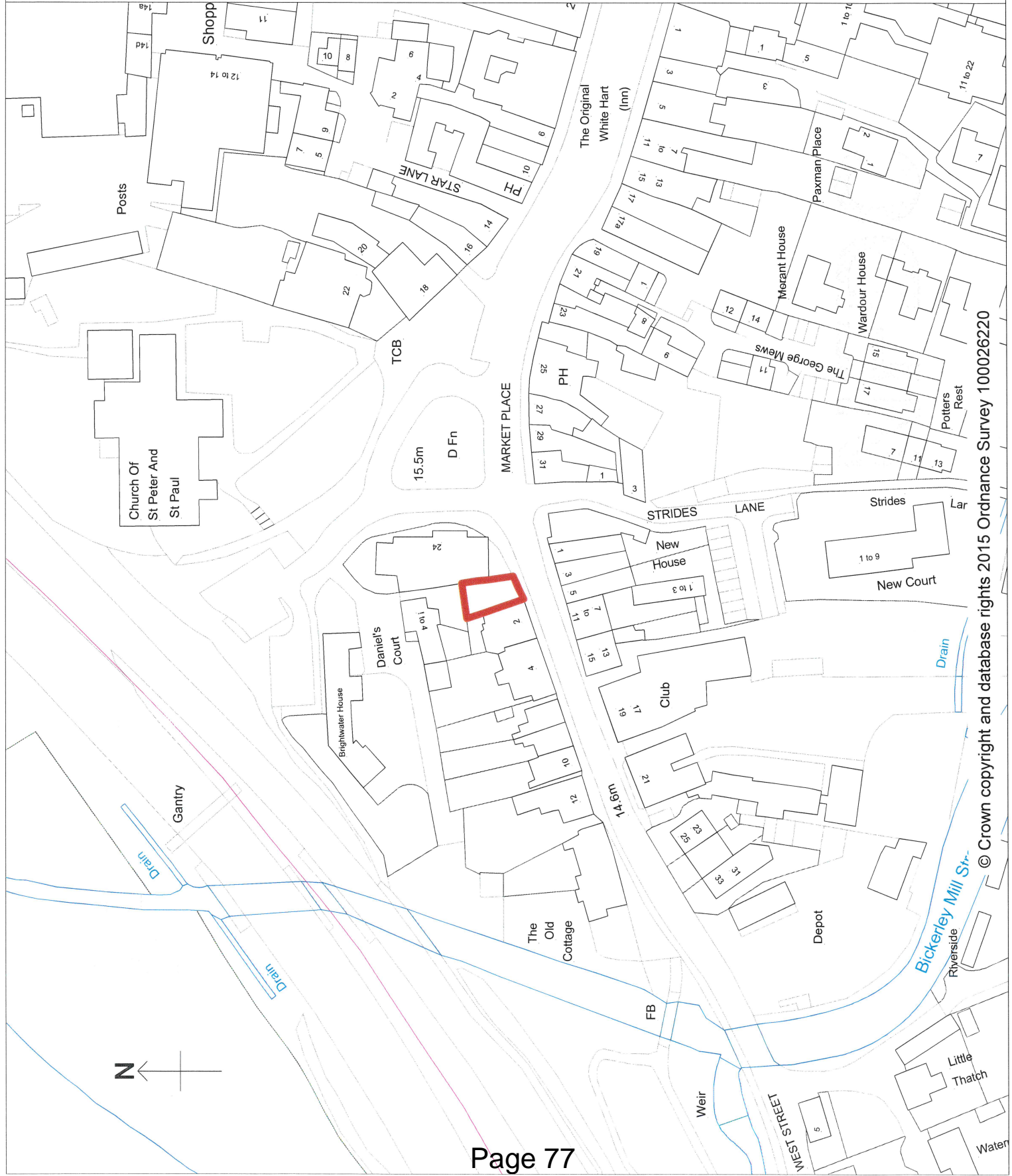
1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising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

In this case no pre-application advice was sought from the Council on the form of development proposed. The potential concerns of the case officer were made known in the briefing note available on the Council's website. Similarly the concerns of notified parties were made available to view on the Council's website, with no response from the applicant to address those concerns. In the absence of the requisite information to allay the concerns raised over character and highway impacts and in view of the limited time constraints imposed on Planning Authorities to determine applications within specified timeframes, in this instance, due to the level of harm the scheme would cause, it was not unreasonable to refuse the application.

