

## NOTICE OF MEETING

**Meeting:** PLANNING COMMITTEE

**Date and Time:** WEDNESDAY, 9 MARCH 2022, AT 9.00 AM\*

**Place:** COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

**Enquiries to:** Email: [karen.wardle@nfdc.gov.uk](mailto:karen.wardle@nfdc.gov.uk)  
Tel: 023 8028 5071

### **PUBLIC PARTICIPATION:**

Members of the public may watch this meeting live on the [Council's website](#).

\*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 Planning Administration on Tel: 023 8028 5345 or E-mail: [PlanningCommitteeSpeakers@nfdc.gov.uk](mailto:PlanningCommitteeSpeakers@nfdc.gov.uk)

**Claire Upton-Brown**  
Executive Head Planning, Regeneration and Economy

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

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

---

## AGENDA

**NOTE:** The Planning Committee will break for lunch around 1.00 p.m.

### **Apologies**

#### **1. MINUTES**

To confirm the minutes of the meeting held on 9 February 2022 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 South of, Derritt Lane, Sopley (Application 21/11097) (Pages 5 - 82)**

Development of 100 dwellings; informal open space; natural recreation greenspace and play areas; footpaths and cycleways; associated landscaping; utilities and drainage infrastructure and enabling works; vehicular access from Derritt Land and West Road (AMENDED REASON TO ADVERTISE)

**RECOMMENDED:**

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- (i) The completion by the end of 2022, of a planning obligation entered into by way of a Section 106 Agreement to secure the contributions and other benefits set out in the report; and
- (ii) Delegated authority to given to the Executive Head of Planning, Regeneration and Economy to include the conditions set out in the report together with any further additions, and amendments to conditions as appropriate.

(b) **Jubilee Camping, Browns Lane, Damerham (Application 21/11621) (Pages 83 - 90)**

Regularise the existing structures on the site associated with the use as a campsite (Retrospective)

**RECOMMENDED:**

Grant subject to conditions

(c) **196 Everton Road, Hordle (Application 21/11461) (Pages 91 - 96)**

Drainage pipe and inspection pits (Retrospective)

**RECOMMENDED:**

Grant subject to conditions

(d) **45 Northfield Road, Ringwood (Application 22/10063) (Pages 97 - 102)**

Erection new front boundary treatment. (Retrospective)

**RECOMMENDED:**

Grant subject to conditions

- (e) **5 Sika Rise, Bransgore (Application 21/11672) (Pages 103 - 108)**  
Single-storey rear extension  
**RECOMMENDED:**  
Grant subject to conditions
- (f) **3 Arnwood Drive, Bransgore, Sopley (Application 21/11673) (Pages 109 - 114)**  
Additional front dormer, enlarge existing dormer; increase depth of front window  
**RECOMMENDED:**  
Grant subject to conditions
- (g) **Little Toller, Chapel Lane, Langley, Fawley (Application 21/11674) (Pages 115 - 128)**  
Demolition of existing; replace with 2no dwellings  
**RECOMMENDED:**  
Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:  
i) the completion by the landowner of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure contributions towards habitats mitigation, as detailed in the officer report to Committee; and  
ii) the imposition of the conditions set out in the report.
- (h) **Squirrels Beech, Beaulieu Road, Dibden Purlieu, Hythe (Application 22/10018) (Pages 129 - 134)**  
Covered garden area  
**RECOMMENDED:**  
Grant subject to conditions
- (i) **16 Salisbury Street, Fordingbridge (Application 21/10286) (Pages 135 - 146)**  
Use of the outside area from residential garden to cafe seating area; erection of 2no. single-storey outbuildings; demolition of existing structures; installation of air conditioning unit, decking and fencing. Alteration to route of existing pedestrian right of way from No.12 across site to Salisbury Street.  
**RECOMMENDED:**  
Grant Temporary Permission

- (j) **Great End, Queen Katherine Road, Lymington (Application 21/11595)  
(Pages 147 - 154)**

Front and rear dormer windows; rooflight to side

**RECOMMENDED:**

Grant subject to conditions

**Please note, that the planning applications listed above may be considered in a different order at the meeting.**

**4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

**Please note that all planning applications give due consideration to the following matters:**

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights.

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.

**To: Councillors:**

Christine Ward (Chairman)  
Christine Hopkins (Vice-Chairman)  
Ann Bellows  
Sue Bennison  
Hilary Brand  
Anne Corbridge  
Kate Crisell  
Allan Glass

**Councillors:**

David Hawkins  
Maureen Holding  
Mahmoud Kangarani  
Joe Reilly  
Barry Rickman  
Tony Ring  
Ann Sevier  
Malcolm Wade

Planning Committee 09 March 2022

**Application Number:** 21/11097 Full Planning Permission

**Site:** LAND SOUTH OF, DERRITT LANE, SOPLEY BH23 8AT

**Development:** Development of 100 dwellings; informal open space; natural recreation greenspace and play areas; footpaths and cycleways; associated landscaping; utilities and drainage infrastructure and enabling works; vehicular access from Derritt Land and West Road (AMENDED REASON TO ADVERTISE)

**Applicant:** Lewis Wyatt (Construction) Ltd, Sir John Kemp-Welch and the Torsten St John White White and Wilsons Trust Corporation Limited as Trustees of the Sir Simon Benton Jones 1974 Settlement

**Agent:** Turley Associates

**Target Date:** 25/10/2021

**Case Officer:** Richard Natt

**Extension Date:** 29/04/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

This application is to be considered by Committee because the application is a Strategic Housing Site to be delivered as part of the recently adopted Local Plan.

The key issues are:

- 1) Principle of development -whether the principle of development would be acceptable having regard to Local and National Planning Policy
- 2) Housing – specifically, whether the proposed development would deliver an appropriate mix of housing types, size and tenure to deliver a mixed and balanced development, whether the development would make an appropriate provision of Affordable housing
- 3) Character - the landscape impact of the development and whether the layout, appearance, scale and design of the dwellings would result in a quality development and relate sympathetically to the surrounding area
- 4) The quantum and quality of green infrastructure (including ANRG land, Public Open Space and play areas).
- 5) Heritage – whether the development would have an appropriate -impact on non-designated heritage assets adjoining and within the site
- 6) Transport – whether the development would have an acceptable impact on the local highway network, whether the access arrangements would be safe, sustainable and meet the appropriate needs of the highway users, whether the proposed development would have an acceptable impact on existing rights of way on and close to the vicinity of the site

- 7) Ecology
  - a) Specifically, whether the development as a whole would have an acceptable impact on internationally, nationally and locally designated nature conservation sites, and biodiversity generally, having regard to the mitigation and enhancement measures that are proposed; and
  - b) Whether the development would achieve required levels of on-site biodiversity protection and biodiversity net gain (BNG)
- 8) Impact of Development on the National Park - whether the development proposals would have an acceptable impact on the character and special qualities of the New Forest National Park, having regard to the development's design quality and its landscape and visual impact.
- 9) Flooding and Drainage – whether the development would provide a sustainable surface and foul water drainage solution and whether the proposed development would be safe in terms of flood risk
- 10) Air Quality, Noise and Amenity – whether the proposed development would have an acceptable impact on the environment and local human and natural receptors in terms of noise, air quality and contamination effects. Whether the proposed development would have an acceptable relationship with neighbouring residential properties.
- 11) Infrastructure provision, including education requirements.
- 12) Whether the proposals constitute a sustainable and safe development.

## 2 SITE DESCRIPTION

### The application site

2.1 The site lies to the south of Derritt Lane and the west of West Road, on the western edge of Bransgore. Although the site is located on the edge of Bransgore, the site falls within the administrative boundary of Sopley. Lying along Derritt Lane, the site is positioned along the main route linking Sopley and Bransgore. The site is rectangular in shape and extends to approximately 12 hectares in size and is characterised by its mixture of arable and pasture fields, with a small paddock, enclosed on all sides by mature hedgerows and established trees. A copse of trees is located within the far eastern part of the site, surrounding a depression, which is referred to as 'The Dell'.

2.2 The application site extends up to the road edge in Derritt Lane and includes all trees and vegetation located adjacent to the edge of the road. For the avoidance of doubt, several trees on the southern side of Derritt Lane fall within highway land (but still within the red line boundary of the application site). All trees within the site are covered by a Tree Preservation Order.

2.3 The application site is predominately flat, gently falling from north east corner to the south west towards the Clockhouse Stream. The application site is located in flood zones 1, 2 and 3.

2.4 Vehicular access to the site is currently taken from two agricultural entrances located along Derritt Lane. A public right of way crosses the site (Sopley 19), linking Derritt Lane in the north, through to Wiltshire Gardens to the south.

2.5 There are overhead power cables crossing north-south through the central section of the site. A foul sewer connection runs north-south along the tree line dividing the far eastern parcel, and a watercourse runs east west along part of the southern boundary.

#### The areas surrounding the application site

2.6 The eastern boundary and part of the southern boundary of the site lies adjacent to the existing settlement of Bransgore, with the historic village route of West Road extending from Derritt Lane. The southern boundary comprises further residential dwellings, forming Wiltshire Gardens, which have their rear gardens backing onto the site. To the west, the site adjoins agricultural fields, which forms the Green Belt edge, beyond which is Sopley Farm.

2.7 Directly opposite the site, to the north, is the new residential development known as Heatherstone Grange that was constructed over the past few years. A collection of older cottages lie on the north side of Derritt Lane.

2.8 The New Forest National Park designation abuts the site to the north east. An ancient woodland, known as Barrett's Copse abuts the site to the south west. The south west boundary of the site is the administrative boundary of Bournemouth Christchurch and Poole Council.

### **3 PROPOSED DEVELOPMENT**

#### The application

3.1 This planning application relates to a proposal for a residential development of a site south of Derritt Lane, to the west of Bransgore, but within the administrative boundary of Sopley.

The application comprises the following:

*Full planning application for phased residential development of site for 100 dwellings (Use Class C3); informal open space, Alternative Natural Recreation Greenspace (ANRG) and areas of play; footpaths and cycleways; internal roads; associated landscaping; utilities and drainage infrastructure; and other associated infrastructure and enabling works. Vehicular access to be taken from Derritt Lane and West Road.'*

3.2 The application is supported by detailed access and layout plans, full elevations and house tenures and types, a landscape and ANRG Framework Plan and strategy and children's play design. A detailed drainage strategy is included in the application.

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

- A Design and Access Statement, which includes a Planning Statement
- A Economic Viability Appraisal
- A Archaeological Evaluation
- A Written Scheme of Investigation for Archaeological Evaluation
- A Transport Assessment
- A Framework Travel Plan
- A Statement of Consultation
- A Sustainability Statement

- A Planning Obligations (Heads of Terms) and Affordable Housing Statement
- A Phase 1 Preliminary Geotechnical and Contamination Assessment Report
- A Minerals Resource Assessment
- A Historic Environment Desk-Based Assessment including Addendum Report
- A Heritage Statement
- Information for a Habitats Regulations Assessment
- A Flood Risk Assessment and Drainage Strategy
- An Ecological Impact Assessment
- Biodiversity Net Gain Report
- An Arboricultural Assessment and Method Statement & Tree Protection Plan
- Air Quality Screening Assessment
- A Landscape and Visual Appraisal

3.4 The submitted scheme proposes most of the residential development (95 dwellings) and drainage features immediately south of Derritt Lane, running parallel to the recently constructed development known as Heatherstone Grange. The main development area would be served by two new vehicular accesses provided from Derritt Lane. The remaining five dwellings would be separated from the main development area and would be sited on the eastern part of the site served off a single vehicular access from West Road. In total, 100 dwellings are proposed on the site. For the avoidance of doubt, all development is proposed within the strategic policy allocation (SS12).

3.5 The west, east and the most southern parts of the site would comprise the Green Infrastructure, forming the Alternative Natural Green Space (ANRG) and Public Open Space (POS) with a hierarchy of connecting footpaths, new tree/shrub planting, meadows and surface water retention features. In total, over 7 hectares of public open space / ANRG is proposed within the site. A new 3 metre wide footway / cycleway is proposed along part of the northern edge of the development, just to the south of Derritt Lane, which will provide a connecting link between the main residential area and the existing footpath network in West Road. A single children's play area (LEAP) and the main recreational open green space is proposed on the eastern part of the site.

3.6 Land levels across the western and central part of the main development area will be raised as part of the proposed surface water management strategy to ensure that water run off from the site can appropriately drain into Clockhouse Stream on the southern boundary of the site.

3.7 The proposal is for 2 storey homes across the site with two 2.5 storey buildings. The scheme shows a range of homes, detached, semi-detached, terraced and apartments. The mix is as follows:

#### Market dwellings

- 19 two bedroom houses
- 30 three bedroom houses
- 19 four bedroom houses
- 2 five bedroom houses

Total market= 70



### Affordable dwellings

- 6 x 1 bedroom flats- affordable rent
- 6 x 2 bed flats - affordable rent
- 3 x 2 bedroom Flat - affordable rent
- 4 x 2 bedroom house - affordable rent
- 3 x 2 bedroom house -Shared ownership
- 8 x 3 bedroom - Shared ownership

Total affordable = 30

Total No of dwellings = 100

### Amendments to application

3.8 A number of changes have been made to the originally submitted scheme in response to some of the minor concerns regarding the design, layout and appearance of the some of the dwellings. These changes to are listed below and have been subject to a re-consultation process where required.

3.9 Updated technical reports, including landscaping, arboricultural, highway and flooding surveys were submitted during the course of the application to address some concerns comments raised by consultees, together with further detailed highway drawings and alterations to visibility splays.

3.10 The application initially proposed 18 affordable units (18%). Following detailed negotiations, the applicant has increased this offer to 30 affordable units (30%).

### Amended plans

- Minor changes to Design and Layout to Plots 33-36 and Plot 83
- Design/elevation changes to Plots 85, 24-31, 86-90, 32-37, 50, 7 and 91-95
- Boundary treatment changes
- Amendments to visibility splays along West Road/ Derritt Lane
- Affordable Housing distribution plan

### Additional drawings and documents

- Proposed children's play area (LEAP) Layout
- Preliminary Pond Section for the Dell area
- Illustrative Wildlife Pond Details 12713/P21b
- Highway/ Transport Technical Note including further surveys and modelling

### Pre application

The applicant has engaged in an extensive pre application advice service with the Council, which included the involvement of key internal and external consultees. In addition, the application has been accompanied by a Statement of Community Involvement and engagement that has been undertaken by the applicant, to inform the application for development at Derritt Lane.

## **4 PLANNING HISTORY**

Screening Opinion (20/11271) Not EIA development dated 10th December 2020.

## 5 PLANNING POLICY AND GUIDANCE

### **Site constraints/ designations**

Strategic Allocated Site  
Tree Preservation Orders  
Adjacent to Non Designated Heritage Assets  
Part of the site is located within Flood Zone 2/3  
Public Right of Way within and adjacent to site  
Barrett's Copse Site of Nature Conservation Interest (SNCI) is contiguous with the southern boundary of the site.  
Adjacent to Green Belt  
Adjacent to boundary of New Forest National Park (north east of site, opposite Derritt Lane)

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

CS7: Open spaces, sport and recreation

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

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

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

Policy STR1: Achieving Sustainable Development  
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park  
Policy STR3: The Strategy for locating new development  
Policy STR4: The Settlement hierarchy  
Policy STR5: Meeting our housing needs  
Policy STR7: Strategic Transport Priorities  
Policy STR8: Community services, infrastructure and facilities  
Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites  
Policy ENV3: Design quality and local distinctiveness  
Policy ENV4: Landscape character and quality  
Policy HOU1: Housing type, size and choice  
Policy HOU2: Affordable Housing  
Policy CCC1: Safe and Healthy Communities  
Policy CCC2: Safe and Sustainable Travel  
Policy IMPL1: Developer contributions  
Policy IMPL2: Development standards  
Policy Strategic Site SS12: Land to the south of Derritt Lane

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

SPD - Housing Design, Density and Character  
SPD - Mitigation Strategy for European Sites (adopted 2021)  
SPD - Parking Standards

## **Relevant Legislation**

### Planning and Compulsory Purchase Act 2004

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

### Environment Act 2021

Section 98 and Schedule 14 – Biodiversity Net Gain

### Habitat Regulations 2017

63 – assessment of implications for European sites etc.

64 – considerations of overriding public interest

## **Relevant Advice**

Relevant Government advice

National Planning Policy Framework July 2021 (NPPF)

- Section 2 Achieving sustainable development and the tests and presumption in favour Including tilted balance
- Section 5 Delivering a sufficient supply of homes
- Section 11 Making effective use of land including appropriate densities
- Section 12 Achieving well designed places
- Section 14 Climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment

National Design Guide

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

### 6.1 Sopley Parish Council: Recommend refusal:

Sopley Parish Council recommends that this application is refused as there are significant departures from the Proposals approved in the Revised NFDC Local Plan. In particular the Parish Council is concerned about the siting of houses exiting onto West Road a narrow road is unsatisfactory and creates additional traffic flow onto the junction with Derritt Lane.

The low provision of Affordable Homes is contrary to Policy HOU2. There is a considerable amount of local concern regarding the flooding issues which cause Derritt Lane to be impassable during periods of heavy rainfall. Although Swales have been included in the proposal further evidence is needed that these will be capable of dealing with high water levels.

The capability of the Pumping Station to deal with further demand is also a matter of concern as well as the impact on the local infrastructure including transport, traffic flows, education and the provision of public open space. The Parish Council's comprehensive comments on the development of this site has been submitted to the Planning Officer and will be circulated to all Members of the NFDC Development Control Committee prior to the application being discussed

6.2 Bransgore Parish Council: Recommend refusal but would accept a delegated decision.

The main concern raised was with flooding. The area is prone to significant flooding during periods of heavy rain making Derritt Lane impassable. It was noted the proposals included swales to alleviate fluvial flooding of the Clockhouse Stream. The efficacy of these swales, given the high water table in this area, was questioned as there were concerns that they would become overwhelmed during periods of heavy rain and cease to be effective.

Concerns were also raised that upgrades to the pumping station pipework to prevent groundwater seeping into the sewage pipes, may exacerbate the situation.

Concerns were raised regarding the viability report carried out for the applicant.

It was noted that the proposed affordable housing quota had been increased to 27%, which is still considered too low, and still does not comply with the 50% requirement of policy HOU2.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

### **Internal Consultees**

8.1 Council Ecologist: No objection subject to condition

Phosphates - Although the application site is located within the Avon Valley area, foul water from the development will discharge to Christchurch Wastewater Treatment Works which is not currently affected by the requirement for nutrient neutrality, meaning that no assessment of the nutrients arising from the proposed scheme are required.

Barret's Copse SINC – Mitigation measures proposed are considered suitable to avoid damage during construction and from operational impacts.

Species - The applicants submitted ecological report identifies that a range of bat boxes/bricks, bird boxes and bee bricks will be provided. Full details of the specification of the features and their location should be provided in an Ecological Management and Mitigation Plan to be secured by condition.

Amphibian - Great crested newts are likely to be absent from the site.

Bats - No roosting bats have been confirmed on-site. A total of 31 trees were recorded as supporting features suitable for roosting bats most of which will be retained. It will be essential that a sensitive lighting strategy be designed given the regional level importance of the bat assemblage.

Badger - A main sett is present within Barrett's Copse, approximately 50m south of the site boundary. The proposed development is not considered likely to directly impact the sett.

Bird - The site is considered to be of local or parish importance for breeding birds, foraging nightjar, barn owl and for wintering populations of ten species of conservation concern.

Reptile - A low population of grass snake and a good population of slow worm. A 'push and strim' approach to mitigation is proposed. Given the nature of the habitats present on-site, and the most valuable of the habitats being retained, this is appropriate in combination with the enhancement measures proposed providing a mosaic of grassland, scrub habitats.

#### 8.2 Environmental Design (Conservation): No objection

I am in agreement that the proposed development would have limited impact upon the surrounding designated and non-designated heritage assets due to the restricted inter-visibility in to and out of the site

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

This site is necessarily intense in its design but a combination of well-located greenspaces will act as a setting for development that could allow an innovative collection of buildings to work well on this site.

There are many aspects of the design which are very positive, and the buildings are undeniably rich in detail and traditional qualities that may evoke a pleasant atmosphere of yesteryear. The main open space is well enough considered to leave much of the landscape details to a planning condition.

In relation to the five dwellings to the east (Plots 96-100), whilst these are outside the expected development envelope as depicted by the concept master plan policy – this does not make them objectionable and indeed the applicant has demonstrated that they are not only acceptable but together with the greenspace are a positive enhancement of this part of West Road. The dwellings are thoroughly considered, having a positive relationship to West Road, its existing buildings, to the open green and in the setting of the heritage buildings along Derritt Lane.

There are some elements of the design and layout, which are a concern. Tandem car parking in depths of three will lead to difficulties in use, putting pressure on the street for reversing, manoeuvring and obstructive parking. Concerns over the design, appearance and layout of the proposed barn buildings.

