

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 11 APRIL 2018, AT 9.00 AM*

Place: THE COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Jan Debnam
email: jan.debnam@nfdc.gov.uk

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**

Bob Jackson
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

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 March 2018 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) **54 Belmore Lane, Lymington (Application 17/11702) (Pages 1 - 16)**

2 detached two storey houses; 3 garages; landscaping; new access

RECOMMENDED:

Grant permission subject to conditions

- (b) **Ashlett Court, The Square, Fawley (Application 18/10164) (Pages 17 - 26)**

Use as 2 flats; replacement front single-storey extension; window and door alterations; boundary wall and gate; use of land for 4 parking spaces

RECOMMENDED:

Grant permission subject to conditions

4. DELEGATION OF POWERS TO OFFICERS

To reflect changes to the legislation additional powers need to be delegated to the officers in order to implement the new requirements. The delegation of powers to officers allows the Council to operate efficiently within defined policy.

RECOMMENDED:

That the following powers be delegated to the officers shown.

Source	Power delegated	Delegated to
Planning (Listed Buildings and Conservation Areas) Act 1990 (s 26H); Planning (Listed Buildings) (Certificate of Lawfulness of Proposed Works) Regulations 2014	After having ensured that all statutory requirements have been complied with, to authorise, in writing, persons to determine Certificates of Lawfulness of Proposed Works to a Listed Building under the provisions of the Act.	Executive Head, or Service Manager or Development Control Team Leader, or Principal Planning Officer

5. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To:	Councillors: W G Andrews (Chairman) P J Armstrong (Vice-Chairman) Mrs S M Bennison Mrs F Carpenter Ms K V Crisell A H G Davis R L Frampton A T Glass L E Harris D Harrison	Councillors: Mrs M D Holding J M Olliff-Cooper A K Penson Mrs A M Rostand Miss A Sevier M H Thierry Mrs B J Thorne R A Wappet Mrs P A Wyeth M L White
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STATUTORY TESTS

Introduction

In making a decision to approve or refuse planning applications, or applications for listed building 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.

Considerations relevant to applications for residential development

The National Planning Policy Framework (NPPF) set out the Government's planning policies for England and how these are expected to be applied by Local Planning Authorities. These policies are a material consideration in planning decisions.

In relation to housing development, paragraph 47 of the NPPF requires a council's Local Plan to meet the full, objectively assessed needs for market and affordable housing and to identify a five year supply of housing land against its housing requirement. This Council's latest assessment of housing need, as set out in its Strategic Housing Market Assessment (SHMA) indicates a level of need which is considerably in excess of that on which the current Local Plan requirement is based. A new housing requirement figure will be established as part of the Local Plan Review and in this respect it is anticipated that the submission of the Local Plan will be reported to the Council in March 2018. Until then, the level of housing need in the District is sufficiently above the level of housing supply to know that a five year supply of housing land when objectively assessed is not currently available.

In these circumstances, paragraph 14 of the NPPF advises that planning permission for housing development should be granted unless any adverse impacts of doing so would "*significantly and demonstrably outweigh the benefits*" when assessed against the policies of the NPPF as a whole or unless specific policies in the NPPF indicate development should be restricted e.g. Green Belt. This is known as the 'tilted balance' in favour of sustainable development.

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 £1,224 per dwelling or £7,344 over six years.

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Application Number: 17/11702 Full Planning Permission

Site: 54 BELMORE LANE, LYMINGTON SO41 3NN

Development: 2 detached two storey houses; 3 garages; landscaping; new access

Applicant: Ms Stephen

Target Date: 13/02/2018

RECOMMENDATION: Grant Subject to Conditions

Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

Request of Member of Planning Committee

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

Land to the rear of site in Flood Zone 2/3

Tree Preservation Orders

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

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

3. Housing

5. Travel

6. Towns, villages and built environment quality

Policies

CS1: Sustainable development principles

CS2: Design quality

CS6: Flood risk

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

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

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

6 RELEVANT PLANNING HISTORY

- 6.1 4 houses, 2 detached garages, parking, access (14/11650) Refused on the 4th Feb 2015
- 6.2 Raise ridge height, front and rear dormers in association with second floor, rooflights, single storey rear extension, front porch, detached garage, fenestration alterations (17/10044) Granted with conditions on the 21st March 2017

7 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend permission. Applicant to agree a boundary planting schedule. Details regarding the pumping system are agreed with NFDC before the application is agreed. Conditions recommended to preclude future permitted development either to any extension to the hip gable and the insertion of dormers to the roof of house two.