Further Information:

Major Team

Telephone: 023 8028 5345 (Option 1)



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Application Number: 15/11303 Full Planning Permission
Site: 9 ELVIN CLOSE, HORDLE SO41 0GY
Development: Use as 2 dwellings; create separate front door
Applicant: Mr Clinkleberry
Target Date: 30/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Councillor view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS7: Open spaces, sport and recreation
- CS10: The spatial strategy
- CS15: Affordable housing contribution requirements from developments
- CS24: Transport considerations
- CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM3: Mitigation of impacts on European nature conservation sites

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Hordle Village Design Statement

6 RELEVANT PLANNING HISTORY

- 6.1 83/NFDC/25466 - erection of bungalow and garage with construction of pedestrian/vehicular access. Refused 24.1.84, appeal allowed
- 6.2 11/97162 - create first floor, dormers, rooflights, two-storey front extension. Granted 23.9.11
- 6.3 15/10633 - raise roof, front dormers, rear rooflights and windows in association with new first floor, two-storey front extension, front porch, detached garage. Granted 6.7.15

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council - recommend refusal but would accept a delegated decision. Concern about over development of the site and whether garage/site drawings are accurate.

8 COUNCILLOR COMMENTS

Councillor Lovelace - object. Parking is chaotic and dangerous locally and two houses will mean more cars.

9 CONSULTEE COMMENTS

- 9.1 Land Drainage - no comment
- 9.2 Hampshire County Council Highway Authority - no objection subject to condition

10 REPRESENTATIONS RECEIVED

Objections have been received from 20 local residents concerns with the following:

- inadequate parking provision
- scale of the building is too big
- concern with emergency vehicle access (due to serious fire nearby in the past)
- parking is already difficult
- the applicants/architect have used a loop hole and residents feel deceived
- object to two houses
- existing built form is completely out of character
- additional cars cannot be accommodated within the close
- work has continued at weekends and in the evening
- entrance to Close is difficult due to overgrown trees and bushes
- the applicants have more vehicles than can be accommodated
- residents of the Close were not informed of the original application
- surprising the bungalow was granted permission
- people working in the area park in the Close
- site not big enough to include turning space
- existing property was only allowed on appeal subject to it being kept small
- additional dwelling will mean more cars and more parking needed

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £1152 in each of the following six years from the dwellings' completion, and as a result, a total of £6,912 in government grant under the New Homes Bonus will be received.

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development has a CIL liability of £0.

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

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

Following an objection from the Highway Authority, additional information was provided to demonstrate that the site can accommodate an adequate number of parking spaces.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Hordle in a residential area. The existing property has recently been extended through the provision of accommodation in a new roof form which was initially granted consent in 2011 with variation of this gaining consent earlier this year. There is mature hedging to the front and rear boundaries of the site with further vegetation to the east and west boundaries. The proposal entails the conversion of the new structure into two 2-bed dwellings with the only physical change being the provision of an additional front door to the front elevation.
- 14.2 With regard to residential amenity, subject to the windows shown as being obscure glazed remaining so and rooflights having 1.7m high cills, the proposal would not affect the privacy of the houses behind in Stoneleigh Avenue. Visually, the alteration would be hidden behind the existing front boundary hedge and would provide a more balanced appearance to the front elevation.
- 14.3 The application shows that each dwelling would have a garage and further parking space available for their use. The Highway Authority has accepted that this is adequate subject to the spaces remaining in perpetuity. Most objections received have made reference to the parking situation in the area. Elvin Close is the access to a parking area to the rear of the Stopples Lane shops where residents of the flats above these units are able to park. It is unclear where other residents of Elvin Close park although there are not many dwellings in Elvin Close. Other surrounding properties are generally terraced and have parking courtyards and garaging. It is noted that one such property in Stoneleigh Avenue has a vehicular access off Elvin Close rather than using any parking in the associated garage courtyard.
- 14.4 In conclusion, the proposal would provide adequate parking for the additional unit. While it would not resolve current problems, it would not make them any worse than the existing situation. Residential amenity would not be harmed by the proposed subdivision of the dwelling and the proposed changes to the building are minimal and would not affect visual amenity.
- 14.5 There is no increase in floor space which means that the proposal is not CIL liable. However, in accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard.
- 14.6 In conclusion, it is recommended that the use of this building as two dwellings, with minimal external changes would be appropriate to the character of the area with no adverse implications for neighbouring

property. The level of parking provision would be acceptable in this location.

- 14.7 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.