The southern edge of the built development appears harsh with short front gardens, and limited scope for a soft rural edge.

It's disappointing that there is no footpath connection/ access through the nature conservation area known as the Dell.

#### 8.4 Environmental Design (Open Space Officer): No objection subject to condition

The layout and general design of the proposed Open Spaces, including the required ANRG, will create a strong and attractive green setting for this new development. The spaces shown here will help to mitigate the impacts of development and compliment the rural surroundings of this site.

Some of these principles now need to be further evolved in order to create the next more detailed design stages of these landscape proposals, including the

childrens play area and wildlife pond. This can be conditioned, but needs to include the following: Landscape Implementation Specification and Maintenance proposals; Hoggin paths specification; details are required for the proposed headwalls for all inlet and outlet pipes to the basins. This information should cover all the new landscape feature areas and habitats and also the ongoing restoration and management of existing trees, hedgerows and stream habitats.

8.5 Open Space Maintenance Officer: Comments if POS, play and ANRG is transferred to NFDC to manage and maintain these areas.

The POS is well laid out and has the potential to provide recreation and play space for residents with some small adjustments as recommended below to ensure this can be maintained, is safe, welcoming and can be transferred.

The play fence/boundary proposed around this allows this to be accommodated adjacent to ANRG area and comply with EN1176 (and thus for NFDC to adopt). The boundary can also have a hedge of a suitable slow growing (non-thorny) native species to soft this visually. No wooden parts should contact the ground to remove hidden decay.

We request construction details for the different categories of paths, but this can be conditioned. Suitable crossing points over ditches will be required for maintenance machinery so we can access to manage the grass, mature trees and play.

In relation to drainage/SUDs, it is advised that the whole SUDs system is maintained by one organisation. Maintenance access needs to be considered for the whole site.

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

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

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

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

8.10 Strategic Housing Officer: No objection

Guidance is provided with the Local Plan on the comparative need for different size units, this identifies the need for a higher proportion of smaller 1 and 2 bedroom dwellings (60%-70%) for affordable housing for rent and we are pleased to see the provision of these size units within the proposals.

Local Plan guidance also identifies the need for a range of accommodation sizes for shared ownership, including larger family size housing. Information from the Help to Buy Agent is helpful in providing evidence of demand for shared ownership within the Sopley/Bransgore area, which highlights that there is a demand for a range of accommodation sizes, with an equal demand is for 2 and 3 bedroom accommodation. These proposals for affordable housing will address a need for affordable housing for rent and shared ownership. The amended scheme also provides an acceptable split of 2 and 3 bedroom houses for shared ownership.

## External Consultees

8.11 Natural England: No objection subject to appropriate mitigation being secured.

The application site is within 2km of the New Forest Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site and the New Forest Site of Special Scientific Interest (SSSI). The site is also within the catchment of the River Avon SAC, Avon Valley SPA and Ramsar site and within 5km of the Dorset Heathlands SPA. In order to mitigate adverse effects and make the development acceptable, the following mitigation options should be secured:

- Provision of on-site recreational mitigation land as set out in submitted documents and contribution to access management and monitoring within the New Forest in line with your adopted SPD
- Appropriate financial contribution to the strategic air quality monitoring strategy
- A Construction Environment Management Plan (CEMP) to address impacts from the construction phase of the development Habitats Regulations Assessment (HRA)

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process. Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Natural England welcomes the proposed ANRG and the Section 106 agreements that will secure its provision and future management and the confirmation that it will be available for new residents at the time of occupation. The proposed ANRG has excellent pedestrian connectivity both within the development site and to the Public Right of Way network and other local greenspace which should ensure that occupants are encouraged to walk from their doorstep.

8.12 Highway Authority: No objection subject to conditions

8.13 HCC Minerals and Waste Planning: No objection

8.14: Archeologist: No objection subject to condition

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

8.16 Environment Agency: No objection subject to condition

8.17 Wessex Water: No objection subject to condition

Notwithstanding the points noted below regarding progression of the sewer relining works we would note that the impact of the predicted foul flow from the

new development on the system compared to existing flows will be negligible. It will be important that new development sewers are water tight; with separate systems to convey foul and surface water in accordance with good practice.

Wessex Water will accommodate domestic type foul flows in the public foul sewer with connections made on a size for size basis. Developers fund the cost of connecting to the nearest 'size for size' sewer and Wessex Water will manage the sewer network to accommodate foul flows from granted development. We fund this through our infrastructure charging arrangements. The point of connection to the public network is by application and agreement with Wessex Water and subject to satisfactory engineering proposals constructed to current adoptable standards.

Wessex Water updated their comments confirming that the programme of works to reline parts of the existing network has moved forward, in which they have confirmed that this is scheduled to be completed by Autumn 2022. Wessex Water has also re-affirmed that there is foul sewer capacity within the existing foul sewer network to accommodate the flows from the development and that there will be negligible impact from the proposed development on the exiting network as the foul flow rate is very low at peak times.

#### 8.18 Education Authority: Comment

The site falls into the Bransgore Primary catchment area, rather than Sopley. A development of 100 dwellings will generate approximately 30 primary age pupils (about 4-5 per year group). Although Bransgore Primary is full it is only at capacity owing to out catchment recruitment. This out catchment recruitment also includes pupils from out county at an average of about 8 pupils per year group. What that means is that the pupil yield from this development will, over time, be able to access a place at Bransgore Primary School as it admits less out county pupils. Consequently I will not be seeking a contribution towards the expansion of Bransgore Primary School. Similarly the secondary catchment school for the development is shared between Ringwood, Arnewood and Highcliffe (in Dorset). Again for both Arnewood and Ringwood there is an amount of out county recruitment for the schools to be full. This means that secondary age pupils living on the proposed development will be able to access a place at either Arnewood or Ringwood and I will not be seeking a contribution towards secondary school places either.

#### 8.19 Hampshire Fire & Rescue Service: Comment

Standard advice

#### 8.20: Designing Out Crime Officer Comment

The amendments to the application have sought to address the concerns previously raised in relation to ensuring that access to the elevations of the dwellings from the public realm must be prevented.

The Crime Reduction Officer highlights the importance that access to the elevations of the dwellings from the public realm should be prevented. All dwellings must sit within an area of private space. The private space to the rear of the dwelling must be enclosed by a robust boundary treatment at least 1.8m high. The semi-private space to the front and side front of the dwelling must be enclosed within a robust boundary treatment 1m high; or delineated in such a fashion that it is obviously private space.



Access to the elevations of the apartment blocks from the public realm should also be prevented. Apartment blocks must sit within an area of semi-private space, this space must be enclosed within a robust boundary treatment at least 1.2m high.

Large areas of Public Open Space (POS) are shown within the development. Planting within these areas should be such that it does not prevent natural surveillance of the spaces nor create a place within which a person might lie-in-wait unseen. Similarly planting along the footpaths / cycle ways within these spaces should be such that it does not prevent natural surveillance of the footpaths / cycle ways nor create a place within which a person might lie-in-wait unseen.

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

### **1 letter of general observations/ support**

- Having looked at most of the objections, very few are material considerations for this application. The land has been allocated for development.
- Objections on green belt, schools, doctors etc: should have been made at Local Plan consultation stage. Furthermore the actual development area does not flood. The area that consistently floods is over the bridge where the stream backs up the drain and does not go away until the stream level drops.

### **130 letters of objection**

#### **9 further letters of objection following additional/amended plans**

##### **Principle of Development**

- Loss of Green Belt land/ countryside. We should be using brownfield sites.
- Impact on climate change
- Once planning permission is granted some developers seek to increase the unit numbers and/ or reduce the affordable properties

##### **Community Services, Infrastructure and Facilities**

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

##### **Layout and Design**

- Impact on rural character/urban sprawl/ Cramped form of development
- The 5 extra homes on the corner of Derritt Lane/West Road - these were not originally in the NFDC Dev. Plan.

##### **Housing**

- Lack of affordable homes. The proposal for 18 dwellings to be affordable is well below the policy requirement. The housing allocated should be guaranteed to local first time buyers who cannot afford to stay in their own home village

##### **Impact on Landscape/ Trees**

- Negative impact on the landscape of the area, which includes the removal of

- chestnut trees along the existing footpath.
- In relation to the village green, we would ask that consideration be given to developing this as a woodland/ copse environment.

### Public Open Space

- It is important that there is natural surveillance of the play area from adjacent properties to deter vandalism. The proposed location of the play area is not in sight of any housing, and is very close to Derritt Lane, and even if fenced, escaping children (gate left open) would be at risk.

### Ecology

- Impact on wildlife
- The Hampshire fire report said they would let any property burn out instead of extinguish due to its closed proximity to the local stream
- Deers and other wildlife roam the country roads and will be threatened with more traffic and construction in the local habitat
- The existing hedgerow that bisects the development should retain it's existing format as a wild hedge and wildlife habitat and not be reduced in size or diversity.
- Clockhouse stream is an integral part of the areas eco-system and provides a flowing dispersal of ground water. We request that a 15 metre boundary be created within the development area for the length of the entire stream.

### Transport

- The development will place unreasonable pressures on the local highway network.
- Lack of footpaths to facilities
- South West pathway exit from estate (Wiltshire Rd) - The pathway outside the estate would require upgrading as it is currently a mud bath, unsuitable for buggies (or children).
- Poor visibility
- The heavy construction machinery required will incur problems in a very narrow lane such as Derritt Lane
- West road, has a blind, single lane tight bend just next to the area where the applicant intends to add an entrance to the new properties in Sopley parish. 3 driveways already enter at that position.
- Public transport is extremely limited resulting in most residents using their own transport
- Proposed visitor parking spaces not sufficient
- Exit should be sited 100 metres west of proposed site where it would pose no problems for HG residents.
- We would like Derritt Lane to be a 30 mph (or less) with improved crossings between it and the Heatherstone Grange estate.
- 

### Flooding, Surface Water and Foul Drainage

- A significant part of the site floods and there is significant groundwater saturation already, plus significant surface run off flooding.
- Derritt Lane has flooded on many occasions and becomes impassable
- There are concerns about drainage.
- Swales / ponds likely to increase mosquito incidence in light of climate change.
- The applicant has failed to address the effect their development will have in increasing the flooding issues already in existence. Not only Derritt Lane, but

also in Wiltshire Road and West Road.

- The applicant has failed to address the major issues concerning the foul sewers. The sewage pump at the corner of Wiltshire Road and Wiltshire Gardens has been overwhelmed before, backing up into nearby residential areas.

#### Impact on residential amenity

- Impact from noise and disturbance both during construction and when operation
- Impact from light pollution, privacy, outlook, and light
- The proposed development should provide a better/ improved screen between the rear gardens in Wiltshire Gardens and proposed Green Space. In the absence of screening, there is a loss of privacy, security and noise concerns.

#### Other Concerns

- Loss of agricultural land - food source
- The development would cause air and light pollution.
- Bournemouth Council are also seeking planning to build houses on Burley road, again within their boundaries but in reality in Bransgore adding yet more to the concerns about infrastructure
- Infrastructure Maintenance - It is proposed to have a mix of HCC & privately maintained areas (resident's contributions). This is likely to be confusing and difficult to control.
- The proposed swales introduces additional environmental and health risks to the site.
- The development will be overlooked by various listed buildings.

## **10 PLANNING ASSESSMENT**

### **10.1 The principle of the development**

10.1.1 Land at Derritt Lane is one of the Strategic Development sites that have been allocated for development in the recently adopted New Forest Local Plan 2016-2036. Policy Strategic Site 12 applies. This policy states:

Strategic Site 12: Land to the south of Derritt Lane, Bransgore

- i. Land to the south of Derritt Lane, Bransgore as shown on the Policies Map is allocated for residential development of at least 100 new homes and public open space dependent on the form, size and mix of housing provided.
- ii. The masterplanning objectives for the site as illustrated in the Concept Master Plan are to create a well-designed village extension that enables improved flood risk management and safer pedestrian access for the wider locality by:
  - a. Protecting the green and rural qualities of Derritt Lane, retaining the roadside trees in an enhanced margin of greenspace with natural surveillance provided by the design and orientation of the dwellings.
  - b. Creating a new village green at the eastern end of the site and a greenspace corridor along the southern and western site boundaries and incorporating sustainable urban drainage and improved water course and surface water management as an amenity and habitat enhancement.

- iii. Site-specific Considerations to be addressed include:
  - a. Providing connections to Public Rights of Way adjoining the site.
  - b. The preparation of a detailed site-specific Flood Risk Assessment (FRA) will be required which should demonstrate that there will be no inappropriate development within Flood Zone 3b.
  - c. Provide additional sewer and pumping station capacity if required.
  - d. Providing a strong and permanent boundary to the Green Belt to the west and south of the site.

10.1.2 Policy Strategic Site 12 is accompanied by a concept masterplan that illustrates how the allocation might be developed. It identifies, in broad terms, the areas where residential development could be provided, as well as areas where Alternative Natural Recreational Greenspace (ANRG) and Public Open Space could be delivered. The concept masterplan was drawn up to show how development within the allocated area could fit its landscape context, identifies the Vegetation of Landscape Value and indicates the approximate position of pedestrian links. Whilst the concept masterplan is designed to be illustrative rather than prescriptive, it does provide a framework for shaping development of the allocated area.

10.1.3 The Concept Masterplan illustrates the requirement for there to be a green buffer along the west, south and east boundaries of the site, in which the residential development would be largely concentrated in the central part of the site to the south of Derritt Lane. It also identifies existing vegetation of landscape value to be retained, which includes all boundaries of the site and the belt of trees running north-south through the site.

10.1.4 The applicant's proposal shows that residential development is to be provided south of Derritt Lane and the Green Infrastructure shown to the west, east and south of the site. This reflects the Concept Masterplan accompanying Policy Strategic Site 12. Equally the plans show the 'Vegetation of Landscape Value' to be retained with key pedestrian links shown to be provided throughout the development. The extent of the proposed development which does not reflect the Concept Master plan are the five houses on the eastern side of the site adjacent to West Road. Whether this slight deviation from the Concept Masterplan is acceptable is assessed in greater detail under the '*Character assessment*'.

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

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

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

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

published housing trajectory includes the delivery (completion) of the development as part of the five year housing land supply, with 20 units in 2022/23, 40 units in 2023/24 and 40 units in 2024/25.

10.2.2 In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing). The current proposal is for a new housing development of 100 units which will make a valuable contribution to housing supply in the District.

The July 2021 NPPF states the following

For decision-taking this means:

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

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

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

#### **10.3.1 The location of built-form and Green Infrastructure**

10.3.2 The site's location is defined by its part rural edge, its proximity to the Green Belt to the west of the site and New Forest National Park to the north east of the site. In addition, the character of the area is defined by the trees and hedgerows that are present within and adjacent to the site and the trees that line Derritt Lane. The rural and historic route of West Road is also an important character.

10.3.3 The application is a full application therefore, the location of the built form and Green Infrastructure is fixed (i.e not illustrative). The submitted layout plan shows the majority of the built development to the south of Derritt Lane, with nearly all the trees along the Derritt Lane being retained, in line with the Local Plan Concept Masterplan. In addition, the larger area of open green space is shown to be provided to the east of the site, with swathes of open space along the west and southern boundaries. Again, this fully accords with both policy and the concept masterplan.

10.3.4 Overall, the proposal picks up on the key criteria set out in Local Plan Policy SS12 in that the built development would be set well back from the western and southern boundaries of the site, separated by Green Infrastructure and natural drainage features which would provide a strong and sympathetic edge to the Green Belt. Dwellings would be set back from Derritt Lane and orientated with either front and side elevations addressing the road providing active frontages and good natural surveillance.

10.3.5 The positioning of the group of 5 dwellings on the eastern edge of the site differs from the Policy Concept Masterplan. These five dwellings would be located on the eastern part of the site adjacent to West Road onto an area of land that the Concept Masterplan suggests could be ANRG land. It is important to note that the five dwellings proposed to the eastern part of the site do not increase the number of houses on the site, from the minimum figure in the local plan as the total remains at 100. In addition, the five houses proposed within this part of the site fall within the site allocation boundary. It simply differs from the illustrative Concept Master Plan. As stated above, the Policy Concept Masterplan is illustrative, not prescriptive.

10.3.6 The applicant highlights that there are several planning benefits to the overall development on the site through the five houses being re-distributed from the main development area to the land to the east. This includes the five houses providing natural surveillance to the public open space, the children's play area and footpath/cycle route to West Road. In addition, the applicant considers that this small element of houses will be sustainably located on the edge of West Road and will enable the main development area to be less developed.

10.3.7 In assessing the case put forward, it is considered that there is logic and merit to the proposal to provide a small development to the east of the site adjacent to West Road. Not only will it enable the main development area to be less condensed, the five dwellings will provide natural surveillance onto the open space areas including the new footpath connections towards Bransgore. Moreover, the five houses will provide a 'Gateway' into the site enhancing the legibility when arriving from the west and will also enable the main development area to be better integrated with the edge of the settlement in West Road. This position is supported by the Councils Urban Design Officer.

10.3.8 Overall, it is considered that the proposed layout are appropriate and justified. The most critical matter is to ensure that the scale, design, form, layout, detailing and use of materials of the five dwellings delivers a high standard and is contextually appropriate, to ensure that the two older cottages to the north and the semi rural context of West Road are respected. This is assessed in greater detail below.

#### The layout and appearance of the built development

10.3.9 Derritt Lane is a rural road which connects Sopley and Bransgore and is characterised by its mature tree lined verge edges adjoining an open landscape of agricultural fields. Along the route and within the immediate local area, there are examples of occasional farmstead, stables and barn buildings set back from the road and arranged around courtyards reinforcing a rural and agricultural feel to the area. The development to the rear of the site in Wiltshire Gardens, which forms part of the edge of the settlement boundary, is a more modern development with detached houses and bungalows in a more open and spacious setting.

10.3.10 Directly north of the site is a recent development known as Heatherstone Grange, which forms an urban extension to the village and is a spacious development characterised by a mixture of dwellings set in perimeter blocks and streets. As part of that development, dwellings alternate between fronting or side end elevations to Derritt Lane, all set back from the road by a large tree lined verge. Building types vary throughout the Heatherstone Grange development but generally comprise two storey buildings designed to appear as cottages and Arts and Crafts. A large 'manor house' style building with adjoining 'barn' structure set back over an entrance green is a prominent feature on the approach route of Derritt Lane.

10.3.11 West Road, lying to the east of the site forms the historic route within the original core of the village and comprises a mixture of generally older dwellings set in a more semi-rural context. West Road is a narrow lane with no footpaths, and whilst there are some more modern houses, the predominate context is characterised by traditional cottages, which make a positive contribution to its character.

10.3.12 The applicant's proposed design approach for the site seeks to create a high quality and sympathetic rural edge development that reflects key local distinctiveness principles and characteristics of the local area. The submitted layout consist of a series of perimeter blocks, courtyards and barns designed to reflect the existing rural qualities and built characteristics found in the local area. Trees, hedgerows, and accessible green spaces would surround the streets and roads. Buildings tend to be sited close to the roads with short front gardens, on site car parking to the side and fairly deep rear gardens, which enables sufficient space for tree planting. Swales created along the streets will be planted with trees and vegetation which will add to the attractiveness of the streets and this accords with government guidance to provide street trees.

10.3.13 The proposed perimeter blocks form a key design concept for the development and are arranged with buildings actively front onto the streets, broken up with walls and greenery, together with space provided to the front for planting strips. This design approach reflects elements of the recent development to the north of the site at Heatherstone Grange, which comprises various perimeter blocks. Courtyards are proposed throughout the development and have been designed with natural surveillance, space for tree planting and arranged so that cars will be hidden from the main internal roads around the development.

10.3.14 The Urban Design Officer notes that whilst this site is necessarily intense in its design, a combination of well located greenspaces will act as a setting for development that allows an innovative collection of buildings to work well on this site. Moreover, he considers that there are many aspects to the design which are positive, and recognises that the buildings are undeniably rich in detail and traditional qualities that create a pleasant atmosphere of yesteryear. It is noted that the Councils Urban Design Officer has raised concerns with some elements of the 'tandem' car parking between the sides of the dwellings, which he considers can appear harsh if the treatment of materials, design and detailing is not to the highest quality. In response, the applicant has made changes to some of the plots to reduce the extent of tandem car parking and have demonstrated through high quality detailing that the scheme does provide sufficient design quality to reduce this concern.

10.3.15 The proposed five dwellings to the east of the site, adjoining West Road which are separated from the main development, are located within an area that is designed with variegated form. These make reference to local vernacular and historic character, all set within garden plots. The proposed development would

be set back from Derritt Lane separated by an area of open space and footpath. Existing historic hedgerows along the Derritt Lane and West Road would largely be retained, which will help retain the site's rural character. The Urban Design Officer is supportive of the proposed five dwellings and considers that the overall quality of design, layout, detailing and use of traditional materials is at a high standard and contextually appropriate, to ensure that the two older cottages to the north and the semi rural context of West Road are respected.