8 COUNCILLOR COMMENTS

Cllr White: request application go to Committee

9 CONSULTEE COMMENTS

- 9.1 Southern Water: no objection subject to conditions
- 9.2 Hampshire County Council Surface Water: no comment
- 9.3 Natural England: no objection subject to appropriate mitigation
- 9.4 Waste Management (NFDC): comment only
- 9.5 Tree Officer: no objection subject to conditions. The proposal will not adversely impact on trees
- 9.6 Land Drainage: no objection subject to conditions
- 9.7 Hampshire County Council Highway Officer: the proposed development will not impact on Public Highway Safety and considerable car parking is made available.
- 9.8 Environment Agency: no objection
- 9.9 New Forest Ecologist: no objection subject to conditions

Comments in full are available on website.

10 REPRESENTATIONS RECEIVED

10.1 1 letter of support

10.2 14 letters of objection concerned that the proposed development is out of character. Concerns over the scale and size of the proposed dwellings, in particular their height. The proposed dwellings will be overbearing. Impact on amenities including loss of privacy, outlook, noise and disturbance and light. Concerns over access onto Belmore Lane. Concerns over flooding, surface water drainage issues to the rear of the site. Landscaping should be provided to the rear of the site and the correct type of species used which are appropriate to wet ground conditions. Foul water disposal.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus £2448 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £42,873.30.

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.

Revised plans have been submitted to address concerns and following the application being re-advertised, the application is now recommended for approval.

14 ASSESSMENT

- 14.1 54 Belmore Lane is a 2-storey detached dwelling that is situated within a particularly large garden plot. The existing dwelling is not prominent in the streetscene, being set back from Belmore Lane behind a tall hedge with mature trees. The dwelling occupies a relatively elevated position, with the property's extensive rear garden dropping away towards its rear south-western boundary. From the rear of the existing property there are significant views across to the roofs of neighbouring dwellings to the west of the site. The site is bounded on its rear south-western boundary by 2 modest single-storey bungalows at 1 and 2 Redvers Close. On its north-western side, the site is bounded by 4 chalet style bungalows at 15-21 Old Farm Walk as well as a small electricity substation. These chalet bungalows are set within generous sized garden plots. To its north side, the site is bounded by 48 Belmore Lane which is a 2-storey dwelling that is also set within a generous sized garden plot, whilst to its south-eastern side the site is bounded by a more recently built development at Oakfield, which is comprised of 2-storey detached and semi-detached dwellings set within smaller garden plots than elsewhere in the immediate area.
- 14.2 In terms of the planning history of the site, an application to demolish the existing dwelling and to construct 4 houses was refused for a number of reasons. The main reason for refusal was on that the development would be of a poor design that would be contextually inappropriate and harmful to the character and appearance of the area. The development was also considered to be detrimental to the privacy of neighbouring dwellings, harmful to important amenity trees and detrimental to highway safety. The development would also conflict with policies and objectives that seek to steer new development away from high flood risk areas. The final reasons for refusal were on the grounds that the development would fail to secure important contributions to public open space, affordable housing and transportation improvements and that the impact on designated European Sites would not be adequately mitigated.
- 14.3 This application proposes 2 detached two storey dwellings on land to the rear of No 54, to include 2 detached car ports/ garages. The existing dwelling at No 54 would be remain and would retain a rear garden area. A small part of the existing dwelling at No 54 would be demolished to make way for a detached single storey garage. A new single access would be provided onto Belmore Lane which would serve all three dwellings, with new hedgerow/ planting provided adjacent to Belmore Lane. The existing access serving No 54 would be closed. The proposed access driveway would run between the south of No 54 and to the north

of No 6 Oakfield. Visually the proposed dwellings would rise to two storeys in height and have been designed with traditional pitched roofs and detailing. The proposed dwellings would incorporate long rear garden areas extending to the rear boundaries of 1 and 2 Redvers Close.