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution			
Habitats Mitigation			
Financial Contribution	£3,050	£3,050	0

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

- 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.
- The first floor windows on the north (rear) elevation of the approved extension shall at all times be glazed with obscure glass and fixed shut.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

3. No other windows or rooflights other than those hereby approved shall be inserted into the north (rear) elevation of the dwelling unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. The development hereby permitted shall not be occupied until the spaces shown on plan 271-12-16 for the parking and garaging of motor vehicles have been provided. The spaces shown on plan 271-12-15 for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

5. The development permitted shall be carried out in accordance with the following approved plans: Access Statement, 271-1-15, 271-2-15, 271-3-15, 271-4-15, 271-5-15, 271-6-15, 271-7-15, 271-8-15, 271-9-15, 271-10-15, 271-11-15, 271-12-16.

Reason: To ensure satisfactory provision of the development.

6. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (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 maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) 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 New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

Notes for inclusion on certificate:

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

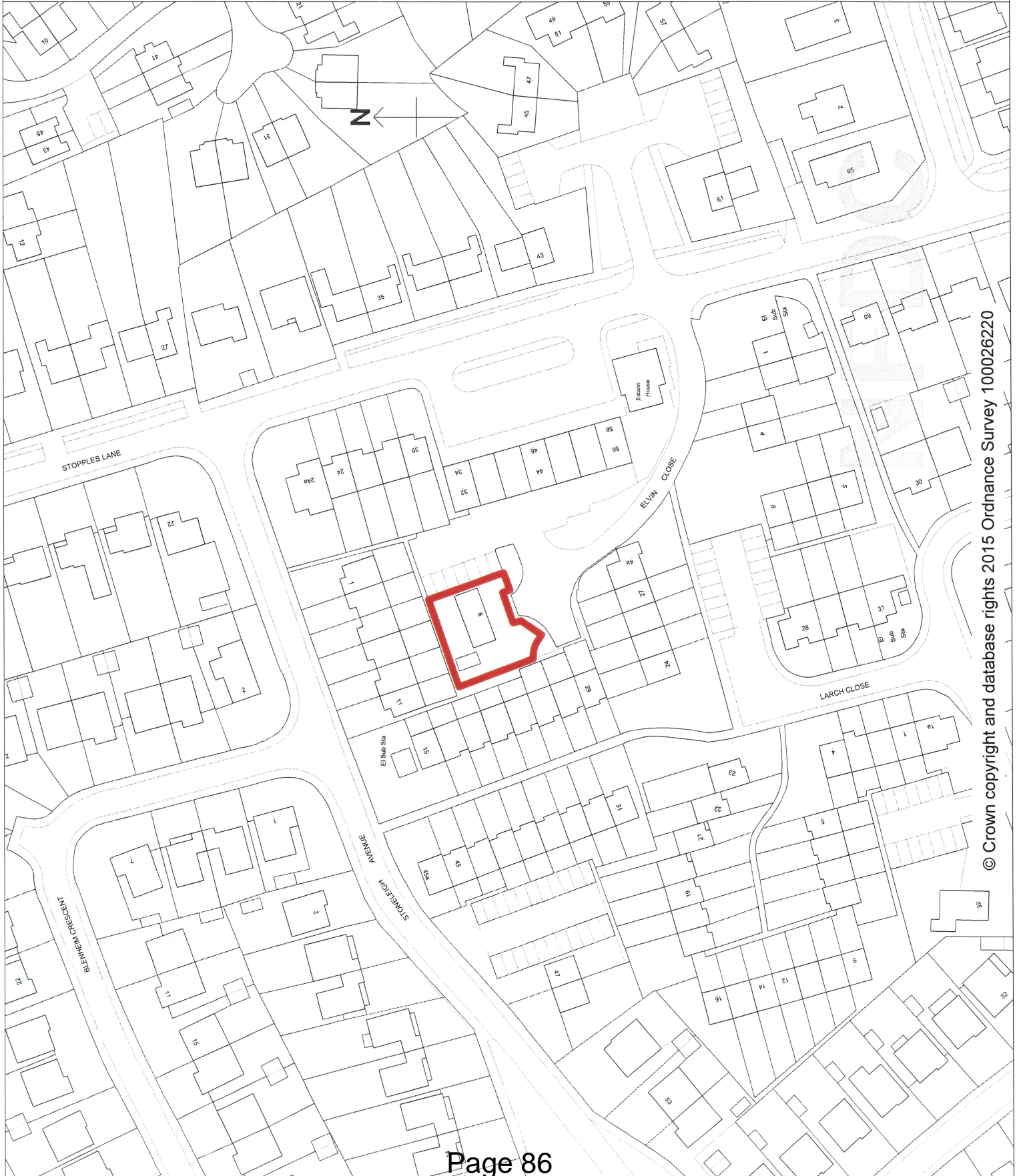
Following an objection from the Highway Authority, additional information was provided to demonstrate that the site can accommodate an adequate number of parking spaces.