10.3.16 To ensure that the overall layout of the proposed development including Green Spaces have the basic level of protection, the 'Designing Out Crime' Officer highlights the importance that all dwellings must sit within an area of private space. The private space to the rear of the dwellings must be enclosed by a robust boundary treatment at least 1.8m high and the semi-private space to the front and side front of the dwelling must be enclosed within a robust boundary treatment 1m high; or delineated in such a fashion that it is obviously private space. It is considered that the overall layout generally provides good natural surveillance and will create a safe and accessible environment. It is also noted that the applicant has made some amendments to the drawings to incorporate new boundary treatments to several of the dwellings to provide greater protection from the public realm to help alleviate the points made by the Designing Out Crime Officer.

10.3.17 Turning to the visual appearance of the buildings, other than the two barn buildings within the development, building types, forms, and styles vary throughout the development. These styles include cottages, traditional building forms and styles and the occasional Arts and Crafts style home. This is considered to add visual interest within the development, but there are groups of buildings with similar design and form which ensure an element of consistency. Materials range from brick, stone, render and timber for the cladding, with slate and clay tiled roofs. It is considered that all street scenes have been well designed and would make a positive contribution to the character of the development and reflects the surrounding context.

10.3.18 Decorative detailing is shown to be used throughout the development including string course, verge detailing, traditional porches, chimneys, and bay windows which will add to the overall design quality of the development. It is clear from the plans submitted that the dwellings and buildings are designed and detailed to a high quality and are rich in detail and attractive. As highlighted above, the Councils Urban Design Officer notes the high quality shown in the design of the dwellings.

10.3.19 It is recognised that there has been some criticism with the design and layout of the two apartment buildings, in which the Urban Design Officer considers do not resemble a barn layout or design. In response, the applicant has amended the design of these building through changes to the fenestration, layout and form. It is considered that the revised buildings and their layout are well designed, and low scale that would be appropriate in their setting. Through the choice of good quality materials and detailing, it is considered that these buildings can make a positive contribution to the overall site and be appropriate in this context. These are matters that can be addressed through an appropriately worded planning condition.

10.3.20 In relation to building heights, the development would be of traditional 2-storey scale, whilst two of the homes would rise to two and a half storeys building. It is considered that this would be a reasonable approach to building heights across the site.



10.3.21 Overall, it is considered the proposed development would be well designed and sympathetic to local distinctiveness and the site's rural edge context. The development would therefore have an acceptable impact on the character and appearance of the area. There would be good natural surveillance of the key public areas within the central and eastern parcel of the proposed development. The design is considered to be one where opportunities for anti-social and criminal behaviour are reasonably minimised. It is considered that the dwellings would be of an appearance that would adequately respect the site's rural edge context, and with a reasonable consistency running through the design this would help to create a strong sense of place.

#### The Landscape Impact of the Development

10.3.22 The application is supported by a Landscape and Visual Appraisal (LVA) which assesses the landscape and visual effects of the development, both in the immediate vicinity of the site and from more distant viewpoints. The Landscape and Visual Appraisal concludes that the visibility of the site is limited to the immediate surroundings and most of the site is well contained visually by the density of both boundary and intervening vegetation. The Landscape and Visual Appraisal also states that there are no distant views possible of the site due to intervening vegetation, high levels of tree cover found along field boundaries and undulating topography in the wider landscape.

10.3.25 The applicants have submitted a series of landscaping plans ranging from an overall masterplan, landscape framework plan and more detailed tree planting schedules and landscaping proposals for each part of the site. These plans however are not yet at a stage where they can be approved but they do form a good basis for the final plans to be worked up by condition. The submitted Landscape Strategy employs a sensitive approach within the eastern parcel that abuts the New Forest National Park through the introduction of an expansive landscape area, including the Village Green, and setting back of development, that limits the impact of the development upon the nationally recognised landscape, which is sympathetic to the local surroundings. An expansive area of neutral grassland / water meadow on the western edge maintains a soft margin towards the green Belt to the west and the approach and views to the site when travelling along Derritt Lane from the west to east. Significant tree planting is proposed throughout the site, including the retention of most of the existing trees and hedgerows.

10.3.26 Green Infrastructure and swale's extend along the southern edge of the site, in which the built development would be set back, such that there would be a continuous area of green infrastructure along this most exposed part of the development. The creation of this generous depth of green infrastructure along the development's edges would help to ensure compliance with the specific policy requirement to set development and create a strong Green Belt edge. A 10-metre-wide landscape buffer to Barrett's Copse incorporating thorny scrub and native hedgerow provides a screen and prohibits users of the footpath and open space from entering this area.

10.3.27 The PRoW footpath that runs through the site will be retained along its same axis and has been given a generous buffer towards development on either side. This space has been utilised as a central focal point to development surrounded by scattered groups of trees that are more favourable than the uniform linear row of existing trees that were suffering in this location.

10.3.28 In summary, it is considered that the overall landscape strategy has carefully considered how the development might impact on the open rural

landscape within and beyond the site. This has resulted in a detailed landscape framework which demonstrates an attractive and pleasant landscape and green infrastructure for the site, together with a soft rural edge to all boundaries of the site, which is appropriate and acceptable to the sites context. As recognised by the Council's Urban Design Officer and Landscape Officer, there are elements of this Plan that need to be refined, but these largely relate to matters of detail that can be reasonably resolved by condition.

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

10.4.1 The proposed development is sited adjacent to the nationally designated New Forest National Park, which lies to the north east along Derritt Lane.

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

10.4.3 Through a sensitive design response within the eastern parcel that abuts the New Forest National Park, which includes the main Green Infrastructure and setting back of development, together with the retention and enhancement of hedgerows, this limits the effects of built development near the National Park designation and introduces elements that enhance the area. Accordingly, the submitted LVA concludes that the proposals do not adversely affect the designation and there is no reason to disagree with this assessment.

10.4.4 In summary, given the distances involved and the significant quantity of Green Infrastructure, the proposal would not diminish the visual appreciation of the New Forest National Park from key viewpoints, nor would it be to the detriment of the special qualities of the National Park.

#### **10.5 Arboricultural Impacts**

10.5.1 There is currently an area Tree Preservation Order covering the entire site. The site benefits from extensive tree and hedgerow coverage primarily concentrated along the northern boundary along Derritt Lane, southern boundary and a belt of trees running north-south through the central part of the site. A further group of trees is present within the eastern part of the site within the 'Dell'.

10.5.2 The submitted Tree Survey confirms a number of these trees are of a high quality (Category A) including several native species of Oak, Ash, Beech and Sweet Chestnut trees. The Councils Tree Officer confirms that there is no reason to disagree with the categorisation assigned to the individual and groups of trees.

10.5.3 The Local Plan Concept Master plan highlights the boundaries of the site, and the belt of trees running north -south as a Vegetation of Landscape Value. In addition, Local Plan Policy SS12 highlights the need to protect the green and rural qualities of Derritt Lane, retaining the roadside trees in an enhanced margin of greenspace with natural surveillance provided by the design and orientation of the dwellings.

10.5.4 The proposal seeks to retain most of the existing trees on the site, and all Category A trees will be incorporated as part of the proposed development. A small number of roadside trees will be lost along Derritt Lane to accommodate the proposed accesses and visibility splays. Importantly, most of the trees to be lost are low-quality trees with very little potential to contribute to local character because of their poor condition and small size.

10.5.5 The only other tree clearance will be a small number of low quality (Category C) and a selection of trees deemed unsuitable for retention (Category U). This includes the row of Horse Chestnuts that line the Public Right of Way (PROW) through the centre of the site, which are in poor condition, subject to Canker disease. All root protection areas (RPA) of retained trees will be protected, and where there will be minor encroachment special precautions will be taken to minimise impact and provide for the future retention of the trees.

10.5.6 Significant new native tree and hedgerow planting will be incorporated into the proposed landscape response to strengthen the site character, particularly along the internal streets, along the PROW and within the Green Infrastructure. Residential plots are also designed with sufficient depth to encourage tree planting within the rear garden. More than 100 additional trees will be provided throughout the entire site.

10.5.7 Accordingly, it is considered that, in the context of the proposed development tree losses have been minimised to those required to facilitate the new development. Tree planting as part of the supporting Green Infrastructure will be a positive gain for arboriculture over and above that which currently exists on the site.

## **10.6 Impact on Heritage Assets**

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

10.6.1 Section 66(1) of the Listed Buildings and Conservation Areas Act requires that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

- Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- Paragraph 203 The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

10.6.3 The application is accompanied by a detailed Heritage Assessment which identifies that there are no designated heritage assets within or adjacent to the site. In addition, no designated heritage assets or their setting will be affected

by the proposed development. The Councils Conservation Officer concurs with these views.

10.6.4 The proposed development will result in a change within the setting of several non-designated built heritage assets located on the eastern part of the site. This includes the following:

- The Dell, former extraction/ Quarry pit, within eastern part of the site
- Laurel Cottage, Derritt Lane
- Yew Tree Cottage and its outbuilding, Derritt Lane
- Lilac Cottage and September Cottage (formerly White Birds), West Road
- The Old Stores and outbuilding, West Road
- Forest Edge and outbuilding, West Road

#### The Dell

10.6.5 The area known as the "Dell" lies within the eastern part of the site, and forms part of a former quarry pit. The submitted Archaeological report states this feature is a physical reminder of Bransgore's past as 'an *interesting appropriation of an industrial feature*', which was transformed into an enclosed plot for a small holding and the location of the farm which controlled all the land within the site since at least the 19th century. The area known as a Dell, which is now largely open with scrub and trees has been designated as a Non-Designated Heritage Asset.

#### Laurel Cottage and Yew Tree Cottage and its outbuilding, north side of Derritt Lane

10.6.6 'Laurel Cottage' is a red brick building under a slate roof, slightly set back from Derritt Lane and the submitted Heritage Assessment states that it is likely to be of early 19th century date. 'Yew Tree' Cottage is a rendered (possibly cob) and thatched building that faces Derritt Lane and the Heritage Assessment considers that it is likely to date to the 18th or early 19th century.

#### Lilac Cottage and September Cottage, West Road

10.6.7 'Lilac Cottage' and 'September Cottage' stand on the southeast side of West Road as the road bends, both appear for the first time on the 1871 Ordnance Survey map. Lilac Cottage is externally rendered with an overhanging pitched roof clad in tile and brick chimney stack at its west end. The mix of casement and awning windows are modern PVCu replacements. September Cottage is a smaller building finished in a cream coloured render.

#### The Old Stores and outbuilding

10.6.8 The 'Old Stores' and outbuilding stand on the west side of West Road and border the site. The Old Stores is a double-pile brick building built, which is likely to be late 19th century. A single-storey extension at the north end of the stores appears to be a modern replacement of an earlier extension or linking block and the building was substantially extended to the west and the southwest in the late 20th century. However, the structures-built form suggests a degree of substantial rebuild, if not complete replacement.

#### Forest Edge

10.6.9 Further south on West Road lies 'Forest Edge', is largely hidden behind its boundary walls, fencing and hedges. The Heritage Assessment states

that the building appears to be a late 18th or earlier 19th century house.

#### Significance and impact of proposed development

10.6.10 The proposal entails the use of the 'Dell' as a nature and heritage conservation area, including the formation of a new drainage feature. It is not intended that this will be accessible to the public. The proposals will result in no material change in the setting of any identified built heritage assets within the surrounding area. The drainage basin will be a natural feature which will be raised above the ground levels through introduction of bunding. Consequently, the Heritage Assessment states that the proposals for the Dell will not impact upon their significance. There is no reason to disagree with this.

10.6.11 In relation to the significance of 'Laurel Cottage' and 'Yew Tree' Cottage and its outbuilding on the north side of Derritt Lane, the Heritage Assessment states that both properties hold some architectural interest as vernacular buildings, representative of their period and the development of Bransgore in the 18th and early 19th century. 'Laurel Cottage' has been subject to little alteration, with most of its historic features and architectural character intact. Conversely, 'Yew Tree Cottage', while maintaining its authentic thatched roof, features unsympathetic uPVC replacement windows and a modern conservatory which detracts from the integrity and appearance of the building, and which has reduced its significance.

10.6.12 With regard to the significance of the buildings on West Road, it is accepted that they hold some architectural interest as historic buildings (some vernacular) illustrative of their period and of the development of Bransgore in the late 18th and 19th century. The buildings have group value with one and other, and with the wider settlement core of the village. Such associations contribute to their significance, providing context and historic interest, which enhances their legibility.

10.6.13 The majority of the built development is to be situated on the west and central parts of the site, a considerable distance away from the Non-Designated Heritage Assets. A green buffer in the former of the village green concentrated on the eastern part of the site will largely retain the open setting to this part of the site. A small development of five dwellings is proposed on the eastern part of the site accessed to the west of West Road. These buildings are well designed and seek to pick up on the local vernacular.

10.6.14 Overall it is considered that the nature and siting of the proposed eastern development area leaves the majority of the eastern field as open space, and maintains a degree of rural landscape context for the identified non-designated heritage assets and as such the level of harm and loss to the significance of the heritage assets is low.

### **10.7 Transportation matters**

10.7.1 It is necessary to assess whether the development would have an acceptable impact on the local highway network, whether the proposed highway works and access arrangements within the scheme would be safe, sustainable, and meet the appropriate needs of all highway users; and whether the proposed development would have an acceptable impact on existing public rights of way in the vicinity of the site.

10.7.2 The application site is bordered to the north by Derritt Lane, which is an unclassified two-way street subject to a 40mph speed restriction. There is no existing street lighting present. Along the northern boundary of Derritt Lane, opposite the site, two junctions provide access to the development to the north known as Heatherstone Grange. For the most part, Derritt Lane has no footpaths, but a new footpath has been provided along the road which links the new Heatherstone Grange development to Bransgore. West Road provides the eastern boundary of the development site and is subject to a 30mph speed limit and there are no pavements.

10.7.3 Travelling east from the development site, Derritt Lane continues and transitions into a 30mph speed restriction around 280m to the west of the existing West Road/Derritt Lane junction. To the east of the speed limit change, a narrowing is present. This narrowing, which also provides an uncontrolled pedestrian crossing, was installed in conjunction with the Heatherstone Grange development to the north of Derritt Lane.

10.7.4 Local Plan Policy SS12 does not prescribe the exact position of where vehicular access should be gained along Derritt Lane to serve the proposed development. In addition, the policy does not state how many vehicle accesses should be provided to serve the proposed development. In considering the most appropriate point for vehicular access to serve the proposed development, the applicant explains that the chosen position is the most appropriate location in public highway safety terms to achieve necessary visibility splays and proximity to existing access/ junctions etc and the potential impact on trees along Derritt Lane.

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

10.7.6 In terms of traffic generation and distribution, the applicant's TA has considered the distribution of trips associated with the proposed development and the impact this will have on key junctions at the site and near to the site. The TA assessed the capacity of the following junctions:

- Derritt Lane proposed Site Access Junction West;
- Derritt Lane proposed Site Access Junction East;
- Derritt Lane/Ringwood Road Priority Junction;
- Ringwood Road/Burley Road Crossroads

10.7.7 The traffic impact assessments demonstrates that the two proposed junctions are expected to operate well within theoretical capacity following the implementation of the proposed development with minimal impact on Derritt Lane. In relation to the two other key junctions assessed, the TA concludes that the Derritt Lane/ Ringwood Road and Ringwood Road/Burley Road junctions are expected to operate within capacity, including with the addition of development traffic with reserve capacity in all future years with development scenarios.

10.7.8 In summary, it is concluded that the existing highway network would satisfactorily accommodate the additional traffic arising from the proposed residential development without resulting in any severe impacts, and therefore the traffic impact of the scheme is considered to be acceptable in light of the requirements of the NPPF. The Highway Authority agree with this assessment.

### Personal Injury Accident

10.7.9 Personal Injury Accident information (PIA) has been reviewed as part of the Transport Assessment process. The data indicates that there has been a total of eight incidents within the search area during the 5 year period, with five of these incidents categorised as 'slight and three 'serious incidents. In reviewing the records for the previous 5 year period, all the recorded incidents occurred at different locations (five along Ringwood Road including the three serious incidents), were not in similar time periods and with different contributing factors.

10.7.10 No accidents within this search area occurred in West Road within the vicinity of the application site. Indeed, the PIA records, in the most recent five year period indicate that all the recorded incidents occurred at different locations, were not in similar time periods and had different contributing factors. The records do not, therefore, contain any patterns that might suggest any areas of highway concern within the search area. The Highway Authority has confirmed this position.

### Bus stops/ services

10.7.11 The nearest bus stops to the application site are located on Burley Road and are known as the 'Carpenter Arms Stops, which can be reached in a 10 to 15 minute walk from the proposed development site via the public right of way to Wiltshire Gardens or through West Road that also provides a connection to Burley Road.

10.7.12 There are daily services from the Burley Road Stops to the destinations in the local area, including Ringwood and Christchurch. Christchurch Community Partnership operates a 'Dial a Bus' service, within which Bransgore is located. This provides a link for elderly and vulnerable people to access the centre of Christchurch for medical or shopping trips. The service operates on a Thursday within East Christchurch.

10.7.13 It is recognised that the bus stop has a very limited service, providing only 5 buses a day Monday -Friday with no services at the weekend, to destinations, namely Ringwood and Christchurch. In order to promote sustainable transport, Officers have discussed with Hampshire County Council Highway Officers to explore whether there are opportunities to enhance this service.

10.7.14 Given the scale of the proposed development and location to existing bus facilities, it is not proposed to alter or provide changes to existing services. This is considered to be reasonable and such a requirement has not been requested by the Highway Authority who have confirmed that the current level of bus services is adequate to serve the demand arising from the proposed development.

### The Primary Accesses onto Derritt Lane and West Road

10.7.15 Vehicular access is proposed to be taken from two junctions onto Derritt Lane and one onto West Road. The two proposed access points onto Derritt Lane would serve 95 dwellings and the single access onto West Road would serve five dwellings. The proposed accesses onto Derritt Lane would be sited west and east of the existing two accesses along Derritt Lane that serve the Heatherstone Grange development to the north.

10.7.16 Based upon the speed surveys carried out, for the western access onto Derritt Lane, visibility splays of 2.4m x 112m would be provided for the eastbound approach and 2.4m x 104m for the westbound. For the eastern access onto Derritt Lane 2.4m x 102m for the eastbound and 2.4m 104m for the westbound. The Highway Authority raise no objection to the methodology used for the visibility splays. Planning conditions can be imposed to ensure that any vegetation/ trees are removed to ensure that all visibility splays are provided prior to use and maintained at all times.

10.7.17 The proposed access onto West Road will serve the five dwellings and this will be in the form of a private drive. Junction visibility splays of 32m and 25m has been shown to be provided for this access. There is a requirement to improve the visibility to the northern end of West Road which has poor visibility, especially near the bend in the road. It is considered that the existing hedgerow, close to the bend in West Road is the main factor in reducing the visibility. To achieve acceptable visibility splays, it is proposed to remove part of the existing hedgerow close to the bend and replace it with a grass verge. This would significantly improve the visibility for both the proposed access and existing users of West Road and therefore provide a highway safety benefit compared with the existing situation.

10.7.18 In response to the concerns raised by some local residents about the siting of houses exiting onto West Road, that suggest due to its narrow width would be unsatisfactory and create additional traffic flow onto the junction with Derritt Lane, it is considered that only five dwellings are proposed which will not amount to any significant increase in traffic. Furthermore, as stated above, appropriate surveys have been carried out which indicate that vehicles drive well below the 30mph speed limit and the layout provides adequate sight lines in both directions that will provide a highway safety benefit over the existing situation.

10.7.19 In summary, having regard to speed survey data and the design details that have been put forward, the Highway Authority are satisfied that the 2 proposed access points onto Derritt Lane and access into West Road would have acceptable visibility splays, and would enable all vehicles (and other users) to enter and leave the site in a safe and acceptable manner.

#### Internal access

10.7.20 It is the applicant's intention for the majority of the internal roads to be offered to Hampshire County Council for adoption. The courtyards proposed within the development and the road serving the five dwelling adjacent to West Road will be private.

10.7.21 The internal road layout has been subject to a Phase Stage 1 Road Safety Audit, which concluded that there are identified no significant concerns with the public safety. Indeed, the detailed layout of the roads have been designed in a way to reduce traffic speeds and to reflect the guidance set out in Manual for Streets.

10.7.22 Swept path analysis plans have been submitted showing how a refuse truck, delivery van and fire tender would satisfactorily use the proposed junctions along Derritt Lane access the development. Collection vehicles for the West Road parcel will wait on West Road and while bins are collected from inside the development. The Highway Authority's advice is that there are no fundamental concerns with the internal layout from a highway safety perspective.