- 14.4 The main issues in this case are the effect on the character and appearance of the area, the effect on the living conditions of the adjoining neighbouring properties, the effect on trees, public highway safety and flooding.
- 14.5 In assessing the effect on the character and appearance of the area, the Lymington Local Distinctiveness SPD recognises the strong green character of this part of Lymington. Belmore Lane is noted as being an essentially green corridor with hedges, trees and embanked verges. It is noted that infill could all too easily dilute this effect if frontages are not carefully designed, and should therefore generally be avoided. The SPD notes the spaciousness of this part of Lymington and identifies that this is an area of typically low buildings set in generous gardens. The SPD recognises the importance of tree groups on the southern and western boundaries of the application site and also of important views through the site from areas to the south and west.
- 14.6 The application site is relatively large and the neighbouring development comprising 6 houses at Oakfield has already established the principle of dwellings situated in a backland position. The development at Oakfield comprises a more intensive and comprehensive development, and this was carried out before the Lymington Local Distinctiveness Document was adopted.
- 14.7 In assessing the development proposed it is considered that, subject to an appropriate layout and design and careful relationships to neighbouring properties and trees, there is no reason why additional housing development cannot be provided to the rear of the site.
- 14.8 Firstly by retaining No 54, it allows a dwelling to continue to front onto Belmore Lane and retain the trees and soft landscaping to the frontage, which is recognised as important in the Lymington Local Distinctiveness Document. There is sufficient space to the front of the site for parking and turning and the dwelling would retain a large garden area to the side and rear, which would reflect the plot sizes generally in the locality. A detached single storey garage would replace an existing attached building to No 54 and given its siting set back from the road, the proposed garage would have minimal impact on the character of the area and living conditions of the adjoining neighbouring properties.
- 14.9 The proposal to create 2 dwellings on this site would be far less intensive than the neighbouring development at Oakfield. Accordingly the current scheme would enable the proposed and existing dwellings to sit on spacious plots with space around the buildings and scope for new tree planting. The proposed dwellings to the rear of the site would be set well back from the end of the proposed internal access road and there is space to provide some soft landscaping and tree planting in front of the dwellings and along the access road. This would help soften the development when viewed from Belmore Lane and also help create a 'greener' environment to the front of the proposed dwellings, which is recognised in the Lymington Local Distinctiveness Document as being important.

- 14.10 The proposed dwellings would have sufficient space to the front of the buildings for parking, greenery and garaging. The rear gardens to the proposed dwellings would be more than 26 metres long, which would be considerably larger than most of the other dwellings in the locality. Plot 1 would also have at least 8 metres from the side of the building to the side boundary with the dwellings at Oakfield, which also enables the protected Tree to be retained and minimises its impact in the long term. The proposed site plan also shows scope for new soft landscaping and tree planting within the rear gardens of plots 1 and 2, although the final specifications of the trees would be a matter to be dealt with by condition. Overall the proposed development of the site for 2 dwellings, in this layout would be appropriate. The proposed development would not appear cramped or overdeveloped.
- 14.11 Visually the proposed dwellings would rise to two storeys and have been designed with simple traditional hipped and pitched roof forms and proportions. The main ridge to the proposed dwelling on plot 2 would rise to around 8.4 metres in height, although the rear two storey element would be lower in height. The proposed dwelling on plot 1 would be slightly taller, rising to 8.6 metres, but again, the front protruding element would be slightly lower in height.
- 14.12 Representations have been made in relation to the scale of the proposed dwellings, in that the buildings are too tall in comparison to the surrounding area. In response, the footprint of the proposed dwellings is relatively similar to the dwellings in Old Farm Walk and Lentune Way. The main concern from the representations is the height of the dwellings which would rise to two storeys. It is accepted that there are lower scale dwellings in the locality, namely Old Farm Walk and Revers Close, which comprise chalet style bungalows and bungalows. However, the neighbouring development to the south at Oakfield comprises 6 steeply pitched two storey dwellings.
- 14.13 Given that there are two storey dwellings within the locality and the positioning of the proposed dwellings set back from the road, the visual impact of the development from Belmore Lane would be minimal. While views of the proposed dwellings would be seen between the existing dwellings in Old Farm Walk and Redvers Close, the visual impact would be minimal given the distances involved. Overall it is considered that the proposed design of the dwellings would be to a high standard and their scale, rising to two storeys, would respond to local context. The scale of the proposed dwellings would be reduced by incorporating single storey elements and their massing reduced by the hipped roof design of the roofs.
- 14.14 With regard to residential amenity, there are several neighbouring properties that would be affected by the proposal.
- 14.15 The proposed dwelling on plot 1 would be sited at least 8 metres away from the side boundary of Nos 5 and 6 Oakfield. No first floor windows are proposed on the main part of the side elevation (south east) facing No 5. A first floor window is proposed on the side elevation of the front protruding (south east) facing No 6 Oakfield, but the angled view is oblique and the distance to the common boundary is more than 14 metres. The proposed garage and car port to plot 1 would be sited along part of the side boundary to No 6 which is not ideal, however, the building has been designed with a hipped roof projecting away from that

neighbour. It should also be noted that the proposed siting of the outbuilding would act as a buffer from the proposed internal access road and parking/ turning areas. Overall it is considered that the relationship of plot 1 to Nos 5 and 6 Oakfield would be acceptable. Concerns have also been raised regarding the impact of the use of the driveway on these properties in terms of noise and disturbance. While this concern is noted, the proposed relationship is not unusual in a built up area such as this.