2. In discharging condition No.6 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

Further Information:

Major Team

Telephone: 023 8028 5345 (Option 1)



Application Number: 15/11306 Full Planning Permission

Site: 232 EVERTON ROAD, HORDLE SO41 0HE

Development: Gates; rooflight; cladding

Applicant: Mr & Mrs Finch

Target Date: 02/11/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt
Plan Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
7. The countryside

Policies

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

DM20: Residential development in the countryside

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework NPPF Ch. 7 - Requiring good design
NPPF Ch. 9 - Protecting Green Belt land

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Hordle Village Design Statement

6 RELEVANT PLANNING HISTORY

15/10651 First floor front window granted subject to conditions 30/06/2015
15/10071 Detached garage with workshop 10/03/2015
14/11509 Single storey rear extensions (Prior approval application) GPD approved 26/11/2014
14/11423 Single storey rear extension (Lawful Development Certificate that permission is not required) withdrawn by applicant 30/10/2014

14/11094 Rooflights in association with new first floor, roof alterations, rear Juliet balcony, fenestration alterations granted subject to conditions 6/10/2014

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council: Recommend refusal

Concerns that this was out of keeping with the street scene and contrary to the Hordle Village Design Statement. RBE06 Elevated frontages. High close boarded fences, high brick walls, piers and ornate gates that prevent views or add a feeling of suburbanisation, do not fit in with the character of the more rural parts of the Parish and should be discouraged.

Following further information from agent as to the style of gates, advising that these would be palisaded, the Council reconsidered the application, but decided that their initial response should stand.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Land Drainage: no comment

10 REPRESENTATIONS RECEIVED

1 objection:

- object to use of vertical wood cladding, will give it the appearance of a shed or scout hut

Correspondence from agent:

- clarification of design of gates which are to be slatted, which would allow for visibility

11 CRIME & DISORDER IMPLICATIONS

Not applicable

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.

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

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 The application site consists of a detached dwelling, which is currently being extended following recent permissions. The dwelling is sited amongst a small group of detached dwellings, varying in style, fronting Everton Road.
- 14.2 The original proposal incorporated an element of cladding, but the current proposal is to clad the entire exterior walls in vertical cladding. The use of this material would be different to the more traditional materials used on the neighbouring properties, but the plans indicate that the cladding would be left to silver which would reduce the impact of the resulting building within the street scene. Furthermore, there are no special constraints in this area relating to the use of cladding, so at a later date the building could be totally clad without the benefit of requiring consent.
- 14.3 This application also proposes gates to the front boundary. These would be positioned at the existing vehicular access to the site, and would be set in. The form and height of the gates would be appropriate in this location, especially as the front hedge would be retained.
- 14.4 An additional rooflight serving the first floor bedroom is proposed on the side elevation, facing no 234 Everton Road. It is noted that the cill height of this window would be quite low which would allow views into the rear garden area of the neighbouring property, when the window is opened. The potential overlooking though could be mitigated by an appropriate condition to fix shut this window, and as there are other windows serving this main living space it would not be unreasonable to apply this.
- 14.5 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.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: LP01, PE01, PP01, EE01, EP01

Reason: To ensure satisfactory provision of the development.

3. The first floor rooflight on the north-east elevation of the approved building shall at all times be fixed shut.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

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

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



Application Number: 15/11168 Full Planning Permission

Site: THE HOUSE MARTIN PUBLIC HOUSE, CHRISTCHURCH
ROAD, NEW MILTON BH25 6QF

Development: Vehicle access from Sea Road; carpark alterations & extension;
landscaping; create front beer garden; extend rear yard; external
cladding; fenestration alterations; replacement windows; fit
shutters; form gable end to roof; 4m high pole mounted lights;
lighting

Applicant: Hall & Woodhouse

Target Date: 13/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles
- CS2: Design quality
- CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - New Milton Local Distinctiveness

6 RELEVANT PLANNING HISTORY

The pub has a varied history including alterations to the main building, none of which are particularly relevant to the current proposals.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council - recommend refusal and would not accept a delegated decision. Proposed access is dangerous, yard extension, access and parking detrimental to amenity and lights would cause light pollution.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

9.1 Hampshire County Council Highway Engineer - no objection subject to condition

9.2 Land Drainage - request informatives

9.3 Environmental Health (Commercial) - no comments

9.4 Environmental Health (Contamination) - no concerns

10 REPRESENTATIONS RECEIVED

Objections have been received from 2 local residents concerned with:

- proposed access close to a bus stop and busy delivery lay by opposite
- current rat infestation in yard area
- use of access would be dangerous, cause congestion and make access to adjoining properties awkward

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.