## Car parking

10.7.23 Paragraph 107 of the NPPF specifically addresses car parking. It does not prescribe standards, but provides guidance for councils that are setting out local standards for residential and non-residential development. It states that any local standards should take into account the accessibility of the development, the availability of and opportunities for public transport and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Local Plan Policy CCC2: 'Safe and sustainable travel' requires new development to provide sufficient car and cycle parking.

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

10.7.25 The amount of parking provision proposed responds to the Council's adopted car parking standards supplementary planning document. The development proposes 280 spaces, at an average parking ratio of 2.8 spaces per dwelling, together with 14 visitor spaces. All plots benefit from at least two spaces, with the majority of plots benefiting from a single or double garage.

10.7.26 Parking provision for residents in the scheme includes a predominance of driveway/on-plot based parking, with some courtyard parking. Where garages are used, they are designed to 3m x 6m internal size, which in accordance with Manual for Streets and Council's Parking Standards Supplementary Planning Document (SPD) advice makes them more likely to be used for parking.

10.7.27 In relation to visitor car parking, NFDC standards states that 'layouts based on-plot parking may include lay-bys and/or other visitor parking space providing that highway safety is not prejudiced and up to a maximum of 20% of the total amount of parking is on site'. The layout would provide 14 visitor spaces with over 200 allocated parking bays, well within the maximum 20% visitor allocation.

10.7.28 Provision for electric vehicle charging has been incorporated to serve every plot within the development and can be covered by condition to require provision to be made prior to occupation.

10.7.29 To ensure that all garages and car ports remain available for car parking spaces, it is considered reasonable that PD rights withdrawn to ensure those garages and car ports are not altered and converted into additional ancillary living accommodation without the need for a further planning permission. Planning conditions are recommended to control these matters.

10.7.30 As such, the level of parking being provided in association with the development would be acceptable from a highway safety perspective. The application also makes appropriate provision for cycle parking within garages (that would be large enough to accommodate cycles) and within sheds and communal stores.

## Access for Cyclists and Pedestrians

10.7.31 The provision of safe cycling and walking opportunities within and outside the new development is critical to ensuring a sustainable new community. This can be achieved by securing good connections to the existing footpath network and public right of ways.

10.7.32 Bransgore village centre is around a 10 -15 minute walking distance from the application site, approximately 900m walk via a footway along Derritt lane and Ringwood Road. General guidance on acceptable walking distances to local facilities suggest preferred maximum walking distances of 2km. The application site is well within this threshold. Bransgore Primary school is within a 20 minute walk (1800m) of the site and is therefore within the 'Acceptable walking distance as set out within Providing for Journeys on Foot.

10.7.33 A 3 metre wide pedestrian and cycle route is proposed along part of the northern edge of the site to link the whole development to the existing footpath network in West Road, which then connects to Bransgore village centre. A new pedestrian crossing point on the corner of West Road and Derritt Lane would be provided at the end of the footpath/ cycle route. This pedestrian/cycle route is the main desire line to Bransgore village centre.

10.7.34 Some concerns have been expressed suggesting that the crossing point on the corner of West Road and Derritt Lane would be dangerous and has limited visibility due to the existing hedgerow on the road frontage. Amended plans have been submitted in which the crossing point has been slightly re-located and the visibility splays increased through removal / trimming of a greater section of hedgerow on the corner of Derritt Lane and West Road. The Highway Authority note that the proposals would provide visibility improvement at this crossing point.

10.7.35 A further pedestrian access will be provided to the south via the existing Public Right of Way (Route 19) which links to Wiltshire Gardens. The PROW running through the site will be improved within the development site and incorporated into the internal footpath network of the development.

10.7.36 Representations have been expressed that there is a desire to improve the existing footpath between the application site and Wiltshire gardens (which is outside the application site). In response, whilst it is accepted that this provides a link into the neighbouring development and a good connection to other parts of Bransgore, given that part of the route runs between existing high boundary fencing, narrow in places with limited natural surveillance, it is not reasonable or necessary for the applicant to upgrade this footpath. Indeed, the main desired route towards the village centre from the proposed development will be via the 3 metre wide footpath/cycle route on the northern part of the site.

10.7.37 Overall the proposed layout shows a network of footpaths throughout the site, both on the north and south boundaries, together with links through the built development from north to south. Footpath routes connect to existing public footpaths and rights of way, which will enable safe routes to Bransgore village centre and the open countryside for recreational purposes.

#### Off-Site Highways Works

10.7.38 A Non-Motorised User (NMU) Audit / WCHAR assessment was carried out by the applicant at the request of the Highway Authority to review any existing issues with pedestrian and cyclist routes to key destinations from the application site. The following improvement works have been sought by the Highway Authority as a result:

- The installation of a vehicular cross-over with tactile paving at the entrance to the rear parking court of numbers 5-11 Derritt Lane;
- The installation of dropped kerbs with tactile paving at the junction of Brookside Road/Derritt Lane;
- Provision of dropped kerbs and tactile paving on the highway at the access to a private road approximately 100m south of Burley Road/Ringwood Road

- Junction;
- Installation of tactile paving at the junction of St Marys Close/Ringwood Road.
  - Provision of a new uncontrolled pedestrian crossing on Ringwood Road near the Three Tuns Pub.

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

#### Impacts on Public Rights of Way

10.7.40 There are several Public Rights of Way (PROWs) in the vicinity of the site, including Sopley 19 which crosses the site. Maximising the use of the existing Public Rights of Way is important to gain access to the countryside and any footpath links within the development need to align/ link with other off site PROWs. The applicants Landscape Framework illustrates the key links/ crossing points with PROWs.

10.7.41 Sopley 19 crosses the central part of the site between Derritt Lane and Wiltshire Gardens. The footpath is a grass path. There are no proposals to alter the route. The proposals entail providing an enhanced footpath, with new surfacing and landscaping including replacement trees to create an attractive route through the site. Whilst the submitted landscape plans indicate that the type of surface will be hoggin, the exact details of the type of material to be used can be dealt with by condition.

10.7.42 There are two existing PROWs to the north of the site, which provide good walking routes to the north of Heatherstone Grange and towards Sopley and Ripley. The internal layout of the development provides connections to the existing crossing and footway along Derritt Lane leading to Heatherstone Grange, and from which access to the existing PROWs to the north side of Derritt Lane can be achieved. There is also provision within the layout for informal linkages to the wider PROW network.

10.7.43 Overall it is considered that a new attractive surface provided in a Green corridor will not only provide benefits through enhancement works to the footpath, but incorporating the footpath into the Public Open Space will enable a long term solution for the management and maintenance of this route.

#### Travel Plan

10.7.44 One of the key ways in which a modal shift away from single occupancy car journeys can be achieved, and journeys by foot, cycle, and public transport can be encouraged, is through the implementation of a Travel Plan.

10.7.45 A Framework Travel Plan, as required by policy, has been provided with the application, in order to encourage future occupants of the development to travel by modes other than single occupancy car use. Having regard to the advice of Hampshire County Council, the principles set out in the Framework Travel Plan are considered to be acceptable, but for the application to be fully in accordance with policy, there will be a need to agree a Full Travel Plan, together with appropriate monitoring requirements. This will be secured through planning conditions and / or a Section 106 legal agreement.

## **10.8 Nature Conservation**

10.8.1 The site is not located in a sensitive area and there are no International, National, or local designations on the site that need specific consideration. There are however several designations within the vicinity of the site.

10.8.2 In relation to European designated sites, the New Forest SAC, is located approximately 875m east of the site, the Avon Valley SPA/ Ramsar site is located approximately 1.6km west of the site and River Avon SAC is located approximately 1.8km west of the site. In relation to National designated sites, the New Forest SSSI is located approximately 875m east of the site. With regard to Local designates sites, Barrett's Copse Site of Nature Conservation Interest (SNCI) is contiguous with the southern boundary of the site and the copse is recognised as the priority habitat lowland mixed deciduous woodland.

### Ecology: Mitigation of Recreational Impacts

10.8.3 In accordance with the Habitat Regulations, the Council's Local Plan policies require that the recreational impact of new residential development on European designated nature conservation sites within the New Forest, Dorset Heathlands SPA/ SAC and Ramsar, River Avon SAC and Avon Valley SPA / Ramsar is assessed and satisfactorily mitigated where required.

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

10.8.4 To ensure that the impact of larger developments on the New Forest designated sites (The New Forest SPA, SAC and Ramsar site) and Dorset Heathlands SPA/ SAC and Ramsar, River Avon SAC and Avon Valley SPA / Ramsar are satisfactorily mitigated, policy requires that 8 hectares per 1000 population of land for us as (Alternative Natural Recreational Greenspace) be provided either on the development site or directly adjoining and well connected to it.

10.8.5 As this is a full' application, permission is being sought for a precise number of dwellings. The precise quantum of ANRG land needed to be provided can be calculated using the Council's ANRG calculator, 100 dwellings would generate an ANRG requirement of 2.3 hectares, which is based on an estimated population of 278 people.

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

10.8.7 This application provides over 2.3 ha of ANRG which meets the minimum requirement, but when combined with the overall Green Infrastructure proposed within the development, this amounts to approximately 7.7 hectares, well in excess of that needed. The ANRG land is shown to be located across the western, eastern and parts of the southern edge of the site. The ANRG and landscaping strategy is to provide multi-functional areas of Alternative Natural Recreational Greenspace and Green Infrastructure, to comprise the following:

- a large area of open space,
- green space corridors with footpath planted with swathes of wild flower

- grassland,
- a wildlife pond, scrub habitat and new trees/ hedgerows.

In addition, the ANRG land is shown to be located and connected to the development and public open space that is proposed, and within easy walking distance of the main residential dwellings. Moreover, the ANRG land design includes the incorporation of circular walks, links to existing Public Rights of Way and opportunities for off lead dog walking and semi natural habitats, that are also designed to provide biodiversity benefits.

10.8.8 The proposed development accords with the Council's adopted Supplementary Planning Document 'Mitigation for Recreation Impacts on New Forest European sites'. In particular, it shows a 'main space' of 120 metres diameter, 'secondary spaces' and connecting links to Green Infrastructure and footpaths. The Council's Urban Design Officer confirms that the proposed ANRG land (and public open space) would provide a valuable network of green infrastructure that embraces the spirit of the adopted SPD; and that the proposals are a good offer for all the required forms of public greenspace and the setting of the development subject to a more considered design for the spaces and a positive management commitment. The ANRG had also been endorsed by Natural England.

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

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

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

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

10.8.12 A further contribution that is now required through the newly adopted Local Plan is a contribution towards monitoring and mitigating air quality impacts on the New Forest European sites. This contribution is sought at a rate of £85 per dwelling, and again would generate a total contribution of £8,500 in respect of the District Council's area of jurisdiction. This contribution will be secured within a Section 106 legal agreement.

#### Phosphate Neutrality

10.8.13 Natural England has provided guidance to the Council that increasing development is resulting in higher levels of phosphate input into the water environment of the River Avon, with evidence that these nutrients are causing

eutrophication at these European designated sites. This guidance is now reflected in the policies of the adopted Local Plan, which stipulates that where residential development and other development providing overnight visitor accommodation would drain or discharge wastewater into the River Avon, then such development must achieve nutrient neutrality in respect of phosphates. As such, only by ensuring that development achieves nutrient neutrality in respect of nitrogen can there be the necessary certainty that the scheme will be deliverable in line with the Conservation of Habitats and Species Regulations 2017 (as amended).

10.8.14 In this case, wastewater from the proposed development will be treated at the waste water treatment works in Christchurch and discharged into the River Avon upstream of Christchurch Harbour. Given the treated water will only be within the SAC for the final kilometre, including heavily modified sections where the river runs through Christchurch, it is not considered likely that the discharge of treated water at this point will have any likely significant effects on the interest features of the European site. Natural England and the Councils Ecologist concur with this comment and conclude that phosphate neutrality is not required to be achieved within this development. The position above is confirmed by paragraph the Joint Inspectors' Final Report on the Local Plan, which states:

*“To ensure that the strategic site allocation policies are effective in addressing the issue of nutrient management and reflect modified Policy 10, main modifications MM18-MM28 and MM30-MM35 are necessary. These modifications relate to all of the strategic site allocations except for site SS12 which is served by the Christchurch Waste Water Treatment Works and does not affect the mitigation strategies for the River Avon or the Solent and Southampton Water.”*

#### On Site Biodiversity

10.8.15 The applicants submitted ecological report assesses the ecological interest of the whole development site area. The site is not subject to any ecological designation. Most of the site is arable with boundary hedgerows, scattered trees, scrub, small patches of woodland and ditches and an area of semi-improved grassland at the eastern end. Due to the limited species diversity, limited ground cover and extent of the habitat, the grassland on the site is considered to be of low value.

#### Flora

10.8.16 All of the native hedgerows on site comprise 80% or more cover of at least one woody UK native species which qualifies them as hedgerow a habitat of principle importance under section 41 of the NERC Act 2006. Three of the native hedgerows on site qualify as 'Important' under the Hedgerow Regulations 1997. The majority of hedgerow will be retained aside from areas where new vehicular and pedestrian / cycle accesses are to be provided onto Derritt Lane and West Road.

10.8.17 Invasive species are present within the site boundary in the form of a patch of Japanese Knotweed. Whilst the Japanese Knotweed is currently being treated, it is a planning issue which needs to be addressed as part of this application given the potential to spread into the River Avon SAC. The final and precise details of how it will be removed has not been submitted, or a long-term management strategy to ensure that there is no re-growth or spread of the invasive species. This can be secured by condition.

## Fauna

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

### Great Crested Newts, Hazel Dormice, Otter, Water Vole and Badgers

10.8.19 No evidence of Dormice, GCN, Badgers, Otter or Water Vole has been recorded on the site.

10.8.20 The applicants targeted Hazel Dormouse surveys undertaken on site did not record any evidence of Hazel Dormice using the site. It is concluded that Hazel Dormice are absent from the site and no further action is required.

10.8.21 In relation to Otter and Water Vole, the River Avon is located approximately 1.8km west of the site and the stream that forms the western boundary of the site is a tributary of the river. The stream that flows along the southern boundary is also culverted through Bransgore and only opens when it reaches the south-east corner of the site. Culverted waterways are sub-optimal for water vole and act as a barrier to dispersal.

10.8.22 As such, the applicants Ecologist considers the likelihood of otter commuting upstream is considered low as the streams source is to the north of the site and there are no further waterbodies upstream with potential to support otter. Water Vole and Otter are considered likely absent from the site and no further action is required.

10.8.23 With regard to GCN surveys of the existing pond in Barrett's Copse (outside the application site) identified several aspects of the pond which are sub-optimal for great crested newts (notably the fish population) and no evidence of great crested newt using the pond was recorded. It is concluded that great crested newt is absent from the site and no further actions are required.

10.8.24 No badger setts were recorded within the site. A main sett is present within Barrett's Copse, approximately 50m south of the site boundary. No further setts or evidence of badgers using the site were recorded. The applicants Ecological Consultant considers that the site is not considered a valuable foraging or commuting resource for local badger.

### Common Reptiles

10.8.25 The reptile survey recorded a medium population of slow worm and a low population of grass snake present within the site. The pony paddock held the largest numbers of slow worm. Grass snake occurred widely across the site. Both grass snake and slow worm are widespread and common in Hampshire and Dorset.

### Bats

10.8.26 The application site has been assessed as being of regional importance for roosting bats. Annexe II bat species were recorded on-site, which included barbastelle and greater horseshoe. As a result of the numbers, the level of survey effort was increased. The applicants survey work carried out concluded that no roosting bats have been confirmed on-site. A total of 31 trees were recorded as supporting features suitable for roosting bats most of which will be retained. An assessment of trees requiring to be felled identified just one tree (a willow in G97) as having low potential to support roosting bats.

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

#### Birds

10.8.28 In relation to Bird surveys, the applicants Ecological Report states that the breeding bird assemblage comprises largely common and widespread species associated with the hedgerows, gardens and woodland that border the site. Of the 40 species recorded from the site between March and July 2020, fewer than twenty species were considered to be potentially breeding within the site. As with the wintering bird surveys many records came from habitats immediately adjacent to the site. On site breeding species include three red list species: mistle thrush, song thrush and starling and one amber list species: dunnock.

10.8.29 The surveys indicated that waders and wildfowl from the Avon Valley SPA are not using the site. A small flock of Woodlark potentially linked to the New Forest SPA were recorded in February. Given the time of year and the lack of subsequent records, the applicants Ecological Consultant considers that this flock relates to birds using the site as a temporary feeding area before returning to breeding sites nearby. The findings of the survey state that they do not indicate that these fields are used on a regular basis by over wintering woodlark. The Councils Ecologist agrees with these comments.

10.8.30 A single European Nightjar was recorded flying along the northern edge of Barrett's Copse during the July bat survey. This was the only record of European nightjar made during the surveys. The applicants Ecological Consultant has stated that it is not uncommon to encounter European Nightjar in the lanes and fields between the New Forest and Avon Valley during the summer months. These birds may be using hedgerows and field boundaries for foraging or are commuting along landscape features en-route to the Avon Valley. The Councils Ecologist agrees with these comments.

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

#### Other species

10.8.32 The ecological report confirms that site supports suitable habitat for Brown Hare in the form of woodland edges, arable fields, and grassland. No brown hares were recorded during the applicant's survey work carried out and this species is relatively scarce locally. Overall, the likelihood of Brown Hare utilising the site is considered low. The site is also suitable to support hedgehog that would shelter within the hedgerows, dense scrub and bracken and forage within the poor semi-improved grassland habitat.

#### Assessment of impacts

10.8.33 Without mitigation, compensation and enhancement, the Ecological



Impact Assessment recognises that the development would have a negative ecological impact. As such, several key mitigation and compensation proposals are put forward. These include protection measures during construction and the creation of species rich wild flower meadow habitat within parts of the ANRG land / public open space; significant new tree and hedgerow planting, the wildlife pond/ SUDs.

10.8.34 In addition, the applicants propose eight sparrow terraces (or similar) and four integrated starling nest boxes to be installed on new buildings to provide suitable nesting sites for species commonly found nesting in buildings. It is also proposed that ten nest boxes (or similar) will be erected on retained mature trees within the retained green spaces on site. Bat bricks will be included in ten of the new buildings on site. Ten bat boxes will be located on mature trees retained within the planning application boundary. Two bee bricks will be incorporated into the walls of fifteen buildings.

10.8.35 Within areas of newly planted scrub, the applicants propose six artificial hedgehog houses to be provided, which offer potential hibernation sites for hedgehogs. A pond is proposed in the low-lying part of the pony paddock and will be planted with native emergent vegetation and will provide a suitable breeding site for common amphibians. It is considered that the pond is also likely to prove attractive to grass snake. The log piles created to provide habitat for invertebrates will also provide reptiles with areas to bask, forage and shelter.

10.8.36 The Council's ecologist considers that bat boxes/bricks, bird boxes and bee bricks opportunities and enhancements need to be specified in full and this is capable of being addressed through planning condition, in which the final details are submitted in accordance with the enhancement measures outlined in the applicant Ecological appraisal.

10.8.37 Overall, with the mitigation and compensation measures that are proposed, it is considered that the ecological interests of the site would be adequately safeguarded and negative impacts would be adequately mitigated. This said, future management will be critical to securing long-term benefits and this can be secured through conditions.

#### Achieving Net Biodiversity Gain

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

10.8.39 The submitted application is supported by a "Statement of Biodiversity Net Gain". This sets out the various proposed measures that will help to deliver Biodiversity Net Gain, which include those mitigation measures as listed in the preceding paragraph along with other enhancement measures including extensive areas of new planting. The combined uplift in biodiversity value would far exceed the 10% Biodiversity Net Gain that is expected as a minimum.

10.8.40 The Council's ecologist has confirmed that the applicant's Biodiversity Net Gain Statement is clear with a full rationale. However, achieving Net Biodiversity Gain will be dependent on the deliverability of some key proposals,

notably the provision of new species rich wildflower meadow habitat. The Council's ecologist has highlighted the need to secure successful establishment of this area, which is considered achievable with the right methodology and management. This detail will be secured through condition.

## **10.9 Flooding and Drainage**

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

10.9.2 Based upon the Environment Agency Flooding Maps, most of the site is located in Flood Zone 1, which is land outside the 1 in 1000 year probability of fluvial flooding and also outside the 1 in 100-year probability (FZ3) and therefore at low risk. Areas of land at the lower lying southern and western extents of the site, together with a north-south corridor which follows an existing hedge bank and ordinary watercourse, are all susceptible to fluvial flooding, categorised as Flood Zones 2 and 3. Along the southern boundary of the site (partly within the site) is Clockhouse Stream, which is a main river.