- 14.16 The proposed dwellings would be located a significant distance away from Nos 1 and 2 Redvers Close. The distance from the proposed first floor rear windows to the rear boundary of 1 and 2 Redvers measures more than 22 metres and 32 metres to their rear elevations of those existing dwellings. It is considered that these distances are acceptable and would not unacceptably compromise the privacy of Nos 1 and 2.
- 14.17 The proposed first floor windows on the rear elevation of plot 2 would have oblique angled views to No 21 Old Farm Walk. The main issue is the impact on Nos 19 and 21. The proposed first floor window on the front elevation of plot 2 would result in some overlooking of No 17 Old Farm Walk, but given the oblique views onto a less sensitive part of their garden, and the distance to the rear elevation measuring more than 26 metres, it is considered that the proposed dwelling on plot 2 would not result in any unacceptable overlooking. A first floor window is proposed on the side elevation of the front protruding element which would face onto the rear of Nos 17 and 19 Old Farm Walk. Given the distance from this window to the rear boundary measures more than 13 metres, this relationship is acceptable.
- 14.18 In terms of the impact to No 19 Old Farm Walk, while no first floor windows are proposed on the side elevation, the main issue is the impact on their light and outlook. Because the proposed dwelling would rise to two storeys, it is accepted that there would be an impact on their outlook and light. However, the distance between the proposed dwelling on plot 2 and No 19 measures approximately 23 metres and the proposed two storey element would extend across about half of the width of the rear garden. This means that at least half of the rear boundary of No 19 would remain open. Accordingly, while it is accepted that the proposal would have some impact on No 19, it is not considered that it would unacceptably compromise the available light or outlook of No 19.
- 14.19 Concerning public highway safety matters, the Highway Authority do not raise any objections. The level of car parking, for the existing and proposed dwellings accords with the Councils car parking standards, and there is space for turning to ensure vehicles can leave the site in a forward gear. The bin store is located in line with the required standards for both residents and refuse collection workers. The tracking drawings are sufficient to demonstrate access to within the required distance. The width of the access is acceptable to accommodate three dwellings. The access onto Belmore Lane is acceptable and there is appropriate visibility on both directions.
- 14.20 In terms of tree matters, the application site is subject to 2 separate Tree Preservation Orders, that protect a single Oak tree on the eastern boundary of the rear garden and a single Beech tree in the front garden to the east of the main dwelling. The Tree Officer considers that the Oak tree appears to be situated in a reasonable location in respect of the

proposed dwelling to the west. This relationship is acceptable given that it is to the east and side of the dwelling with a large garden free of crown cover to the rear. Therefore plots identified as 1 and 2 would not have any significant impact on the protected Oak tree.

- 14.21 The Tree Officer does have concerns with the potential impact on the protected Beech tree. The plans show the existing site entrance and driveway to be moved from the north eastern most corner to the south eastern most corner and in close proximity to the protected Beech tree. The root protection area of this tree is shown to be heavily covered in new hard surfacing to facilitate the new entrance to Plots 1 and 2 and further hard surfacing leading into and to the east of the existing dwelling. However, additional details have been provided by the applicant which demonstrate that the access and development can be achieved without unacceptably impacting on the tree.
- 14.22 In relation to flooding, a very small part of the far end of the garden area lies within Flood Zone 3. The rest of the site lies within an area at low risk from flooding based upon the Environment Agency's maps. It is noted that the far end of the garden, is more 'boggy', however, this is on a much lower ground level'. The proposed dwellings would be sited on a much higher level and would be outside the high risk flood zone. The site sections indicate that the proposed dwellings would be sited on higher ground and a condition can be imposed to require the floor level/ slab levels to be agreed.
- 14.23 In terms of how surface water drainage would be dealt with, normally this is achieved by soakaways however, given the clay soil, this could make this difficult. Another option, is to use a 'sump and pump system, which effectively pumps the water to an existing drainage system. It is felt that, in principle, there are different types of systems that could be used to deal with the discharge of surface water from the site, so that the neighbouring properties or public highway does not experience any additional surface water run off. The Council's Land Drainage Engineer raises no objection and considers the technical details of the surface water drainage can be submitted by condition.
- 14.24 In relation to foul drainage, Southern Water has not raised any objection to the proposed development and there is no evidence of capacity issues. A condition can be imposed to deal with any technical details as to how the foul drainage is dealt with on the site and its connection to the existing foul drainage system.
- 14.25 While the need for affordable housing in this District is pressing, this in itself does not give rise to the sort of circumstances that can be considered exceptional. Therefore it is recommended that no affordable housing or tariff style contributions are sought from this development, in accordance with national Planning Practice Guidance, contrary to the provisions of Policy CS15 of the Core Strategy.
- 14.26 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.