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

The applicant has been kept fully aware of comments received and amendments to the scheme have been submitted in order to address concerns raised.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Barton on Sea in an area which contains residential, commercial and recreational uses. The pub is part single, part two-storey and has a garden to the rear of the building with additional, external seating to the front adjacent to the access through to the car park. There is a pedestrian access onto Sea Road with vehicular access off the service road parallel to Christchurch Road.
- 14.2 The proposal entails the provision of a new vehicular access onto Sea Road with associated car parking layout alterations, a new area of garden to the front of the building, the provision of a gable to the front elevation, window alterations, partial cladding to the building and the provision of shutters to the windows. There would also be some changes to the location of the security lighting in the car park.
- 14.3 Visually, the proposed elevational alterations to the building would have a limited impact on the street scene and the new gable would reflect the existing front gable. Provision of stone slips to this section would add character to the relatively modern building. The applicant has clarified existing and proposed tree planting around the site which, together with the existing hedge to the front and side boundaries, would help to maintain a soft appearance.
- 14.4 With regard to residential amenity, the service yard is to remain as existing with more formal parking spaces laid out adjacent to the boundary with no.3 Sea Road. At present, parking could occur along this boundary in any case although the spaces are not all marked out. The new lighting posts are in similar locations to those in situ and these aspects of the proposal should not give rise to additional harm to the occupants of this property.

- 14.5 The provision of an additional garden area to the front of the pub should not harm the residential amenities of the neighbours given there is already a pub garden on site. This new area would be adjacent to the main A337 and would be screened from adjoining occupiers by close boarded fencing or the pub itself.
- 14.6 The existing access would remain together with a revised parking layout to the east although the main car park would be cut off from this access due to the new garden area. The provision of a new access onto Sea Road has raised some concern from locals given the car showroom use and associated transporter lay by opposite and proximity of a bus stop. However, the application has been supported with information advising that the transporter deliveries occur once a fortnight and the bus stop has hourly calls most of the time except for a couple of hours in the afternoon during holiday periods where buses arrive every half an hour. There are also double yellow lines along the eastern side of Sea Road and signs stating no loading at any time.
- 14.7 The Highway Authority has not raised any objections to the proposed access and is satisfied that the new car park layout will allow service vehicles to access and turn within the site. Conditions are recommended to ensure the retention of parking and turning within the site.
- 14.8 In conclusion, this proposal is considered to offer an improvement on the existing situation in visual terms and the access changes would be acceptable in terms of highway safety.
- 14.9 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.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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

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

2. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :
- (a) the existing trees and shrubs which have been agreed to be retained;
 - (b) a specification for new planting (species, size, spacing and location);
 - (c) areas for hard surfacing and the materials to be used;
 - (d) other means of enclosure;
 - (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

3. Before the use of the development is commenced, the parking spaces shown on plan 2CD01601-PRPL revD shall be provided. They shall be retained and kept available for car parking for the pub all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

4. Before use of the development is commenced provision for turning to enable vehicles to enter and leave in a forward rear shall have been provided within the site in accordance with plan no.2CD01601-PTCA revA and shall be retained thereafter.

Reason: In the interests of highway safety and in accordance with policy CS2 of the New Forest District Council Core Strategy.

5. The development permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, 2CD01601-STPL, north elevation - 1, east elevation - 2, west elevation - 3, lettering signs - 4, lamps - 5, hanging signs - 6, ground signs - 7, wall and window graphics - 8, plan indicating signs - 9, 2CD01601-EXPL revA, 2CD01601-PRPL revD, 2CD01601-PTCA revA, 2CD01601-EXEL revB, 2CD01601-BLPL, 2CD01601-PREL revB.

Reason: To ensure satisfactory provision of the development.

Notes for inclusion on certificate:

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

The applicant has been kept fully aware of comments received and amendments to the scheme have been submitted in order to address concerns raised.

2. You are advised that connection to a foul sewer is not usually permitted as foul sewers are not designed to take surface water. The Water Company's permission would be required.
3. You are advised that when considering the details for condition 2 above, the car park must be constructed of permeable material in order to prevent properties and gardens flooding.
4. The applicant should be aware of the requirement to apply to the highway authority for the appropriate licence in respect of any works within the highway.