10.9.3 A section of Derritt Lane near the existing property 'Rose Cottage' is susceptible to surface water flooding because a positive gravity outfall from the adjacent highway ditches is partially obstructed and requires maintenance. The existing watercourse which spans north-to south through the development site is also heavily silted and overgrown, with sections of standing water indicating a reduced hydraulic capacity. The outfall on the north-south ditch historically connected to the Clockhouse Stream (within a private garden to the south of the site) but the survey shows that this has been infilled (or silted) and therefore the ditch currently has no actual outfall. The proposals include the introduction of a new piped outfall, by passing the garden.

10.9.4 The potential for flooding on the site is a significant constraint. The main contributor to any flooding is the Clockhouse Stream, which overtops, and the flood water spreads laterally. Not only is the site subject to flooding, but historic flooding has been identified in the vicinity of the site, including areas along Derritt Lane and to the south and residential properties along Wiltshire Gardens. Again, it is likely that the historic flooding incidents could be a result of the ordinary watercourses and streams being overwhelmed during an extreme storm event, poor and results in overtopping, causing overland flow which would follow the natural land towards low lying areas.

10.9.5 Other flooding events have occurred along Derritt Lane, close to the bridge over the Clockhouse Stream heading towards Sopley. As stated above, the flooding incidents along Derritt Lane is a result of the Clockhouse Stream being overwhelmed during an extreme event, but also due to maintenance or obstructions along the stream and the fact that Derritt Lane is at a lower level compared to the surrounding land (low point). It is important to note that the existing site does not contribute towards existing flood issues at that location. Moreover whilst it is not for this application to resolve this issue, the applicant has confirmed that by easing flood risks within the eastern extents of Derritt Lane, any corresponding highway drainage ditches may have greater capacity and in turn may contribute towards addressing this existing issue.

10.9.6 As a result of the significance of the flooding constraints (in the event of an extreme flood), this means that without some fairly significant protective or mitigation measures, the proposed development would be subject to an

unacceptable flood risk. The application is accompanied by a detailed Flood Risk Assessment (FRA), which considers in detail the flood risk to the development and key protective measures are proposed to ensure that the development would not flood (during a relevant flood event).

10.9.7 The FRA sets out several mitigation measures that will be adopted to ensure the risk of flooding on the site and potential risk of flooding elsewhere will not increase and that surface water drainage from the development will accord with Sustainable Drainage Systems (SuDS) principles in compliance with current national and local standards.

10.9.8 The proposed mitigation measures set out in the FRA would sequentially develop the site, which means that the developable area (roads and houses) and surface water attenuation areas (SuDS) will be located to Flood Zone 1 and therefore outside the areas at risk of fluvial and surface water flooding, in line with the NPPF' guidance and sequential test. In essence, this means that no built development or surface water attenuation features are proposed within the areas at risk from flooding (Flood Zones 2 and 3). The proposed vehicular access junctions will be located within Flood Zone 1 and will provide safe access and egress for motorised and non-motorised vehicles to Derritt Lane, West Road and the wider public road network. Similarly, existing levels within areas susceptible to fluvial flooding will remain unchanged so that flood water is not displaced.

10.9.9 The applicant's FRA which has been endorsed by Hampshire County Council as Lead Local Flood Authority, and the Environment Agency, confirms that this risk would be satisfactorily attenuated by the on-site drainage and flood attenuation features that are to be provided as part of the development. The applicant's Surface Water Drainage Strategy is set out in detail in the below heading 'Surface Water Drainage Strategy', which comprises a comprehensive drainage system which embraces the SuDS philosophy and its key principles and aims to manage and reduce the flood risk posed by the surface water runoff from the site. This would be achieved through the provision of a network of gullies, pipes, swales and sustainable attenuation features which would collect the surface water runoff from impermeable areas such as roads, roofs and driveways.

10.9.10 It is recognised that sections of Derritt Lane can be impacted by pluvial and fluvial flooding. The areas at greatest risk are located further west beyond the site boundary and have been known in the past to be impassable during flood events. The localised area of flooding near Rose Cottage is also an issue and is mapped as being less than 300mm depth based on a review of the topographic survey. This suggests that even prior to any downstream improvements the flood depth is a peak of 100mm which remains passable and confirms vehicular connectivity will be available to the east.

10.9.11 Through the development proposals, on-site reprofiling of existing ditches will look to relieve flooding along Derritt Lane by re-establishing the through flow of runoff from Derritt Lane towards the Clockhouse Stream. Localised works will be undertaken to restore the hydraulic capacity of the highway ditch and ordinary watercourse which drains north-to-south through the site to reduce the impact of flooding on Derritt Lane (near Rose Cottage). This will aid safe access and egress along Derritt Lane and result in betterment over the existing situation.

10.9.12 The incorporation of the proposed flood mitigation measures and sustainable drainage system would further reduce any risk from watercourse and surface water flooding. By reducing the rate of run off and intercepting overland flows, the proposed development would reduce flood risk overall.

10.9.13 The key consultees (the Lead Local Flood Authority at Hampshire County Council and the Environment Agency) are satisfied that the FRA demonstrates that the proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is compliant with the requirements of national policy and guidance.

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

## **10.10 Drainage Strategy**

### **Surface Water Drainage Strategy**

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

10.10.2 The applicant's drainage strategy sets out how surface water drainage for the site will be dealt with and this includes technical information with the necessary drainage calculations, drainage layout, sections and detailed designs to demonstrate the effectiveness of the SUDs and the exact area of land required to accommodate the drainage system.

10.10.3 The ground investigations carried out during the winter months confirm high levels of ground water are present throughout the site which therefore precludes the use of soakaways as a form of surface water discharge. As a result, the proposed surface water drainage strategy is to attenuate discharge for the development with the adjacent Clockhouse Stream to be utilised as the final outfall for surface discharge. For this to function, and due to the shallow grade on parts of the existing site, the finished site levels across parts of the site will need to be elevated to accommodate gravity connections to the Clockhouse Stream.

10.10.4 The proposed drainage strategy proposes the surface water runoff from the developable areas (such as from the houses and hardstanding) would be intercepted through adoptable drainage swales running north south within the streets of the development and directed to larger basins / swales. These swales and basins will convey all surface water on the site and will discharge at a controlled rate to the Clockhouse Stream. The controlled outflow will be managed by a series of hydraulic controls, limiting peak rates of discharge to the site's existing greenfield runoff rates (i.e those prior to development).

10.10.5 The submitted plans show that the main basin / swale features to the south of the built development will be around 0.8 metres deep and the swale's running through the streets will be approximately 0.3 metres deep. The basins and swales will be generally dry features, other than in an extreme event or during very heavy rainfall.

10.10.6 A separate drainage strategy is proposed to deal with surface water from the five dwellings proposed to the east of the site. A single shallow above ground detention basin formed through bunding is proposed within the 'Dell' which will be a dry basin. A swale will connect the basin to the proposed wildlife pond, providing recharge of water then to the north south ordinary watercourse and Clockhouse Stream beyond.

10.10.7 The attenuation features will be sized to accommodate runoff in up to the 100 year return period with 40% allowance for climate change and 10% allowance for urban creep to the domestic catchment.

10.10.8 The key consultees (the Lead Local Flood Authority at Hampshire County Council and the Environment Agency) are satisfied that the applicants surface water drainage strategy is acceptable and consistent with policy. The final details of the surface water drainage proposals including the headwalls and pipe sizes etc and arrangements for long term maintenance will need to be agreed and this is a matter that will be controlled through appropriate planning conditions and/ or a Section 106 Agreement in accordance with standard practice.

10.10.9 Overall, the Flood Risk Assessment demonstrates that the proposed development would be operated within minimal risk from flooding and would not increase flood risk elsewhere and through the implementation of mitigation measures and a surface water drainage strategy, it can be concluded that the flood risk associated with the new development would be acceptable. Indeed, the proposed measures to offset the implications of future climate change which would otherwise increase flows from the site will provide betterment in perpetuity compared with the site remaining undeveloped.

#### Foul drainage

10.10.10 The applicant's drainage strategy includes technical information in relation to foul drainage. The report states that the developments wastewater will be discharged to the public sewerage network owned and operated by Wessex Water (the Sewerage Undertaker). This will entail foul flows from the proposed development - connecting directly into the existing pumping station to the south of the site known as Wiltshire Gardens Sewage Pumping Station. The five dwellings proposed from West Road would be into the existing network but will only need to travel a short distance into the pumping station. Flows then drain from Wiltshire Gardens sewage pumping station and onwards to Christchurch Sewage Wastewater Treatment Plant.

10.10.11 The applicant's drainage report states that the proposed development will generate cumulatively peak flows (foul flows) being equivalent to only 2% of the existing foul sewer capacity (up to 1 litre/second for the whole western development area of 95 dwellings, and up to 0.2 litres / second for the 5 dwellings proposed off West Road. The submitted Drainage Report confirms that new sewers will be constructed as 'watertight', to meet latest Water Industry Standards.

10.10.12 Wessex Water (WW), as statutory undertaker, has confirmed that there is sufficient capacity within the existing foul water network to accommodate the flows from the development and that there will be negligible impact from the proposed development on the existing network as the foul flow rate is very low at peak times.

10.10.13 Wessex Water recognise that there are historic and current issues arising around foul drainage flooding in the local catchment area including properties adjacent to the site in Wiltshire Gardens. The current problem relates to parts of the foul sewer network in the area where flooding has occurred during times of high groundwater or persistent wet weather when the system can become overwhelmed. In particular, the principal cause is not by the volume of water generated by development, but by groundwater entering small fissures in the sewers (infiltration).

10.10.14 To address this existing problem, Wessex Water have undertaken detailed surveys of the sewer network in Brangore and found areas of the sewer network where significant infiltration was taking place, allowing groundwater to get into the foul system causing a reduction in the capacity of the network. As a result of the investigations, Wessex Water have set out a programme to reline part of the public sewer network in Brangore to reduce the infiltration in the sections of the Wessex Water public sewer network. The sewer sealing is programmed to take place by Autumn 2022 following technical and financial approval by Wessex Water's governance board in November 2021. It is understood from Wessex Water that the scheme has been given higher priority due to the proposed development of the land south of Derritt Lane allocation and that the works will take approximately 3 weeks to be completed. It is understood from Wessex Water that the scheme has been given higher priority due to the proposed development of the land south of Derritt Lane allocation.

10.10.15 Notwithstanding the works being progressed by Wessex Water to resolve an existing issue, the key planning test in the context of consideration of this planning application is to ensure that the proposed development does not exacerbate foul sewer flooding and whether there is sufficient capacity in the local network to accommodate the increased in foul flows. It is extremely important to note that the problems arising around the existing foul drainage network in the area, which occurs during heavy times of rainfall or storms is an existing issue. As such, in considering this application, it is not for the proposed development to resolve or address this existing issue in the local catchment. As stated above, the issue that must be considered is whether the proposed development would exacerbate the impact of foul water flooding in the local area.

10.10.16 Wessex Water has confirmed that there is sufficient capacity in the network to accommodate the proposed development. Furthermore, Wessex Water has assessed the proposal in detail and can confirm that the additional foul flows and volumes from the new connections would be very low and will not have any greater impact on the risk of sewer flooding. Wessex Water has advised that the flow rates from the proposed development to the public sewer system will effectively remain the same and would be insignificant. Furthermore, it must be stressed that the applicant has a 'Right to Connect' into the existing foul drainage network with the statutory undertaker, which is Wessex Water.

10.10.17 The applicants drainage report also notes that currently, a proportion of surface water runoff from the site drains to groundwater thus contributing towards the existing foul sewer infiltration issues. The proposed development will reduce the current impact on the pipe system by storing rainfall on site in a Sustainable Drainage System which will then control the discharge to Clockhouse Stream at a point in the south west corner of the site, downstream of the Wiltshire Gardens pumping station. The residual volume of rainfall draining to groundwater will therefore be reduced, improving the existing sewer network. New property connections to WW's foul sewerage network will also be subject to infrastructure charges, the sum of which will be used by WW as a contribution towards the network reinforcement, which will help to raise the priority of works

10.10.18 To conclude, whilst it is recognised that there is an existing issue with foul drainage within the existing network, which occurs during heavy times or high groundwater, however, this is a separate matter in which Wessex Water have a programme in place to carry out works to address this issue. The key planning test is whether the proposed development would exacerbate foul sewer flooding in the local catchment. In assessing this impact and as stated above, both the applicants Drainage Consultant and Wessex Water have confirmed that whilst the

100 dwellings will add load into the existing sewer network, there is sufficient capacity to accommodate the additional foul flows and the actual increase into the system is insignificant and would not exacerbate the current situation.

## **10.11 Public open space**

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

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

### Informal Public Open Space

10.11.2 The local plan policy objectives for the site, as illustrated in the Concept Masterplan seek to create a broad area of green recreational space along the west, south and east part of the site with footpaths connecting at strategic points to the existing public rights of way, together with the provision of flood attenuation and drainage features as part of a high-quality landscape.

10.11.3 This is a full application, the precise dwelling mix is agreed, and it is possible to specify precisely what quantum of informal public open space needs to be provided on site. Using the Council's ANRG calculator, the proposal for 100 dwellings would generate an informal open space requirement of around 0.56 hectares, which is based on an estimated population of 278 people.

10.11.4 The actual area of proposed informal public open space as defined by the applicant's plan is 4.1 hectares. Notwithstanding that this area includes some land that is needed for SUDS, the submitted plans show that the informal open space that is to be provided on the site is significantly in excess of the policy requirement.

10.11.5 The proposed landscape and open space strategy is set out in detail within the applicant's submission with various detailed plans and supporting information. As set out above in the 'ANRG' heading, the combined Green Infrastructure (total combined ANRG and Open Space) is over 7 hectares and this is concentrated on the west, south and east boundary of the site, with narrower strips of open space running north to south along the Public Right of Way and along the northern footpath south of Derritt Lane.

10.11.6 New wildflower and amenity grassland, scrub, hedgerow and tree planting (over 100 new trees) will make a significant element of the Open Space, together with the primary space provided on the east of the site, which will function as the main activity space for play. It is considered that such diversity of new planting and landscaping, will not only provide an attractive space for recreation and play, but has also been designed to blend into the existing landscape character.

10.11.7 A significant part of the open space is shown to accommodate SUDS and as such, it is fundamental that the quality, useability, and attractiveness of the open space is not compromised by these features. The submitted plans and

illustrative drawings show well designed SUDS features that will be positive features which form an integral part of the landscape and provide both visual and ecological benefits. It is also important to note that the drainage features are to be predominately dry throughout the year.

10.11.8 In summary, the proposed informal open space, in conjunction with the ANRG land, forms an extensive network of green infrastructure that would be well distributed across the site and offer an attractive amenity for the future residents of the proposed development and the wider local community. Future management and maintenance of these areas will be secured through a Section 106 legal agreement.

#### Children's play

10.11.9 Children's play space will need to include a Locally Areas of Play (LEAP), which is a medium sized area. Based on the proposed residential mix, the proposed development as a whole should secure at least 0.07 hectares of children's play space.

10.11.10 The application is accompanied by a detailed scheme and proposes a single play area within the site (LEAP) and this is to be located at the north-western edge of the main recreational space on the eastern edge of the development. The proposed LEAP provides more than six play experiences (swinging, climbing, sliding etc.) and set within an area of approximately 700m<sup>2</sup>. The area will be enclosed with at least a 1m high dog-proof fence.

10.11.11 The Council's Urban Design Officer has advised that the applicant's Play Strategy provides all the equipment and features to cater for all ages and abilities. Whilst the applicants proposed play area is fully detailed, the layout and design, together with the circulation of the equipment within this space is not satisfactorily resolved, but these are minor matters. On the basis that this will require minor changes to its design and layout, it is considered that this is a matter that can be dealt with by condition.

10.11.12 Representations have been received, suggesting that the children's play area is located too far away from dwellings and there is a lack of natural surveillance and the children's play area should be sited to the southern part of the site. In response, it is not considered appropriate to locate the children's play area to the south of the site, as this lies within areas at greater risk from flooding. Moreover, it is considered that the proposed siting of the children's play area to the east of the site area is acceptable and will form an integral part of the main recreational green space on the site and there will be sufficient natural surveillance.

10.11.13 It is necessary that the proposed children's play space provision be secured within a Section 106 legal agreement, together with its future maintenance.

#### Formal open space

10.11.14 Given the vast amount of green space to be provided on the site, there is no reason why formal public open space cannot be provided on the site. Based upon the proposed population to be generated from the development, this would equate to 0.35 hectares.

10.11.15 The main recreational area to the east of the site is shown to be laid out with grass to enable different types of recreational uses including football.



Through the use of a landscape management plan secured by condition, this can set out a maintenance regime that this area is regularly cut (compared to the wild flower or meadows which require less cutting), that will ensure that this space is available for multi-use recreation. As such, it would be reasonable that this space forms a more formal open space area for the site.

10.11.16 Concerns have been expressed that the submitted plans illustrate a football pitch to be provided on the site, which would not be appropriate in this site. In response, it should be noted that the football pitch is merely marked out to highlight that this space is of sufficient size to be used as a multi use recreational area and there are no intentions to create the 'goal posts' and 'markings' as a formalised football pitch. The submitted plans only seek to demonstrate that the area has sufficient space as a 'kickabout' area or as the useable games area for the site.

## **10.12 Housing**

10.12.1 The policies of the Local Plan seek to ensure that new residential development provides a mix and choice of homes by type, size, tenure and cost. Current evidence suggests that there is a need for a greater proportion of new stock to be smaller-to-medium-sized homes (particularly so in the affordable housing tenures). A table within the Local Plan (Figure 6.1) sets out the indicative need for different house types within the District.

10.12.2 Because the application is in full, the exact details of housing types, sizes and tenures is provided and is a matter to be agreed at this stage.

The proposed housing mix is as follows

- 6 no. 1 bed units.
- 35 no. 2 bed units
- 38 no. 3 bed units
- 19 number 4 bed units
- 2 no. 5 bed units

10.12.3 As set out in the above mix, the proposed development would provide 15 flats and 85 houses ranging from 1 to five bedrooms. Out of the 100 dwellings proposed, 41 units are one and two bedroom properties, which accounts to just over 40% of the site providing for smaller homes and contributing to meeting the needs of newly forming households and local people entering the housing market. The provision of 38 units as three bedroom houses will meet the needs of younger families as well as downsizers. There is a mix of dwelling types with 15% flats, 21% semi-detached houses and 44 % detached houses.

10.12.4 There is no bungalow accommodation, which is due to site limiting factors and available space and the need to maximise the number of units for viability purposes. Overall it is considered important that the mix of development reasonably reflects the identified housing need across the district, but taking into account the context of the site on the outer edge of the allocation, where a slightly greater proportion of family homes might be more contextual than in some other parts of the allocation.

## **10.13 Affordable Housing and viability matters**

10.13.1 The delivery of affordable housing is a key corporate priority for the Council, and this is reflected in the Council's Corporate Plan.

10.13.2 With regard to Local Plan Policy HOU2 the policy target in this case is for 50% of the units to be affordable, and those units to have a split tenure mix

with 70% being affordable homes for rent (with an equal split between social and affordable rent). The remaining 30% of units to be intermediate/shared equity homes. The Policy states that the viability of development will be taken into account in applying this policy as set out in Policy IMPL1. The policy target in this case is therefore 50 units as affordable with 35 being split between social and affordable rent, and 15 units provided on a shared equity basis as intermediate.

10.13.3 Where developers cannot deliver the level of affordable housing set by policy, they need to submit a viability assessment to demonstrate why they cannot make the site viable if the policy level of affordable housing is delivered.

10.13.4 It is also important to note that the subtext for Local Plan policy HOU2 states that *'where there are no other mechanisms available to improve the viability of a housing development to a fair profit level, the Council will consider varying the affordable housing tenure mix, before considering whether a reduced level of affordable housing provision would be acceptable'*.

10.13.5 **The Planning Practice Guidance ('PPG')** which accompanies the NPPF defines viability assessment as "a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return."

10.13.6 **The RICS Guidance 'Financial viability in planning'** states that: A viability appraisal is taken at a point in time, taking account of costs and values at that date. A site may be purchased some time before a viability assessment takes place and circumstances might change. This is part of the developer's risk. Land values can go up or down between the date of purchase and a viability assessment taking place; in a rising market developers benefit in a falling market they may lose out. A developer may make unreasonable/over optimistic assumptions regarding the type and density of development or the extent of planning obligations, which means that it has overpaid for the site'.

10.13.7 NPPF 2021 standardises the inputs to viability assessment in relation to development value, costs, returns and premiums etc. Costs should be assessed at the plan making stage and be based on evidence which reflects local market conditions. A gross development return of 15 to 20 percent should be assumed, although there is scope for plan makers to apply alternative figures where this is justified by particular circumstances.