14.27 The level of housing need in the District is sufficiently above the level of housing supply to know that a five year supply of housing land is currently unavailable. This situation will be addressed through the emerging local plan, but until the new Local Plan is adopted, paragraph 14 of the NPPF advises that planning permission for housing development should normally be granted unless any planning harm identified would "*significantly and demonstrably outweigh the benefits*". This is known as the 'tilted balance' in favour of sustainable development. In this case, it is considered that the adverse impacts of development set out above do not significantly and demonstrably outweigh the benefits and therefore the tilted balance in favour of granting permission is a material consideration in assessing this application.

14.28 In conclusion it is considered that the proposed development would not have a detrimental impact on the character and appearance of the area or on the living conditions of the adjoining neighbouring properties. There are no objections from the Highway Authority, Tree Officer or the Environment Agency.

14.29 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			
Financial Contribution			

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	445.17		445.17	445.17	£80/sqm	£42,873.30 *

Subtotal:	£42,873.30
Relief:	£0.00
Total Payable:	£42,873.30

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2018 this value is 1.2

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: SS.01, P1.01 Rev E, SL.01 Rev B, P2.01 Rev C, 1462-002_bound, ES.01, HL.01, CP.01, FA.01.

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 building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. 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).

5. The development hereby permitted shall not be occupied until the spaces shown on plan SL.01 Rev B for the parking and garaging of motor vehicles have been provided. The spaces shown on plan SL.01 Rev B 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).

6. 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 to include the access driveway and parking spaces 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.
- (f) the details of the bin collection point

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).

7. All external works (hard and soft landscape) as approved by condition 6 shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter as built and subject to changes or additions only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

8. The trees on the site which are shown to be retained on the approved plans shall be protected during site clearance, demolition and building works in accordance with the measures set out in the submitted Tree Report ref TR.03.11.17.V2 dated 3rd November 2017, Tree Protection Plan ref TPP/V2/03/11.17 dated 3 November 2017 and Morgan Building Design Addendum Arboricultural Assessment and Report dated 23 February 2018 while in accordance with the recommendations as set out in the BS5837:2012. Prior to the commencement of any building works 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend a site meeting to inspect all tree protection measures as specified and illustrated within the submitted Tree Protection Plan ref TPP.V2.03.1117 dated 3 November 2017. Prior to the installation of the new access and driveway 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend site supervision of the installation of the cellular confinement system as specified within the submitted Tree Protection Plan ref TPP/V2/03/11.17 dated 3 November 2017 and Morgan Building Design Addendum Arboricultural Assessment and Report dated 23 February 2018.

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).

9. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework. Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method. In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

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

10. 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.

11. No development shall commence on site until the access, including the footway and/or verge crossing, shall have been constructed and line of sight of 2.4 metres by 43 metres provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 0.6 metres in height metre above the adjacent carriageway and shall be subsequently maintained so thereafter.

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).

12. Prior to the commencement of development, including site clearance, further details of biodiversity mitigation, compensation and enhancement shall be submitted to, and approved in writing by the Local Planning Authority. These shall include the final details and measures as outlined in the Phil Smith Ecology Report dated September 2017. All works shall then proceed in accordance with the details and recommendations as approved in the strategy with any amendments agreed in writing. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

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

13. Before development commences, details of the means of disposal of foul water from the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. 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 Core Strategy for the New Forest District outside the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

Notes for inclusion on certificate:

1. This decision relates to amended / additional plans received by the Local Planning Authority on the 8th February 2018.
2. 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.

Revised plans have been submitted to address concerns and following the application being re-advertised, the application is now recommended for approval.