Further Information:

Major Team

Telephone: 023 8028 5345 (Option 1)



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Application Number: 15/11169 Advertisement Consent

Site: THE HOUSE MARTIN PUBLIC HOUSE, CHRISTCHURCH
ROAD, NEW MILTON BH25 6QF

Development: Display non-illuminated signs - 3 letter signs; 2 fence mounted signs; 4 post mounted signs; 1 V post mounted sign; window graphics; Illuminated signs - 2 of 4m high post mounted hanging signs; 1 letter sign & birds; 20 down lights; 2 floodlights; 2 lantern lights

Applicant: Hall & Woodhouse

Target Date: 13/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

- CS1: Sustainable development principles
CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
Achieving Sustainable Development
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - New Milton Local Distinctiveness

6 RELEVANT PLANNING HISTORY

04/80756 - various illuminated and non-illuminated signs. Granted 26.4.04
04/81961 - retention of floodlighting and CCTV. Granted 23.8.04

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council - recommend refusal and would not accept a delegated approval. The signage would appear cluttered.

8 COUNCILLOR COMMENTS

Councillor Beck has no problems with this proposal

9 CONSULTEE COMMENTS

9.1 Environmental Health (Contamination) - no objections

9.2 Hampshire County Council Highway Engineer - no objections

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
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- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.

- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 The site lies within the built up area of Barton on Sea in an area containing residential, commercial and recreational uses. The existing part single part two-storey pub has a variety of signage at present and additional/replacement signage is now proposed in association with changes to the building and car park layout/access.
- 14.2 The majority of the signs/lights proposed are to replace existing signs as follows:
- the writing to the existing front gable which would be lit from a floodlight at the top of the gable above rather than a troughlight below which would be removed. Together with the cladding of the lower part of this elevation, the main front gable would be more streamlined.
 - a replacement lantern light above the front and east entrances. This would have a limited impact visually.
 - replacement gallows signage to the front. This would be closer to the existing access point, replacing one of the Housemartin Entrance signs and, in this location, would provide more of a separation between it and additional signage (detailed below). It would have just two hanging signs at the top of the post as the 'food all day' sign on the existing post would be removed.
 - directional signage adjacent to the east side of the existing access. At present a single sign directs customers to the entrance. The proposed signs would be in a 'V' shape directing people to additional parking.
 - lettering and birds to the western elevation. The birds would replace existing wording and a troughlight would be removed resulting in a more attractive elevation. Four wall lights would remain.
 - 4m high lighting columns. The existing car park has high level lighting at present. The proposed columns would be slightly relocated in order to account for the changes proposed to the car parking layout.
- 14.3 The above alterations overall would have a limited impact on the visual amenities of the area as they largely replace existing lights or signs. The removal of the trough lights results in a cleaner appearance.
- 14.4 Additional signage and lighting includes the following:
- 'welcome' above the entrances. This wording is unlikely to give rise to visual harm.

- 18 'up and down' wall lights to the front and eastern elevations. The existing building has several wall lights at present, some of which would be replaced by the provision of these. The house to the east has 2 side windows (one at first floor level) and is screened by a 1.8m high close boarded fence. Given there are already lights and an entrance on this side of the pub, it is not considered that the up/down lights would harm their amenity.
- new lettering to the proposed gable and a flood light above. This lettering would have a limited impact and the floodlight would match that proposed for the existing gable, illuminating the front elevation of the building.
- disclaimer signs regarding use of the car park and garden areas. These signs are low key and would not be particularly visible from outside of the site.
- a new gallows sign on the corner of Sea Road. This sign would match the replacement one proposed at the side of the existing access, approximately 61m away along the front boundary. It would be located in a similar position to the existing floodlight post (which would be moved further into the corner of the site).
- directional signage on the new access. This would be similar to the two signs either side of the existing access and would be the only signs to the Sea Road frontage.
- directional signage to the Christchurch Road boundary roughly half way between the two gallows signs. The boundary is angled at this point and the signs directing customers to the parking, would be visible from traffic passing in either direction.
- birds etched into an existing glazed area. This would reflect the birds to be provided on the west elevation and would add interest to the large glazed area.

14.5 While there are some additional signs proposed, they are well spaced out and would be sited as expected i.e. by the entrances. The site has several small trees inside the boundary hedge and, although one would have its crown lifted in order to provide space for two of the signs and some would be removed, new planting is proposed which would help in softening the impact of the signage and parking area behind. Overall, the signage is well detailed and, together with the elevational alterations proposed to the building, would have a positive impact on the visual amenities of the area.