#### Land Values

10.13.8 The revisions to the Viability Planning Policy Guidance 3 and the National Planning Policy Framework (updated 19th February 2019 and further updated to July 2021 in other respects) now very clearly advise that land value should be based on the value of the existing use plus an appropriate level of premium or uplift to incentivise release of the land for development from its existing use. Regarding how land value should be defined for the purpose of viability assessment, it states: 'To define land value for any viability assessment, a benchmark land value (BLV) should be established on the basis of the existing use value (EUV) of the land, plus a premium for the landowner' [to encourage that landowner to allow the land to come forward for development].

10.13.9 The guidance defines existing use value (EUV) as: 'the first component of calculating benchmark land value. EUV is the value of the land in its existing use together with the right to implement any development for which there are

policy compliant extant planning consents, including realistic deemed consents, but without regard to alternative uses.

10.13.10 It states that a Benchmark Land Value should:

- be based upon existing use value
- allow for a premium to landowners (including equity resulting from those building their own homes)
- reflect the implications of abnormal costs; site-specific infrastructure costs; and professional site fees and
- be informed by market evidence including current uses, costs and values wherever possible. Where recent market evidence is used to inform assessment of benchmark land value this evidence should be based on developments which are compliant with policies, including for affordable housing. Where this evidence is not available plan makers and applicants should identify and evidence any adjustments to reflect the cost of policy compliance. This is so that historic benchmark land values of non-policy compliant developments are not used to inflate values over time.'

#### Officer assessment and comments

##### First offer on affordable housing

10.13.11 The application as originally submitted proposed to deliver 18 no. affordable housing units with the following mix.

- 6 x 1 bedroom flat - affordable rent
- 6 x 2 bedroom flat - affordable rent
- 1 x 2 bedroom FOG - affordable rent
- 2 X 2 bedroom FOG - shared ownership
- 3 x 3 bedroom house - shared ownership

10.13.12 This first offer equates to a 18% level compared to a policy compliance target of 50%. As this application does not propose to deliver the full level of affordable housing required by policy a Viability Assessment report has been submitted. This economic viability assessment (EVA) considers all the development costs including any abnormal site related costs, build cost of the units and the site (using national standards), developer profit, and the price of the land with a sufficient incentive to the owner to bring the site forward.

10.13.13 On receipt of a non-compliant affordable housing offer the Council sought an independent consultant to assess the EVA and provide an independent assessment report to the Council. As required under the current PPG both the EVA and the Council's independent assessor report are included on the web site.

10.13.14 The Council's assessor advised that the level of affordable housing being offered could be higher and in particular took issue with the benchmark land value set by the developer which the Council's assessor found to be too high and not in line with the above advice. Added to this, the sales values were considered to be too low, further evidence and justification was sought in relation to aspects of build/development costs and a review of the Section 106 contributions was required.

##### Second Offer – 6 December 2021

10.13.15 The applicants submitted a response dated 6th December 2021 to Dixon and Searle's "Review of Applicant Submitted Viability Position", November 2021 which resulted in an increase in AH offer from 18% to 27% (on the basis of

70% affordable rent / 30% shared ownership). The mix comprised the following:

- 6 x 1 bedroom flat - affordable rent
- 6 x 2 bedroom flat - affordable rent
- 3 x 2 bedroom FOG - affordable rent
- 4 x 2 bedroom houses -affordable rent
- 1 X 2 bedroom house - shared ownership
- 7 x 3 bedroom house - shared ownership

10.13.16 This offer was made on the basis that although build/development cost remained similar, the overall Benchmark Land Value was reduced, sales figures were slightly increased and the updated assessment reflected the latest position in relation to s106 costs. Moreover, the increase in the level of affordable housing units, reduced the overall contributions towards CIL.

10.13.17 NFDCs Assessor commented on the second offer and advised that the proposed development could still provide an uplift in affordable housing, but acknowledged that the increase would not be significant.

#### Third Offer – 24 January 2022

10.13.18 Following further discussions with the applicant, a third, without prejudice offer was put forward by the applicant, to provide 30% affordable housing, on the basis that the additional three units would be provided as shared ownership. The affordable housing offer is split as follows

- 6 x 1 bedroom flats- affordable rent
- 6 x 2 bed flats - affordable rent
- 3 x 2 bedroom Fog - affordable rent
- 4 x 2 bedroom house - affordable rent
- 3 x 2 bedroom house -Shared ownership
- 8 x 3 bedroom house - Shared ownership

10.13.19 This gives a ratio of 63% of the affordable units to be rented and 37% shared equity/ shared ownership. Whilst there is still a shortfall in the affordable housing offer and tenure split, it is noted that the affordable housing offer has significantly increased from 18% to 30%.

10.13.20 NFDCs assessor has responded on the applicant's third offer advising that whilst there are still differences of opinion between them and the applicant's viability advisors, there does need to be an element of pragmatism in reaching a suitable outcome where it is agreed that the policy target of 50% may not be theoretically viable. Moreover, the assessors state that there is always an element of uncertainty with viability and there are assumptions that could make the viability situation worse (increased cost/lower sales values). Given the position now reached, the Councils assessor concludes that 30% affordable housing represents a reasonable offer in the circumstances; an increase from the 18% originally stated to be viable.

The Council's Strategic Housing Manager subsequently advised that the proposed offer was too heavily weighted towards provision of larger 3 bedroom houses for shared ownership and would benefit from more 2 bedroom units to improve the balance. In response to this, the applicant agreed to amend the shared ownership mix to provide 3 x 2 bedroom houses and 8 x 3 bedroom houses.

The final proposed affordable housing mix is therefore:

- 6 x 1 bedroom flats- affordable rent
- 6 x 2 bed flats - affordable rent
- 3 x 2 bedroom Fog - affordable rent
- 4 x 2 bedroom house - affordable rent
- 3 x 2 bedroom house -Shared ownership
- 8 x 3 bedroom house - Shared ownership

### Case Officer Conclusions

10.13.21 Officers have taken into consideration the third offer alongside the advice of the appointed viability assessor. The revised improved offer is still below the policy target of 50%. Clearly in cases where the applicant can prove, and this is supported by an independent assessment, that the 50% target cannot be achieved alongside a viable scheme, the LPA can set aside this policy target and accept a lower % of affordable housing.

10.13.22 Following a robust assessment of the applicants viability report, the applicant has increased the affordable housing offer to 30 units (30%), which is an increase in 12 affordable units and responded to the Council's Strategic Housing Managers comments.

10.13.23 The developer profit of 17.5% is in line with industry norms (15-20%). In this case the development is considered small scale with 100 units (with less economies of scale), is subject to design and sustainability standards which require sensitive placing of development near to flood zones and protected trees. Complex drainage plans are required to ensure a comprehensive approach to surface water drainage including land raising which entails substantial abnormal costs. The applicant is also required to meet the requirements of Part L (2021) of the Building Regulations (solar PV and fabric enhancements), which attract a significant additional cost not currently accounted for in standard build costs. CIL payments over £950,000 contribute to increasing costs, reducing overall viability.

10.13.24 The provision of ANRG land is also a negative cost to the scheme and needs to be factored into any viability assessment. Significant areas of Green Infrastructure is provided (over 7 hectares), well in excess of the minimum policy requirements and there is a cost implication for this to be planted and laid out, together with its long term maintenance.

10.13.25 Overall, whilst it is regrettable that the affordable housing offer is not in line with the 50% target, the Council's assessor considers the justification put forward is soundly based and reasonable, and officers concur with this conclusion. The Councils Strategic Housing Manager endorses the proposed mix of housing, types and tenure. On this basis, it is considered that the affordable housing offer should be accepted and secured through the necessary S106 agreement.

### **10.14 Archaeology**

10.14.1 The archaeological potential of the site is considered within the submitted Archaeological Evaluation and Historic Environment Desk-Based Assessment including Addendum Report, which included detailed trenched work investigations carried out on the site. The evaluation identifies the presence of archaeology across the development site, which mainly consisted of undated ditches or gullies that represent remnants of a field.

10.14.2 A Bronze Age pit was located within the south-western area of the site. The pit contained pottery and worked flint and may indicate an association between the site and that immediately to the north, where numerous Bronze Age features were located during previous investigations. The pottery (Food Vessel) recovered is of significance as an unusual ceramic type in the region.

10.14.3 The report did identify a former extraction pit turned-enclosure within the 'Dell' in the eastern field of the site which derived significance from its archaeological and historical value. The trees and boundary which encircle the former extraction pit are unchanged since the 19th century. The findings of the heritage assessment work have influenced the scheme design to preserve the 'Dell' as a nature and heritage conservation area, incorporating the formation of a new drainage feature. Implementation of the drainage basin will involve the formation of a bund out of new material so there is unlikely to be any associated ground works other than limited vegetation clearance. Any archaeological remains within this area are likely to be of very low significance as quarrying will have removed any remains from earlier periods.

10.14.4 To satisfactorily mitigate the development's impact on potential archaeological remains, and in accordance with the advice of the Council's archaeologist, it is considered reasonable to impose conditions requiring the submission, agreement and implementation of a Written Scheme of Investigation for the areas identified as of potential archaeological interest. Provided such conditions are imposed, it is considered that the proposed development could be implemented without adversely affecting archaeology.

#### **10.15 Residential amenity**

10.15.1 In terms of impact on residents, such a large development as that proposed would inevitably have some impact on the amenities of neighbouring properties. The most likely impact would be as a result of additional noise and disturbance resulting from both construction of the proposed development and operational. However, the site is allocated in the local plan for a development of at least 100 dwellings, in which there is an expectation that such a large scale development will result in some form of impact on amenity and this has to be balanced against the benefits the proposal would create.

10.15.2 Disturbance from construction is a matter that will be short term and it is considered that noise from construction activities can reasonably be controlled and mitigated through a Construction Environmental Management Plan (CEMP) that will be secured by condition.

10.15.3 In relation to operational impact, given that this is a residential led development, it is not considered that such a use would give rise to high levels of noise and disturbance. Equally, the main development area is relatively separated from the nearest existing housing areas and given that the two new accesses would be onto Derritt Lane, which is the main route between Sopley and Bransgore, movement of traffic will not materially worsen the situation in relation to noise impacts.

10.15.4 The proposed accesses onto Derritt Lane will face several residential properties to the north side of the road within the Heatherstone Grange development that may cause some limited harm on their living conditions caused by additional noise and disturbance, and light spillage from vehicles utilising these accesses albeit during the hours of darkness curtains would normally be closed. It is noted that the proposed eastern access will face the side elevation of No 36 Marryat Way. The proposed western access would have the greater impact given

that it would face the properties No 1 and 21 Arnwood Drive. However, No 1 is orientated at an angle in which the main windows will not be adversely affected and the proposed access does not directly face No 21. Whilst there may be some harm, it would be limited and not unacceptable.

10.15.5 The proposed development has been designed in which new dwellings would face or have windows facing onto Derritt Lane. Whilst it is accepted that the proposed dwellings would face and overlook several existing residential properties along the north side of Derritt Lane, given the distances involved and that these properties face a public road, it is not considered that there would be an demonstrable harm by way of overlooking, loss of light or outlook.

10.15.6 With regard to the five houses proposed in West Road, there are several existing dwellings that would be affected. This includes both 'Yew Tree Cottage' and 'Laurel Cottage' in Derritt Lane. The properties affected in West Road includes No's 1, 3 and 5, 'Laurel Cottage', 'lilac Cottage', 'September Cottage' and the 'Old Stores'.

10.15.7 In relation to 'Yew Tree Cottage', Plots 96 and 97 are orientated in such a way that they do not directly face this property and together with the distances involved and that the two dwellings proposed face the Derritt Lane, it is not considered that this neighbouring property would be materially adversely affected.

10.15.8 With regard to 'Laurel Cottage', this property currently faces onto Derritt Lane and Plot 96 would equally face onto Derritt Lane. Whilst Plot 96 would face towards Laurel Cottage, there would be a good degree of separation of more than 25 metres between the two properties and as such, it would not result in any material adverse impact on this property.

10.15.9 Concerning No's 1 and 3 West Road, the proposed garages would directly face these neighbouring properties. Given the distances involved, and the modest scale of the garages, it is not considered that the proposal would result in an significant harm to these neighbouring properties. Plot 99 would face West Road and together with the distance of more than 25 metres and oblique views, it is not considered that the proposed plot 99 would impact on the living conditions to No's 1 and 3.

10.15.10 Plots 99 and 100 will face onto No 5 West Road. Given the distances involved of more than 26 metres and that the windows would face the public realm, the relationship is acceptable

10.15.11 Plots 99 and 100 would face 'Lilac Cottage', however given their siting in excess of 20 metres and that the dwellings face the road, and as such, it would not result in an unacceptable level of demonstrable harm to residential amenity sufficient to justify refusal of permission.

10.15.12 Plot 100 would be sited close to 'September Cottage' and the 'Old Stores'. 'September Cottage' does not have any main windows facing Plot 100 and as such, it is considered that an acceptable relationship would be maintained. Plot 100 would be sited a reasonable distance away from the 'Old Stores'. Given the orientation of windows and oblique angle views, it is not considered that Plot 100 would result in any unacceptable overlooking to the 'Old Stores'.

10.15.13 In relation to the dwellings in Wiltshire Gardens which back onto the site, given the distances involved and separation provided by the green open space, it is not considered that the proposal would result in any adverse harm in

relation to overlooking, loss of light or outlook. Whilst it is noted that there is a lack of screening on their rear boundaries, the provision of a footpath and use as recreation will not result in a level of noise and disturbance to warrant refusal of permission. In addition, it is proposed to provide some tree planting and vegetation along the rear boundary of the site which will provide some buffering.

10.15.14 Overall, it is not considered that the proposed development would result in any demonstrable harm to the living conditions of the neighbouring properties. Moreover, having regard to the advice of the Council's Environmental Health Officer, it is considered that the noise impacts of the proposed development on existing and future residents would be acceptable and justified subject to appropriate mitigation measures that could be secured through condition.

## **10.16 Education**

10.16.1 Hampshire County Council (HCC), as the Local Education Authority, have advised that the site falls into the Bransgore Primary catchment area, rather than Sopley's and a development of 100 dwellings will generate approximately 30 primary age pupils (about 4-5 per year group). HCC, has advised that, although Bransgore Primary is full, it is only at capacity owing to out catchment recruitment. This out catchment recruitment also includes pupils from out county at an average of about 8 pupils per year group. HCC have advised that this means the pupil yield from this development will, over time, be able to access a place at Bransgore Primary School as it admits less out county pupils.

10.16.2 Consequently HCC have stated that they will not be seeking a contribution towards the expansion of Bransgore Primary School. Similarly the secondary catchment school for the development is shared between Ringwood, Arnewood and Highcliffe (in Dorset). Again for both Arnewood and Ringwood there is an amount of out county recruitment for the schools to be full. This means that secondary age pupils living on the proposed development will be able to access a place at either Arnewood or Ringwood and as such HCC will not be seeking a contribution towards secondary school places either.

10.16.3 Concerns have been expressed that the proposal would impact on the long viability of Sopley Primary School if children from the site go to Bransgore Primary School. In response, it is considered more likely that the proposal for 100 houses will benefit the long term of both schools due to the additional children and Sopley may benefit through parent choice. Importantly, if there was justification to expand Bransgore Primary School, this could clearly have an impact on Sopley School, but this is not the case. Overall there is no justification to expand either schools and the proposals would benefit both schools through introduction of children within the village that will be sustainably located to both schools, rather than the schools being optimised by school children from outside the catchment area in which there will be a heavily reliance by car.

## **10.17 Minerals**

10.17.1 The site lies within Minerals Safeguarding Area and therefore, any development that could potentially sterilise this reserve is therefore a material consideration. A Mineral Assessment has been submitted to support this application, which states that the site is underlain by significant mineral reserves (sand and gravel) which is safeguarded by planning policy. The report states that whilst the applicants would be able to re-use minerals for the construction of the development, full extraction on the site is not feasible given that the site has a significantly high groundwater table and the potential risk of mineral extraction on



the site which could damage the land to the extent that development may not be deliverable on the site.

10.17.2 In assessing the policy position, Local Plan Policy STR9 states that for development on and within a Minerals Safeguarding Area or Minerals Consultation Area, viable mineral resources should not needlessly be sterilised by development and should be phased around the appropriate prior extraction of minerals. The policy states that appropriate extraction will depend on a) The scale and quality of mineral resource; b) Ground water levels if they would adversely impact on future re-use of the land; c) Amenity, environmental and other relevant considerations; and d) The need to ensure the timely provision of new homes and other development. Where there is a viable resource, minerals re-use on site for construction is encouraged.

10.17.3 In addition to Local Plan Policy STR9, Hampshire County Council, has also adopted a strategy of requiring the mineral to be extracted prior to the development. Policy 15 of Hampshire Minerals & Waste Plan states: Development without prior extraction can be permitted in exceptional circumstances if extraction is inappropriate.

10.17.4 In assessing the case put forward, Hampshire County Council Minerals Officer fully accepts the case put forward by the applicant that because of the high ground water levels on the site, this would be an exceptional circumstance that overrides the need for prior extraction. Officers do not disagree with this view, or the results from the technical reports which clearly demonstrate high ground water on the site, which if disturbed for prior extraction, could adversely damage the ground conditions and as such, compromise development being delivered on this site. Importantly, Hampshire County Council Officers has requested that as a minimum, that minerals on site are re-used for the construction of the development. This would be reasonable and can be dealt with by way of an informative note.

## **10.18 Air Quality Impacts**

10.18.1 The proposed developments impact on air quality is an important environmental consideration that has been considered in detail in the applicants Air Quality Report. Evidently, the proposals will generate emissions during both the construction and operational phases of the development.

10.18.2 The Council's Environmental Health Officer agrees with the conclusions of the assessment and the methodology that has been used. As such, with respect to construction related activities, it is considered that the dust impact of the development would not be significant provided appropriate dust mitigation measures are implemented throughout the construction of the development, and this is something that can reasonably be secured through a planning condition requiring the submission and approval of a Dust Management Plan (DMP) as part of a wider Construction Environment Management Plan (CEMP).

10.18.3 The Council's Environmental Health Officer also agrees with the conclusions of the applicant's air quality assessment insofar as there should be a negligible impact on air quality as a result of vehicle movements associated with the development. Overall, therefore, it can be reasonably concluded that the development is capable of being provided without harming air quality, or without there being adverse air quality impacts on future residents.

## **10.19 Contamination**

10.19.1 Ground conditions and contamination have been assessed in detail in the submitted Geotechnical and Contamination Assessment Report. The previous use of the site is agricultural, and the report concludes no significant sources of contamination are present.

10.19.2 A circular depression has been identified within the Dell in the east of the site which may be a source of unknown filled ground and some intrusive investigation is recommended. Given the surrounding historical land uses (e.g. clay pits and brick works), this feature may be a result of an unrecorded quarry/pit. Therefore, made ground could be present within this area and this could be generically contaminated, posing a potential risk to future end-users and also controlled waters. Therefore, whilst no remedial measures or further action is currently considered to be necessary across most of the site, it is recommended that further investigation is carried out in relation to the circular feature in the east of the site prior to commencement of development in that area. This along with any remedial works that may be required will be secured by condition. A standard watching brief condition is also proposed should any unexpected contamination be identified after development has begun.

10.19.3 In summary, it is considered that through the imposition of appropriate conditions, that any existing site contamination can be adequately dealt with and the ground made safe, so as to ensure there are no adverse effects on human health or the environment.

## **10.20 Appropriate Assessment**

10.20.21 As required by the Habitats Regulations, the Local Planning Authority (as the Competent Authority) has carried out an Appropriate Assessment.

10.20.2 The Appropriate Assessment concludes that subject to relevant mitigation measures, the development would have no adverse impact on the integrity of the affected European sites.

## **10.21 Sustainable Design**

10.21.1 The application is accompanied by a Sustainability Statement which sets out how the development will achieve sustainability objectives in a number of key areas, including measures to reduce emissions and promote sustainability. The incorporation of detailed design features into the development will need to be considered through the use of planning condition which secure the delivery and implementation of these features. The applicants have noted the specific requirements of Local Plan Policy IMPL2 and have confirmed that their proposals will provide:

- Improved energy efficiency by way of a fabric first approach;
- A higher water use efficiency standard of 110 litres per day;
- Accessibility in accordance with Visitable Dwellings standards;
- The provision (where practicable) of a high speed fibre broadband connection to the property threshold;
- Provision to enable the convenient installation of charging points for electric vehicles.

10.21.2 It is important to note that in December 2021 the Government confirmed that new Building Regulations will come into effect in June 2022 in the form of amendments to Approved Document L 'Conservation of Fuel & Power'

that will require new homes to produce around 30% less CO<sub>2</sub> than the current standards. These requirements are enforced through the Building Regulations which the applicant will be required to adhere to.

10.21.3 In essence, all new dwellings will be constructed to secure a reduction in carbon emissions, reduce energy usage and minimise energy loss (e.g. through enhanced building fabric). A range of technologies and products will be drawn on to achieve this, for instance solar photovoltaics (PV), air source heat pumps, better storage and waste water heat recovery. Under the new regulations, CO<sub>2</sub> emissions from new build homes must be around 30% lower than current standards and emissions from other new buildings, including offices and shops, must be reduced by 27%.