3. In discharging condition No 10 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:

Richard Natt
Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

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

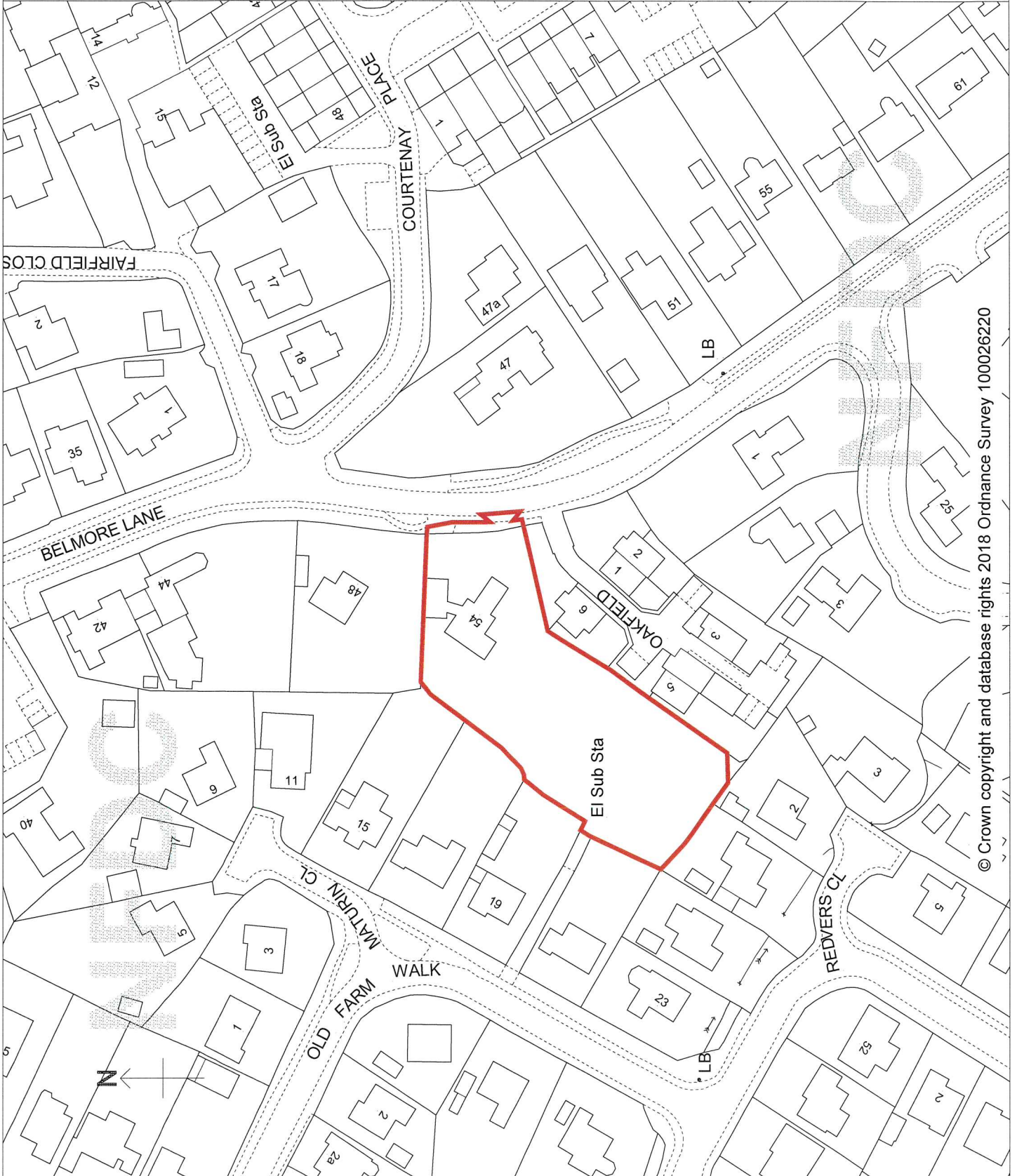
David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

Planning Development
Control Committee
April 2018

Item No: 3a
54
Belmore Lane
Lymington
17111702
SZ3295

Scale 1:1250

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



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Application Number: 18/10164 Full Planning Permission

Site: ASHLETT COURT, THE SQUARE, FAWLEY SO45 1DD

Development: Use as 2 flats; replacement front single-storey extension; window & door alterations; boundary wall and gate; use of land for 4 parking spaces

Applicant: DSI Group Ltd

Target Date: 30/03/2018

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to policy

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up Area
Local Shopping Frontage
HSE Consultation Zone
Archaeological Site

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
CS5: Safe and healthy communities
CS15: Affordable housing contribution requirements from developments
CS20: Town, district, village and local centres
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
DM18: Local shopping frontages in Marchwood, Blackfield, Holbury, Fawley, Milford on Sea, Hordle, Bransgore

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 - Parking Standards

6 RELEVANT PLANNING HISTORY

Use as house (92330) Granted with condition on the 3rd July 2008

7 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: recommend permission.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Environmental Health Contaminated Land: no concerns

9.2 Hampshire County Council Highway Engineer: no objections

10 REPRESENTATIONS RECEIVED

4 letters of objection concerned with the lack of car parking and associated noise.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus £1224 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

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.

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 This application relates to a two storey building which is located on the corner of The Square and Ashlett Road within the Fawley Local Shopping Frontage. The ground floor of the building is a vacant former commercial unit and on the upper floor is a three bedroom residential flat. The property currently has no rear garden space and has no on site car parking spaces. The property is a white rendered building under a slate roof with a ground floor glazed frontage.
- 14.2 The application proposes to use the building as two residential flats, together with fenestration alterations, replacement of the front single storey extension and a front boundary wall. It is also proposed to use the four car parking spaces on an existing car parking area to the rear of the site. It is understood that the ground floor has been vacant since 2015.
- 14.3 In terms of the planning history, in 2008, under planning reference 92330, planning permission was granted to use the whole of the building as a dwelling, however, this was not implemented and is no longer extant. The neighbouring premises to the north is currently being converted from a commercial use into 2 flats.