14.6 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.

15. RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Notes for inclusion on certificate:

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

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



Application Number: 15/11191 Full Planning Permission

Site: GINA, RINGWOOD ROAD, SOPLEY BH23 7BE

Development: One & two-storey front, side & rear extensions

Applicant: Mr Woodrow

Target Date: 15/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Parish Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Countryside outside the New Forest

Green Belt

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

DM20: Residential development in the countryside

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework
NPPF Ch. 7 - Requiring good design
NPPF Ch. 9 - Protecting Green Belt land

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

Residential Design Guide for Rural Areas of the New Forest District

6 RELEVANT PLANNING HISTORY

79/12351 Alterations and addition of toilet and extension to conservatory granted permission 15th February 1979

7 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council recommend permission.

Although this is a sizable extension to the rear and side, there is already a great deal of diversity in style and size as mentioned by the officer. The proposals do not seem out of line with the neighbouring properties, nor encroach upon them. Modification of this dwelling will improve the general outlook as this is one of the more dated properties along the road.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Land Drainage - no comment

10 REPRESENTATIONS RECEIVED

No comments received.

11 CRIME & DISORDER IMPLICATIONS

No relevant implications

12 LOCAL FINANCE CONSIDERATIONS

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

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

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

The applicant did not use the Pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the scale of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

14 ASSESSMENT

- 14.1 The property is a detached two storey dwelling located within an area designated within the Local Plan as Countryside outside the New Forest. To the other side of the road are open fields which form part of the Green Belt. There is a mixture of sizes and styles of properties along this road with larger properties on either side of the application site. The front boundary consists of a low wall and high fences form the boundaries to the rear.
- 14.2 The main considerations when assessing this application are the impact on the neighbouring property and on the Countryside and Green Belt. While the property is not within the green belt area there is still a requirement to consider any impact on this designated area, which is opposite the site.
- 14.3 The neighbouring property to the south, Multum in Parvo, was rebuilt following planning consent in 2001. A detached garage is positioned to the rear, close to the shared boundary. The proposed two storey side extension would bring the built form closer to this neighbour but, given that there would still be a spatial gap between the properties, the impact on this neighbour's amenity would be acceptable.
- 14.4 The property is located within an area designated as Countryside outside the New Forest and to safeguard the long term future of the countryside the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Policy DM-20 of the Local Plan Part 2, Sites and Development Management Plan, seeks to limit the increase of floorspace allowed to 30% from the floorspace in July 1982. The total increase in floorspace from the proposed extension would be 51%. This would be contrary to Policy and would have a harmful impact on the Countryside.

- 14.5 The neighbouring properties on both sides are both fairly large dwellings which have been increased in size following planning consent. Having looked at the history of these properties the increase in floor space was within the limits set by local policies.
- 14.6 It is appreciated that there are large properties either side of the application site but the proposed side extension would create a property with a width of 11 metres. The resulting property would be excessive in width and would appear bulky and visually intrusive in this location. Also the proposed significant enlargement of the dwelling in this rural location would be contrary to the objectives of the adopted local plan. Therefore the application is recommended for refusal.
- 14.7 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.

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed development, by reason of its excessive bulk, would result in an excessively wide and bulky property which would be harmful to the character and appearance of the countryside and Green Belt in which the site is located. For this reason, the proposal is contrary to policy CS2 of the Core Strategy for the New Forest District outside the National Park and the core principles number 7, Requiring good design, and number 9, Protecting Green Belt Land, of the National Planning Policy Framework
2. In order to safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan seeks to limit the proportional increase in the size of such dwellings recognising the benefits this would have in minimising the impact of buildings and human activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside and contrary to Policy DM20 of the Local Plan Part 2: Sites and Development Management Plan.

Notes for inclusion on certificate:

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

The applicant did not use the Pre-application advice service available from the Council. The Officer's initial briefing was published on the Council's website which indicated some of the Case Officer's concerns with the proposal. Given the scale of the proposal and the issues raised there was no opportunity for the applicant to amend the application within the Government's time scale for decisions. No request to withdraw the application was received.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



Application Number: 15/11242 Advertisement Consent

Site: UNIT 6 PARKLAND PLACE, 39-41 OLD MILTON ROAD,
NEW MILTON BH25 6DJ

Development: Display illuminated fascia sign; non-illuminated post mounted sign;
canopy (Application for Advertisement Consent)

Applicant: Mitchells Management

Target Date: 16/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Town Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

Town Centre Boundary

Secondary shopping frontage

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

No relevant policies

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

New Milton Local Distinctiveness Supplementary Planning Document

6 RELEVANT PLANNING HISTORY

15/10440 Display two internally illuminated fascia signs; one post-mounted sign (Application for Advertisement Consent) 20/05/2015 Refused

10/95392 Display 1 internally illuminated fascia sign 01/06/2010 Granted Subject to Conditions

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council recommend refusal.