10.21.4 Heating and powering buildings currently makes up 40% of the UK's total energy use. Installing low carbon technology, such as solar panels and heat pumps, and using materials in a more energy efficient way to keep in heat will help cut emissions – lowering the cost of energy bills for families and helping deliver the UK's climate change ambitions.

## **10.22 Other matters raised by representees**

### Transportation matters and accuracy of traffic surveys

10.22.1 In response to the concerns raised that the Traffic data was collected during Covid 19 Lockdown and therefore does not provide an accurate representation of the traffic flows and impact, it is important to make the following comment. Revised traffic flows have been used within the Site Access Junction Modelling and this revised data was collected in June 2021, which was at a time when there was no lockdown or restrictions. Further surveys were also carried out in November 2021 in relation to traffic and speed data along West Road, together with traffic counts at the key junctions. Accordingly, Officers and the Highway Authority have robustly assessed the applicant Transport Assessment and are content with the methodology of the surveys and modelling that has been carried out to assess the transport impact of the proposal on the highway network and key junctions.

### Impact on local infrastructure

10.22.2 Concerns has been expressed that the development would give rise to unacceptable pressures on other local infrastructure (health facilities, schools, emergency services etc). In response, and as set out above, the proposed development will not need to make a contribution towards local schools. In relation to health facilities, whilst it is recognised that the proposals would add to pressures on health services, the upgrading existing facilities or additional doctors/ nurses are funded/ contributed from central government and there is no evidence to suggest that the development either alone or as part of the wider allocation would put unacceptable pressure on local health or indeed other community related infrastructure.

### Loss of agricultural land

10.22.3 Concerns have been expressed in relation to the loss of agricultural land, noting that the site should be retained for food production. In response, the site includes three large arable fields. which were post-harvest wheat and sown with maize and the intensive arable cultivation has not allowed for an arable flora community to develop within the fields themselves. The Agricultural Land Quality is defined as Grade 3 which is the medium quality agricultural land.

10.22.4 Ultimately, the loss of agricultural land has previously been considered and deemed acceptable through the sites allocation for development within the adopted Local Plan.

10.22.5 As such, with the site being allocated for development within the Local Plan, it is also envisaged that the loss of agricultural land has not previously been considered to be significant by the planning authority.

#### Adjacent site at Higher Clockhouse Farm, Burley Road

10.22.6 Concerns have been expressed that there will be significant cumulative impacts on roads, infrastructure and the environment within the local area, from both the current application and the neighbouring land to the south west of the site, known as Higher Clockhouse Farm, which is being promoted for a potential residential development in the Bournemouth, Christchurch and Poole Council (BCP) new Local Plan.

10.22.6 It is important to note that land at Higher Clockhouse Farm is not an allocated site and at this stage, the site has only been put forward by the landowners/developer to BCP Council for consideration as a possible location for development in their new local plan.

10.22.7 Importantly, BCP Council have not made any decision that Land at Higher Clockhouse Farm is suitable or appropriate for development and as such, the site is at a very early stage of a local plan process. Moreover, the site is one out of many other potential sites that have been promoted by landowners/developers, in which BCP Council, may decide not to select the site as part of the next stage of public consultation.

10.22.8 In conclusion, the Higher Clockhouse Farm site has no planning status and therefore cumulative impact is not a material consideration in the determination of this planning application.

#### No proposals for business development

A comment has been raised that there are no proposals for business developments in the village, in which the applicant could contribute towards business units, and this would result in a more sustainable development in which people living on the development can travel a shorter distance to work. In response, there is no policy requirement that the applicant has to provide employment development and it is neither reasonable or necessary for this development to make any contributions towards off site employment. Equally, it is not for this application to carry out an assessment on car parking or other impacts on the village centre of Bransgore. The proposal itself will have direct benefits to the village through spending in shops etc.

## **11 Conclusion**

11.1 The site is allocated for development under policy SS12 of the Local Plan which establishes the principle of development on this Greenfield site. The above assessment has highlighted how the proposed development would deliver a range of significant, economic, social and environmental benefits. The proposed development would significantly change a greenfield site on the edge of Bransgore into a housing development including much needed additional housing, as well as significant new areas of open space, childrens play area and habitat would be created, resulting in a more connected landscape that would benefit both people and biodiversity.

11.2 In particular, the proposed development would provide 100 houses which would make a significant contribution to and form of the Council's 5 year land supply. It is accepted that the level of affordable housing being provided falls below the 50% policy target, however, the applicant's viability assessment has demonstrated that it is only viable to make 30 units for affordable and the overall housing mix is well balanced ranging from 1-5 bedroom houses, which would cater for different types of household needs. The provision of 30 affordable units is considered a benefit.

11.3 The development will evidently impact on the character of the area, but through its carefully considered and high quality design and its successful integration of landscape and built form, it is considered that the development would not cause harm to the site's existing context.

11.4 What considerably assists the setting of this development is the significant and generally well-considered green infrastructure that would be provided. This green infrastructure would not only mitigate the development's impact on protected nature conservation sites, but it would also provide important health and well-being benefits for the occupants of the development and beyond. Indeed, over 7 hectares of Green Infrastructure is proposed which will be publicly accessible with a network of walking routes connecting to the village centre and existing public rights of way. This is considered to be a significant positive which weighs in favour of the development.

11.5 Importantly, the proposed Green Space and the built development would significantly enhance biodiversity, with an overall biodiversity net gain of over 10%. Over 100 new trees will be planted throughout the site, which provides ecological benefits but also contributes towards mitigating the effects of climate change. Again, this is a significant benefit that weighs in favour of the development.

11.6 Understandably, there are local concerns with flooding on and off the site, however, the detailed technical reports demonstrate that both flooding and surface water drainage will be adequately dealt with through the delivery of a comprehensive surface water drainage strategy incorporating features, which will reduce the risk of flooding, taking account of future climate change, improve water quality and support biodiversity. Hampshire County Council, as Local Lead Flood Authority and the Environment Agency have endorsed the proposals.

11.7 Overall, the proposed development is considered to be one that meets the three key objectives of sustainable development, it would meet social objectives, by creating a safe, vibrant and healthy new community; and it would meet environmental objectives by securing a high quality built environment and by protecting and enhancing the natural environment. It is considered that the proposed development would satisfy all of the relevant requirements of Policy Strategic Site 12, as well meeting other relevant local and national planning policy requirements.

11.8 As such, it is considered appropriate to grant full planning permission subject to a detailed Section 106 legal agreement, subject to an extensive list of conditions as described below,

#### **Conditions and Section 106 Agreement**

Those matters that need to be secured through the Section 106 legal agreement and/or conditions include all of the following:

## Affordable Housing

There will be a requirement to secure 30% of the proposed dwellings as Affordable Housing, comprising 19 units for affordable rent and 11 units for intermediate/shared ownership.

## Public Open Space

- There will be a requirement to secure the on-site public open space within the development to an approved design.
- There is a requirement to secure the long term management and maintenance of the POS.
- There will be a requirement to secure the children's playspace within the development to an approved design, together with its long term management and maintenance.

## ANRG Mitigation Land

- There will be a requirement to secure the on-site ANRG land to an approved design, and to secure permanent public access to these areas in an appropriate phased manner.
- There is a requirement to secure the long term management and maintenance of the ANRG.
- There will be a requirement for a detailed management plan and contribution to future monitoring of the ANRG. The ANRG must be laid out as agreed together with a Habitat Mitigation Scheme

## Other Mitigation Contributions and Measures

- There will be a requirement to secure the New Forest Access and Visitor Management, and the New Forest Air Quality Monitoring Contributions in full.

## Biodiversity net gain (BNG)

- There is a requirement to secure the long term management/maintenance plan to achieve Bio-diversity net gain. The way the BNG will be managed and monitored will be secure through the S106 together with monitoring charges. There will be a requirement for a minimum of 30 years for BNG on site.

## Transport

- There will be a requirement to secure the provision of the two access, junction and associated highway works at Derritt Lane (subject to 278 Agreement).
- The installation of a vehicular cross-over with tactile paving at the entrance to the rear parking court of numbers 5-11 Derritt Lane;
- The installation of dropped kerbs with tactile paving at the junction of Brookside Road/Derritt Lane;
- Provision of dropped kerbs and tactile paving on the highway at the access to a private road approximately 100m south of Burley Road/Ringwood Road Junction;
- Installation of tactile paving at the junction of St Marys Close/Ringwood Road.
- Provision of a new uncontrolled pedestrian crossing on Ringwood Road near the Three Tuns Pub.
- There will be a requirement to pay the Travel Plan approval and

monitoring fees, and a need to provide a surety mechanism to ensure implementation of the travel plan.

#### Drainage

- There is a requirement for the developer to provide and complete the surface water drainage scheme on site and secure its long term management.

Other matters to be secured through conditions are set out in the detailed schedule of conditions below.

## 12 OTHER CONSIDERATIONS

### Community Infrastructure Levy (CIL)

12.1 The 100 dwellings that are proposed within the District Council's area of jurisdiction are CIL liable. The money will be used to support development by funding infrastructure that the Council, the local community and neighbourhoods need; for example, habitat mitigation measures or community facilities. The Levy is charged in pounds (£) per square metre on new floorspace, measured as Gross Internal Area (GIA) at a rate of £102.15 per square metre, plus indexation, for all new residential development. Given that this application is full, the CIL contribution equates to £965,546.81

### Crime and Disorder

12.2 Crime and Disorder The proposed development has been designed so as to have good natural surveillance, thereby helping to minimise potential crime and disorder. The streets and public spaces are considered to be well designed and safe.

### Human Rights

12.3 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.

### Equality

12.4 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.

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
------	----------------------------	----------------------------	-----------------------	------------------------------	------	-------

Dwelling houses	12,057.91	0	12,057.91	12057.91	£102.15 /sqm	£1,231,715.50*
Social Housing	2605.66	0	2605.66	2605.66	£102.15 /sqm	£266,168,169

<b>Subtotal:</b>	<b>£1,231,715.50</b>					
<b>Relief:</b>	<b>£266,168.69</b>					
<b>Total Payable:</b>	<b>£965,546.81</b>					

### 13 RECOMMENDATION

Delegated Authority be given to the Executive Head for Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion by end of 2022, of a planning obligation entered into by way of a Section 106 Agreement to secure the following contributions and other benefits
  - **Affordable Housing (AH)** –30 units with a tenure split of 19 Affordable rent and 11 shared ownership. Phasing delivery of units to be agreed, and long-term retention as AH.
  - **Biodiversity net gain (BNG).**
  - **ANRG provision and maintenance** and monitoring
  - **Habitat mitigation for recreational impact** – non infrastructure access and management contributions per dwelling as per standard formula = £69,497
  - **POS provision and maintenance including play spaces** – triggers for implementation, management arrangements to ensure long term public access and proper management and maintenance of those areas.
  - **Provision and management of on-site drainage**
  - **Air quality assessment** monitoring contribution of £8,500 in line with Local Plan policy.
  - **Off-site highway works** -The installation of a vehicular cross-over with tactile paving at the entrance to the rear parking court of numbers 5-11 Derritt Lane; The installation of dropped kerbs with tactile paving at the junction of Brookside Road/Derritt Lane; To provide dropped kerbs and tactile paving on the highway at the access to a private road approximately 100m south of Burley Road/Ringwood Road Junction; To install tactile paving Junction of St Marys Close/Ringwood Road and Provision of a new crossing point on Ringwood Road near the Three Tuns Pub. All under S278 Highways Act agreement



- **Provision of a full Travel Plan** with bond, monitoring fees and approval fees.
  - **Monitoring contributions**
- ii) Delegated authority be given to the Executive Head of Planning, Regeneration and Economy to include the conditions as set out in this report together with any further additions, and amendments to conditions as appropriate

**Proposed Conditions:**

**1. Condition 1 – Time Limit for Commencement of development**

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. Condition 2 - Plan Numbers**

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

Site Plans

- Site location Plan Drawing No/Ref 150\_DI\_10.6
- Site Layout Plan Extract 1 Drawing No/Ref 150\_DI\_24.12
- Site Layout Plan Extract 2 Drawing No/Ref 150\_DI\_24.12
- Site Layout Plan Extract 3 Drawing No/Ref 150\_DI\_24.12

Highway plans

- West Road Crossing Pedestrian Visibility Drawing No - SK-104 Rev B
- West Road Access Drawing 01-PHL-102 Rev D
- Derritt Lane Visibility splays - 01-PHL-101 Rev C
- Derritt Lane Accesses - Drawing No 01-PHL-101 Rev C.
- West Road Access Drawing 01-PHL-102 Rev D
- Derritt Lane Accesses - Drawing No 01-PHL-101 Rev C

Tree Protection Plan

- Barrell Plan Ref 18330-5 a, Barrell Plan Ref 18330-5 b, Barrell Plan Ref 18330-5 c)

House Units

- Plots 1 and 6 Drawing No/Ref Reg-B-C
- Plot 2 Drawing No/Ref Upt-B-I-V
- Plot 3 Drawing No/Ref Eve-B-C1-V
- Plot 4 Drawing No/Ref Ibb-B-I1-V
- Plots 5, 43, 51 and 83 Drawing No/Ref Ibb-B-C
- Plot 7 Drawing No/Ref War-B-I-V

Plots 8 and 22 Drawing No/Ref Ibb-B-C-V  
Plots 9, 13 and 17 Drawing No/Ref Mor-B-I  
Plots 10 and 69 Drawing No/Ref Cor-B-C  
Plots 11 Drawing No/Ref Lyt-B-C  
Plot 12 Drawing No/Ref Lyt-R-I1  
Plots 14 and 81 Drawing No/Ref Com-B-C  
Plots 15-16 Drawing No/Ref Com-R-C-V, Cor-B-C-V  
Plot 18 Drawing No/Ref Sil-B-C-V1  
Plots 19-21 and 77-79 Drawing No/Ref Bea-BF-C-V  
Plot 23 Drawing No/Ref Gla-R-C  
Plots 24-31 Drawing No/Ref FBT 3-HA-B-V Rev A  
Plots 32 and 37 Drawing No/Ref FOGT2-HA-B-V Rev A  
Plots 33, 34, 35 and 36 Drawing No/Ref Iwe-B-C1-V Bry -R-C-V  
Plots 38, 65, 76 and 80 Drawing No/Ref Iwe-B-C1 Rev A  
Plots 34-45 Drawing No/Ref Bry-R-C  
Plots 39-40, 58-59 and 62-63 Drawing No/Ref Edm-BF-C  
Plot 41 Drawing No/Ref Shi-B-C-V  
Plot 42 Drawing No/Ref Mor-R-I  
Plots 44 -46 Drawing No/Ref Bea-B-C-V  
Plot 47 Drawing No/Ref Gla-B-I  
Plots 48-49 and 70-71 Drawing No/ Ref Bri-B-C  
Plot 50 Drawing No/Ref Six-B-I-V  
Plots 52-52 and 54-55 Drawing No/Ref Bea-BF-C  
Plot 56 Drawing No/Ref San-B-C  
Plot 57 Drawing No/Ref Sil-B-C-V2  
Plots 60-61 Drawing No/Ref 777 HA-B  
Plot 64 Drawing No/Ref Mor-B-C-V  
Plots 66 -68 Drawing No/Ref 894-HA-B-T3  
Plot 72 Drawing No/Ref Reg-B-C-V  
Plots 73-75 Drawing No/Ref 894-R-T3  
Plot 82 Drawing No/Ref Com-BF-C  
Plot 84 Drawing No 1036 -B Rev A  
Plot 85 Drawing No/Ref Com 1036-B-V  
Plots 86-90 Drawing No/Ref BarB-HA-BC Rev A  
Plots 91-95 Drawing No/Ref 860-B-T5 Rev A  
Plot 96 Drawing No/Ref Special2-B-C  
Plot 97 Drawing No/Ref San-B-C-V  
Plots 98-99 Drawing No/Ref Lyt-B-C & San-B-C-V  
Plot 100 Drawing No/Ref Special1-B-C

Bin Store to Plots 86-90 Drawing No/Ref BS-B

#### Garages/car ports

Garages 63-64 Drawing No TrG2-B-V  
Garages to plots 2, 7, 18, 50 and 56 Drawing No/Ref DG2-B  
Garages to Plots 1 and 6 Drawing No QuG2-B  
Garages to Plots 8, 9, 10, 33, 34, 35, 36, 39, 40, 46, 55, 59, 62, 65, 69, 76, 82 and 100. Drawing No/Ref SG2-B Rev B  
Garages to Plots 82-83 Drawing No/Ref TrG3-B-V  
Garage to Plot 83 Drawing No/Ref SG2-B & SCP-T  
Garages 3, 4 and 5 Drawing No/Ref TrG3-B-V2  
Garages to Plots 11-12, 14-15, 16-17, 21-22, 13-23, 38-49, 42-43, 47-48, 51-52, 53-54, 80-81, 98-99 Drawing No/Ref TwG2-B

3. **Condition 3- Phasing**

Prior to the commencement of any part of the development, a scheme detailing the phasing of the development, including all infrastructure (green infrastructure, drainage works, highway works, services), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is provided in an appropriate and comprehensive phased manner.

4. **Condition 4 - Details of Materials and detailing**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted a full schedule of materials to be used on all dwellings i.e. facing bricks, wall renders including finish and colours, roofing materials, eaves boards, rainwater goods, ridge tiles, details of all new windows and doors and any other joinery details for porches and support pillars shall be submitted to and agreed in writing with the LPA. Only such materials so agreed are to be used on the development unless a written variation has been agreed beforehand by the LPA.

Reason: In the interests of the appearance and character of the development and to comply with New Forest Local Plan policy ENV3

5. **Condition 5 - Details of levels**

Before development commences and notwithstanding the existing and proposed levels shown on Drawing No's 01GA 1001 Rev B, 01GA 1002 Rev B, 01GA 1003 Rev B and 01GA 1004 Rev A, the details of the slab, finished floor and ground levels of the dwellings, roads and footpaths, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

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

6. **Condition 6 - Details of boundary Treatment**

Before development progresses above damp proof level of the first dwelling hereby approved, the full details for the treatment of the boundaries of the site as indicated on Drawing No 150 DI 26.4 Extract 1, Extract 2 and Extract 3 (with typical elevation sections supplied for both including any coping details, decorative brickwork and piers etc), shall be submitted to and approved in writing by the Local Planning Authority.

The means of enclosure and boundary treatment shall only be implemented in accordance with the details thus approved.

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

#### **7. Condition 7 - Details of the Landscaping**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted, a detailed landscape framework and final landscaping plan, based on Tyler Grange drawings 12713\_P14 Rev O (Sheets 1 to 3), to include a long term landscape management and maintenance plan, shall be submitted to and agreed in writing with the LPA. Such plan shall include the following:

- the existing trees and shrubs which have been agreed to be retained;
- a) all new planting of shrubs, hedgerows and trees (species, size, spacing and location) including any necessary tree pits or other root barrier systems where in proximity to highway and drainage works. The plan shall show all pipe ways and other underground drainage details in proximity to tree planting;
- b) areas for hard surfacing and the materials to be used;
- c) a detailed specification for all soft and hard landscape works and features to be carried out / provided within the ANRG land and Public Open Space;
- d) the details of the childrens play area including fencing based upon the Huck Drawing No 21768b Rev 2
- e) the hardsurfacing details to include the details of the roads and footpaths;
- f) the detailed specification design and details of the existing and proposed ponds and attenuation features to include any headwalls and outflow details
- g) a method and programme for its implementation and the means to provide for its future maintenance.

The details as agreed shall be fully implemented in accordance with the plan and phasing of those works in the first available planting season (October-March). If any trees or shrubs die, become damaged or diseased within 5 years of planting they shall be replaced with the same species (unless a written variation has been agreed beforehand with the LPA) in the next available planting season. Following such an initial maintenance period all landscaping, shall then be maintained in accordance with the long term landscaping and maintenance provisions approved as part of this permission including any relevant clauses set out in the accompanying Section 106 Agreement attached to this permission.

Reason: In the interests of the character and appearance of the development hereby permitted and in accordance with Local Plan policies STR1 and ENV3.

#### **8. Condition 8 - Car parking and Garaging**

All car parking spaces, garages and car ports shall be completed and made available for use prior to the occupation of the dwelling to which those parking facilities relate and shall be maintained as such thereafter. Notwithstanding the provisions of the Town and Country General Permitted

Development Order 1995 as amended, or any new re-enactment, the garages and car ports hereby approved shall not be converted into additional living accommodation but shall be kept available for the parking of private motor vehicles.

Reason: To ensure a reasonable and adequate level of parking is retained for the dwellings hereby permitted in the interests of highway safety.