- 14.4 Because the site is within the Fawley Local Shopping Frontage, Policy DM18 of the Local Plan Part 2 is relevant. The policy states that a minimum of 40% of ground floor units within the defined frontage should be in retail use. The policy also states that residential development will not be permitted at ground floor level in premises within the defined frontage. The submitted application is therefore contrary to this policy. As such, the proposal should not be approved unless there are material considerations that would justify a departure from this policy.
- 14.5 The applicant has not sought to justify their proposal. Notwithstanding this, the site's recent planning history is of some relevance. In 2008, planning permission was granted to convert the building into a dwelling. As such, in 2008, (when there was a different policy framework) the loss of the existing ground floor commercial units was considered acceptable.
- 14.6 It is also relevant to note that the existing commercial use has been vacant since 2015, is sited towards the edge of the Local Shopping Frontage and makes only a limited contribution to the vitality of the Fawley Local Shopping Frontage. The proposal would not result in the loss of an existing retail use or an important shop in the village. Moreover the actual loss of floorspace relates to a commercial use other than a shop and the extent of floor space to be lost equates to only 107 square metres.
- 14.7 There are other vacant premises within the shopping frontage, which have recently been granted planning permission to be converted to residential use, which is indicative of a shopping frontage that has struggled in recent years.
- 14.8 A further consideration is the change in central government guidance, where there is a general steer and emphasis towards creating new residential development. This is highlighted in government legislation as set out in the Town and County Planning (General Permitted Development) Order (GPDO), which permits the change of use of a building from offices (Class B1), to residential (Class C3) without requiring planning permission, but would need to be subject of a Prior Approval Application. In this case, the change of use does require planning permission because the site lies within a safety hazard zone. Moreover, permitted development (allowed by the GPDO) also extends to allow changes from retail and light industrial to residential subject to certain criteria.
- 14.9 Visually the proposed physical alterations would entail removing the single storey glazed frontage and replacing this with a similar single storey addition, slightly smaller in size. The proposed fenestration alterations entail new windows and doors which would have minimal impact on the building or on the character and appearance of the area. It is also considered that the proposed boundary wall would be acceptable and would reflect the appearance of the wall being constructed on the adjoining property. While the site does not contain an extensive area of outdoor amenity space, it is considered that the levels provided would be acceptable in this location, particularly given that the building and its outside space are existing.

- 14.10 With regard to residential amenity, given that the proposal would not increase the scale or bulk of the existing building and that the proposed fenestration alterations entail new ground floor windows only, it is considered that the proposal would not materially impact on the living conditions of the adjoining neighbouring properties.
- 14.11 In terms of public highway safety matters and car parking, the site currently does not have any car parking spaces. The proposal seeks to use four car parking spaces which are provided in a car parking area to the rear of the site, which is accessed from Ashlett Road. In total, there are 9 car parking spaces provided within the car park area and it is understood that the remaining 5 car parking spaces would be used by the adjoining building known as DSI which has recently been converted into flats. On the basis that the proposal would provide four additional car parking spaces, this is considered to be a significant benefit.
- 14.12 While the need for affordable housing in this District is pressing, this in itself does not give rise to the sort of circumstances that can be considered exceptional. Therefore it is recommended that no affordable housing or tariff style contributions are sought from this development, in accordance with national Planning Practice Guidance, contrary to the provisions of Policy CS15 of the Core Strategy.
- 14.13 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.
- 14.14 The level of housing need in the District is sufficiently above the level of housing supply to know that a five year supply of housing land is currently unavailable. This situation will be addressed through the emerging local plan, but until the new Local Plan is adopted, paragraph 14 of the NPPF advises that planning permission for housing development should normally be granted unless any planning harm identified would *"significantly and demonstrably outweigh the benefits"*. This is known as the 'tilted balance' in favour of sustainable development. In this case, it is considered that the adverse impacts of development set out above do not significantly and demonstrably outweigh the benefits and therefore the tilted balance in favour of granting permission is a material consideration in assessing this application.
- 14.15 Overall, the proposed development would not accord with Local Plan Policy DM18. However, it is felt that there would be a compelling justification to permit this proposal contrary to policy, having regard to the site's planning history, the benefits of providing additional housing, and the specific limited contribution the premises makes to the vitality of the existing shopping frontage. The development could be provided without detriment to the character and appearance of the area and without harming the amenities of neighbouring properties. As such, the application is recommended for permission.