1. The non-illuminated post mounted sign is set so high that it obscures the flower bed and is detrimental to the street scene.
2. The illuminated fascia sign with canopy over will not prevent light pollution escaping from the left side into the sitting room and the illumination is oppressive in the street scene.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Environmental Health - The amended application appears to have addressed the concerns of the Environmental Health Officer raised in the previous application. It is recommended conditions are applied to any approval for the sign to be installed in accordance with the plans and that the illumination is restricted to opening hours.

Hampshire County Council Highways - no objection

10 REPRESENTATIONS RECEIVED

One letter of objection from neighbour at Flat 12, Parkland Place because two thirds of the fascia sign at unit 6 is attached to the wall of Flat 6 and is much larger and higher than the signs on the other commercial units at Parkland Place. The canopy is also attached to Flat 6 and they have not been given permission for the sign or canopy to be attached to the flat. The post mounted sign is extremely large and dominates the forecourt making the building look very commercial rather than residential.

One letter commenting that a consultation letter was not received.

11 CRIME & DISORDER IMPLICATIONS

No relevant implications

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
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- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 The premises consist of a commercial unit currently occupied by a letting agent at ground floor with a flat above. The site is located within New Milton Town Centre on a corner location where Elm Avenue meets Old Milton Road. There are a number of commercial units and retail stores in the locality along with residential properties. There is a fairly large forecourt area in front of the units for pedestrian use only.
- 14.2 The main considerations when assessing this application are the impact on the local amenity and highway safety. This application follows a recent proposal which was refused. This current scheme has removed one of the illuminated signs, repositioned the main fascia and added a canopy to screen the illumination.
- 14.3 There is a variety of signs in the area, with some being illuminated. A previous application for illuminated signage was approved in 2010, however this was for a smaller sign.

- 14.4 The applicant has indicated within their supporting statement that they would accept the illumination being turned off outside of office hours and therefore any approval could be conditioned to this affect.
- 14.5 Environmental Health were consulted regarding the impact on the occupiers of the flat above and have advised that as the smaller illuminated sign has been removed and the larger illuminated sign has been mitigated with a canopy over the amended application appears to have addressed their concerns. Whilst there might be light spillage to the front of the premises the applicant has offered mitigation so that the sign is only illuminated during opening hours. Therefore Environmental Health have no objection provided conditions are applied to any approval for signs to be installed in accordance to the plans submitted and the hours of illumination are restricted to opening hours.
- 14.6 A neighbour has indicated that the applicants do not have consent to install the signs on the wall shared with the occupiers of the flat above. However the applicants did write during the last application to confirm that they had the permission of the land owner. Therefore there is no reason to believe that this is not the case and if it is not it would be a legal issue and not a planning concern.
- 14.7 A neighbour and the Town Council have objected to the post mounted sign as it obscures the flower bed and is detrimental to the street scene. This sign is positioned on a boundary wall closest to the neighbour at number 29. Given its low overall height and angle to the road it is not visually intrusive on the street scene and therefore does not have a detrimental impact on local amenity.
- 14.8 The reduction in the number of illuminated signs would be an improvement while the main fascia sign is still fairly large and appears somewhat bulky with the added canopy, given that it has been lowered, taking into account the Town Centre location and wider context, the impact on local amenity would not be sufficiently harmful to warrant refusal. Therefore the application is recommended for approval.
- 14.9 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.

15. RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Proposed Conditions:

1. The amended proposals shall be implemented before the expiration of two months 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. The development permitted shall be carried out in accordance with the following approved plans: 1731-1 A, 1731-2 A, 1731 - 3 A & 1731-3 A

Reason: To ensure satisfactory provision of the development.
3. The lighting hereby permitted shall only be utilised during the opening hours of the premises which are 8am to 6pm Monday to Saturday.

Reason: To safeguard the visual amenities of the area / the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council

takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Chris Elliott
Head of Planning & Transportation
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee
November 2015**

Item No: 31

Unit 6 Parkland Place
39-41 Old Milton Road
New Milton
15/11242
SZ2494

Scale 1:1250

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



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