14.16 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.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	154.9		154.9	154.9	£80/sqm	£14,918.06 *
			0	0		£0.00 *
Subtotal:	£14,918.06					
Relief:	£0.00					
Total Payable:	£14,918.06					

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2018 this value is 1.2

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: tcf sht 4 Rev X, tcf sht 3 Rev A, tcf sht 2 Rev X

Reason: To ensure satisfactory provision of the development.

3. The development hereby permitted shall not be occupied until the spaces shown on plan tcf sht 4 Rev X for the parking of motor vehicles have been provided. The spaces shown on plan tcf sht 4 Rev X for the parking of motor vehicles shall be retained and kept available for the parking 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).

4. The external facing and roofing materials (brick and tile) shall match those used on the existing building.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park Core Strategy.

5. 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. This decision relates to amended / additional plans received by the Local Planning Authority on the 1st March 2018.
2. 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.

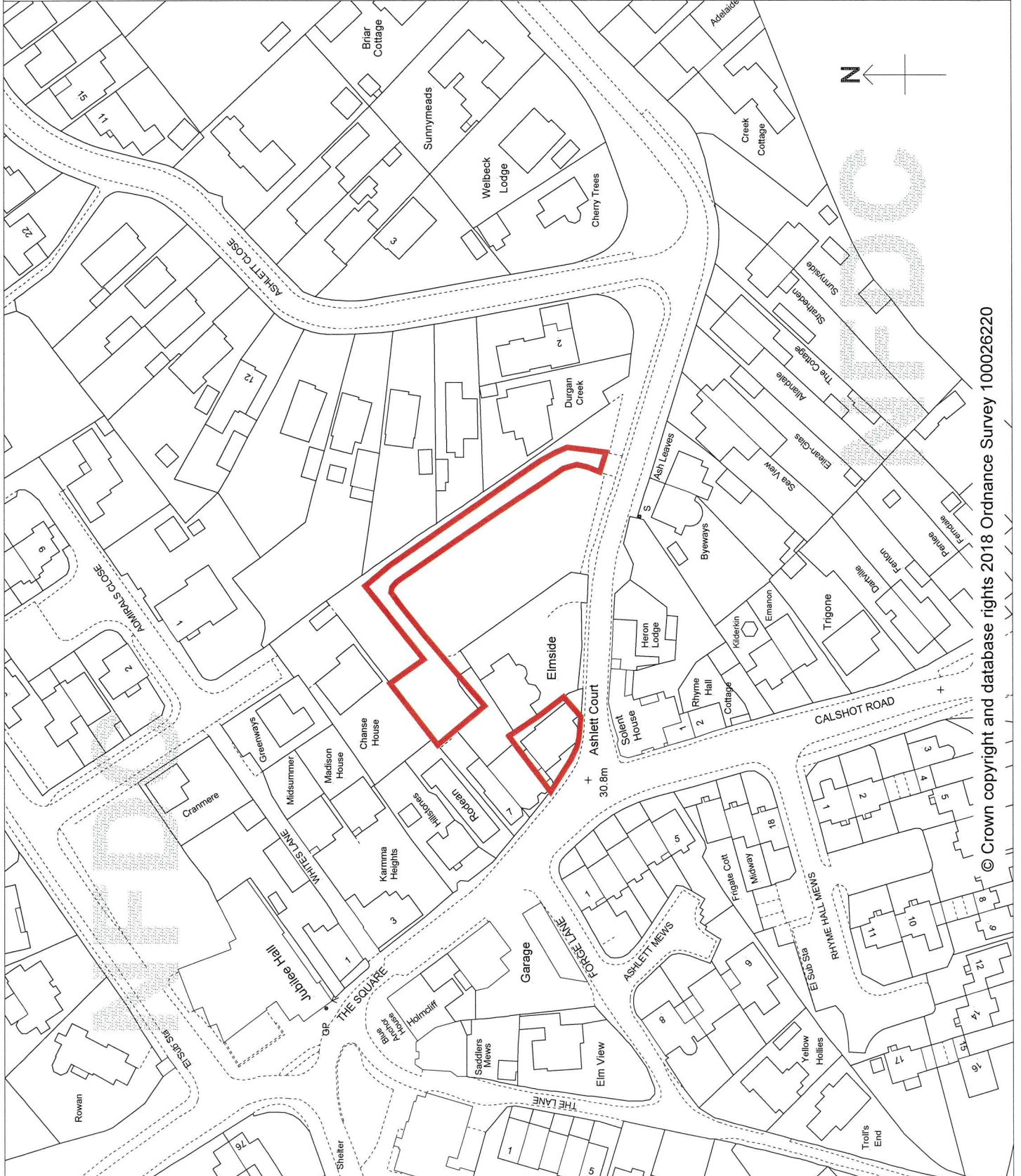
In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

3. In discharging condition No 5 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:

Richard Natt

Telephone: 023 8028 5588



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