9. **Condition 9 -Visitor Car parking**

The 14 unallocated car parking spaces within the site that are designed to provide visitor car parking spaces shall be kept permanently available for the parking of vehicles, and at no point shall any of these spaces be allocated for the specific use of any dwelling on the development hereby approved.

Reason: To ensure that the development provides adequate visitors car parking in the interests of highway safety.

10. **Condition 10 - Archaeology: A Programme of Archaeological Work**

Prior to the commencement of development, a programme of further archaeological work, including a Written Scheme of Investigation in relation to the area around Trench 15 and Trench 31 as identified within the submitted Archaeological Evaluation Report (Wessex Archaeology, December 2020), shall be submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- h) The programme and methodology of site investigation and recording.
  - 1) The programme for post investigation assessment.
  - 2) Provision to be made for analysis of the site investigation and recording.
  - 3) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
  - 4) Provision to be made for archive deposition of the analysis and records of the site investigation.
  - 5) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure the archaeological interest of the site is investigated and assessed.

11. **Condition 11 - Archaeology: Implementation of Written Scheme of Investigation**

No development (other than demolition) shall take place other than in accordance with the Written Scheme of Investigation approved under condition 10.

Reason: To ensure the archaeological interest of the site is adequately investigated.

12. **Condition 12 - Archaeology: Completion and Archive Deposition**

No dwelling within a phase of residential development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 10 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the archaeological interest of the site is adequately investigated and recorded.

13. **Condition 13 - Protection of Trees: Adherence to Approved Arboricultural Statement**

The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement (Barrell Tree Consultancy Arboricultural Assessment & Method Statement dated 17th February 2022 reference 18330-AA2-CA and Tree Protected plans Barrell Plan Ref 18330-5 a, Barrell Plan Ref 18330-5 b, Barrell Plan Ref 18330-5 c), unless otherwise agreed in writing by the Local Planning Authority.

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

14. **Condition 14 - Protection of Trees: Pre-commencement Site Meeting**

No development, demolition or site clearance shall take place in each phase, until a method statement and engineering drawings for the design of the non-dig construction paths and road areas and service routes within that phase have been submitted to and agreed by the Local Planning Authority. If any services/utilities encroach the root protection areas of the retained trees the applicant will need to provide a method statement for the installations of services in these sensitive areas. Development shall only take place in accordance with these details.

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

15. **Condition 15 - Lighting**

Prior to the erection of any external lighting in the areas identified on drawing A008 P 102 (but excluding lighting associated with the construction phase of the development), a Lighting Scheme for that area / phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall draw upon the Guidance Note 08/18 "Bats and Artificial Lighting in the UK" prepared by the Bat Conservation Trust / the Institution of Lighting Professionals guidance along with the measures outlined at paragraphs 12.30 of the Ecological Appraisal and protected species Survey (by Artemis Ecological Consulting Limited dated July 2021), and shall:

- 6) Set out details of all proposed operational external lighting;
- 1) Include timings of lighting operation;
- 2) Include a lighting plan showing locations and specifications of all proposed lighting;
- 3) Demonstrate that vertical illuminance into adjacent habitats has been minimised and avoided.

The scheme shall be implemented as approved.

Reason: To ensure that the level of lighting within the development is acceptably minimised, having regard to ecological interests and the site's rural edge context.

## 16. **Condition 16 – Contamination General**

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 within the area of the circular depression feature referred to and identified on drawing 18625/03 within the Phase 1: Preliminary Geotechnical and Contamination Assessment Report dated 12 December 2019 until conditions relating to contamination no 17 to 19 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 20 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 CCC1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM4 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

## 17. **Condition 17 Contaminated Land Site Contamination**

Prior to commencement of development within the area of the circular depression feature referred to and identified on drawing 18625/03 (within the Phase 1: Preliminary Geotechnical and Contamination Assessment Report dated 12 December 2019) a report of findings of an investigation and risk assessment to assess the nature and extent of any contamination (whether or not it originates on the site) within the area of the circular depression feature shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons. 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:

- 4) 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 CCC1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

#### 18. **Condition 18 Contaminated Land Submission of Remediation**

If contamination is identified within the circular depression feature referred to and identified on drawing 18625/03 (within the Phase 1: Preliminary Geotechnical and Contamination Assessment Report dated 12 December 2019), a detailed remediation scheme to bring the area 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 CCC1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).



**19. Condition 19 – Implementation of remediation**

Where a remediation scheme has been approved in accordance with condition 18, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development within the circular depression feature referred to and identified on drawing 18625/03 (within the Phase 1: Preliminary Geotechnical and Contamination Assessment Report dated 12 December 2019) 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 CCC1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

**20. Condition 20 Contaminated land - unexpected contamination**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until an investigation and risk assessment has been undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where remediation is necessary a remediation scheme must be prepared to bring the relevant part of the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

21. **Condition 21 - Construction: Hours of Operation**

Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1830 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: To safeguard residential amenities.

22. **Condition 22 - Construction Traffic Management Plan**

Before the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Planning Authority. The Construction Traffic Management Plan shall include the following details: construction traffic routes; the provision to be made on site for the parking and turning of contractors' / construction related vehicles; measures to prevent mud from being deposited on the highway; and a programme for construction. The agreed measures and details shall be put into place (as appropriate) before the development is commenced and shall thereafter be adhered to / retained throughout the duration of construction.

Reason: In the interests of highway safety.

23. **Condition 23 - Electric Vehicle Charging Points**

Prior to the occupation of each dwelling, the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles shall be provided to the property in accordance with the details shown and set out on Drawing No's 150\_DI\_32.2 Sheets 1 to 3 unless otherwise agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in full accordance with the approved details.

Reason: In the interests of sustainability and to ensure that opportunities for the provision of electrical charging points are maximised in accordance with policy expectations.

24. **Condition 24 - High Speed Fibre Broadband**

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

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

**25. Condition 25 - Construction Environmental Management Plan**

Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

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

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

Reason: To safeguard the amenities of existing and proposed (post occupation) residential properties and to ensure that the environmental impacts of construction and satisfactorily minimised and mitigated.

**26. Condition 26 - Surface Water Drainage Details**

Prior to the commencement of development, a detailed surface water drainage scheme, based on the principles within the Flood Risk Assessment & Drainage Strategy by ref: Awcock Ward Partnership dated 18th January 2022 Drawing 01-PDL-1001 Rev D, shall be submitted and approved in writing by the Local Planning Authority. The submitted details should include:

- 10) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment.
- 1) Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
- 2) Detailed hydraulic calculations for all rainfall events, which should take into account the connectivity of the entire drainage features including the discharge locations. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and a summary of critical results by maximum level

during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout.

- 3) Confirmation on how impacts of high groundwater will be managed in the design of the proposed drainage system to ensure that storage capacity is not lost, and structural integrity is maintained.
- 4) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- 5) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Development shall only proceed in accordance with the approved details.

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

#### **27. Condition 27 - Surface Water Drainage: Maintenance**

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

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

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

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

#### **28. Condition 28 - Travel Plan**

Before any part of the development is first occupied, a Full Travel Plan based on the principles set out in the Framework Travel Plan Rev A dated 17th January 2022 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, Development shall only be implemented and occupied in accordance with the approved Full Travel Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that sustainable modes of travel are duly promoted.

#### **29. Condition 29 – Net Biodiversity Gain: Implementation, Monitoring and**

## **Management**

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

Reason: In the interests of the protection of ecological assets on site and their continued protection and enhancement in accordance with Local Plan policies STR1, ENV3 and DM2.

### **30. Condition 30 - Cycle Parking**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted detail design of the cycle parking facility to be provided for each dwelling including the specification shall be submitted to and approved in writing by the Local Planning Authority. Before the occupation of any part of the development hereby approved, the cycle store relative to that dwelling shall be erected as shown on the approved plans and thereafter retained, maintained and kept available for the occupants of the development at all times.

Reason: To promote sustainable mode of travel.

### **31. Condition 31 - Ecological Enhancement, Mitigation and Management Plan**

Prior to the commencement of any works above slab level of any of the dwellings hereby permitted, a detailed Ecological Enhancement Plan shall be submitted to and agreed in writing by the local planning authority. The Plan shall include plans and details of all the habitat and species-related enhancement measures (e.g. location, methods, responsibilities, care and maintenance) outlined within paragraphs 13.2 to 13.11 of the Ecological Appraisal and protected species Survey (by Artemis Ecological Consulting Limited dated July 2021).

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

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

### **32. Condition 32 - Footpath Link Detail**

No development shall commence above slab level on Plots identified as 1 to 95, until such time as a design for a pedestrian / cycle connection within the site between the main residential area to the north of Plot 80 to West Road as shown on Site Layout Plan Extract 3 150\_DI\_24.12 has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority

Reason: In order to achieve sustainable connections and in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**33. Condition 33 Footpath/Cycle Link implementation**

There shall be no Occupation of any more than 25% of the dwellings hereby approved, until such time as the pedestrian / cycle connection approved pursuant to condition 32 has been made available for use. This pedestrian / cycle connection must remain available for use at all times, unless otherwise agreed in writing.

Reason: In order to achieve sustainable connections and in accordance with Policy ENV3 of the Local Plan Review 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**34. Condition 34 - Visibility Splays**

Prior to the occupation of plots 1 to 37, the western access onto Derritt Lane and associated visibility splays shall be provided in accordance with submitted drawing 01-PHL-101 Rev C. Prior to the occupation of plots 38 to 95, the eastern access onto Derritt Lane and associated visibility splays shall be provided in accordance with submitted drawing 01-PHL-101 Rev C. Prior to the occupation of plots 96 to 100, the West Road access shall be provided in accordance with submitted drawing 01-PHL-102 Rev D. Prior to the occupation of plots 1 to 100, the West Road crossing pedestrian visibility splays shall be provided in accordance with submitted drawing 01-PHL-102 Rev D.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. The vehicular visibility splays shall be retained free from any obstruction at all times thereafter.

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

**35. Condition 35 – Land Raising**

No development shall commence until such time as a scheme for the proposed land raising has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include precise details of how the land will be raised, together with details of the source of the material to be used to raise levels and how such material will be transported to the site. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority. This condition may be discharged on an individual development phase basis.

Reason: To ensure the environmental effects of land raising are appropriately minimised, and to reduce the risk of flooding to the proposed development and its future users.

**36. Condition 36 - Removal of Invasive species**

Prior to any works being carried out in the ANRG and Public Open Space, a scheme to remove and eradicate the Japanese knotweed on the site shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of the containment, control and a method statement setting out the treatment, removal strategy and management/ monitoring that will be put in place and carried out by a suitably qualified and licenced contractor for dealing with Invasive Species. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 as amended and the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991 and to ensure that the works that take place do not impact on habitats

**37. Condition 37 - Ecological mitigation**

The development shall be undertaken in accordance with the ecological mitigation measures outlined within paragraphs 12.12 to 12.22 of the Ecological Appraisal and protected species Survey (by Artemis Ecological Consulting Limited dated July 2021) or such other variation (as may be considered necessary by the Local Planning Authority and) that is agreed in writing by the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

**38. Condition 38 - Flooding and finished floor levels**

The development shall be carried out in accordance with the submitted flood risk assessment (prepared by AWP, Revision B dated 14th January 2022), with particular reference to Appendix B (Drainage Layout Plan - Drawing Number 01-PDL-1001 Rev D), and the following mitigation measures it details:

- iv) The proposed minimum finished floor levels are to be set as shown in the above drawing and (ii) the finished site levels shall be set at least 300mm above the 1 in 1000 year flood levels shown, except for where the site falls within Flood Zones 2 and 3 where there shall be no ground raising.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.

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

*Reasons:*

To reduce the risk of flooding to the proposed development and future occupants.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change

**39. Condition 39 - Water efficiency**

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

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

**40. Condition 40 - Internal access arrangements**

No development shall commence until details of the crossing points within internal roads and how they connect to the two main footpaths in the north and south of the site have been submitted and approved in writing by the Local Planning Authority in consultation with the local highway authority. The development shall not be occupied until the approved details have been fully implemented unless agreed in writing by the Local Planning Authority.

*Reason:* To ensure safety of sustainable access



41. **Condition 41 - Internal visibility splays**

The western access onto Derritt Lane shall not be brought into use until the inter-visibility splay at the junction with the north footpath as shown on drawing 1007-01-PHL-1001B has been provided. The eastern access onto Derritt Lane shall not be brought into use until the inter-visibility splay at the junction with the north footpath as shown on drawing 1007-01-PHL-1003B has been provided. Nothing over 0.6m in height above the level of the carriageway shall be placed or permitted to remain within the approved inter-visibility splays, unless otherwise agreed with the local planning authority.

Reason: To ensure safety of sustainable access

**Further Information:**

Richard Natt

Telephone: 023 8028 5448



# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

## PLANNING COMMITTEE

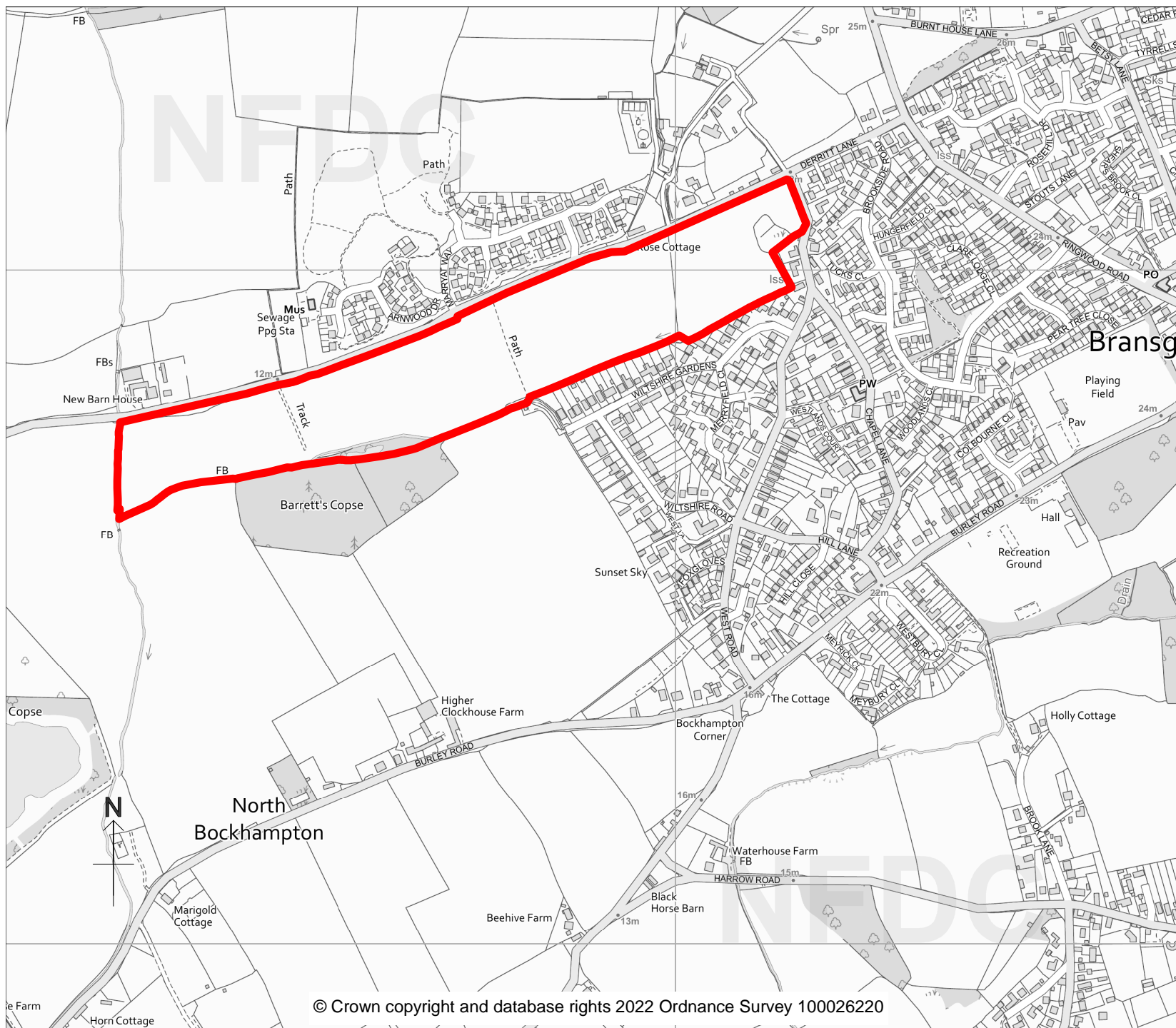
March 2022

Land South of Derritt Lane  
Sopley BH23 8AT

21/11097

Scale 1:8000

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



NFDC

NFDC

Planning Committee 09 March 2022

**Application Number:** 21/11621 Full Planning Permission

**Site:** JUBILEE CAMPING, BROWNS LANE, DAMERHAM SP6 3EJ

**Development:** Regularise the existing structures on the site associated with the use as a campsite (Retrospective)

**Applicant:** Mr & Mrs Burrough

**Agent:** Pure Town Planning

**Target Date:** 08/02/2022

**Case Officer:** Vivienne Baxter

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Background
- 2) Principle of the development
- 3) Design and scale
- 4) Impact on the character and appearance of the area/AONB
- 5) Other issues raised

This application is to be considered by Committee because of contrary views from both Parish Council and Local Member.

## 2 SITE DESCRIPTION

The site lies within the Parish of Damerham to the south west of the village. It comprises part of the holding known as Manor Farm. The site area is not a specific parcel of land but includes a single area which incorporates all structures which are proposed to be retained. Accessed from Browns Lane, the site rises from the road and there is a backdrop of trees to the two larger structures which are visible from this point. The nearest public right of way runs parallel to the access track approximately 150m to the west. As well as agricultural land, the site also includes some woodland.

## 3 PROPOSED DEVELOPMENT

The proposal entails the retention of four timber buildings comprising a pitched roof shower block containing 8 individual cubicles, a pitched roof toilet block containing two rooms, each with 4 toilets, a pitched roof toilet block and a mono-pitched roofed toilet block, each with two toilets.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/10790 Application for approval under Regulation 75 and 77 of the Conservation of Habitats and Species Regulations for the use of the land as (tented) camping site for up to 28 days (under Class B permitted			Granted

development) and up to a further 28 days within the period 01 January 2021 to 31 December 2021 (under Class BA permitted development)

20/10607 Use of land for seasonal camping for up to 75 days per year; retention of toilets and showers on a permanent basis. 26/11/2020 Withdrawn by Applicant

## 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

### **Local Plan Part 2: Sites and Development Management 2014**

DM13: Tourism and visitor facilities

### **Core Strategy**

CS19: Tourism

### **Supplementary Planning Guidance And Documents**

SPG - Landscape Character Assessment

### **Relevant Legislation**

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

### **Relevant Advice**

NPPF Ch.11 - Making effective use of land

Chap 12: Achieving well designed places

### **Constraints**

SSSI IRZ Residential

Aerodrome Safeguarding Zone

Area of Outstanding Natural Beauty

Groundwater Protection Zone

Small Sewage Discharge Risk Zone - RED

Meteorological Safeguarding

SINC

Avon Catchment Area

### **Plan Policy Designations**

Countryside

## 6 PARISH / TOWN COUNCIL COMMENTS

### **Damerham Parish Council**

Following decision, by the members of the Parish Council, a motion to recommend a PAR4 was proposed, seconded and Resolved (5), (1 abstention and 2 none votes due to conflict of interest.)

PAR 4: We recommend REFUSAL, the reasons listed below

This application for retrospective planning to retain buildings as permanent structures is contra to planning policy ENV4 and STR2 due to the visual intrusion and overbearing impact and possible noise and light pollution that they create with in the landscape of the AONB and dark skies reserve.

Considering retrospective planning permission for the buildings alone and not their possible use is unconceivable and should therefore be considered with the wider issue of their historical use of a campsite.

The Parish Council would look more favourably if these structures were to be used solely under permitted development (hence 28 day use) and therefore remain temporary and be removed on days when there is no camping taking place.

## **7 COUNCILLOR COMMENTS**

### **Cllr Edward J Heron**

Objects - contrary to policy, would result in both direct and indirect harmful impacts on the countryside

*Comments in full are available on website.*

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**AONB Office:** not in support

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Against: 45

- the campsite causes noise and disturbance every summer
- traffic congestion/road safety
- harmful to AONB/Dark Skies Reserve
- camp site isn't needed
- applicant has disregarded planning regulations
- structures are unsightly
- no agricultural benefit
- approving the application would make a mockery of the planning process
- little justification to allow their retention
- would set a precedent
- application should be assessed purely on the 28 days use
- campsite every summer will drive locals away
- concerns about where waste water would go
- campsite would not bring anything to the community
- retention of the blocks would harm the desire to sustain long views
- campsite threatens the tranquility of Damerham
- could end up as another 'Sandy Balls'
- first step in increasing capacity
- plenty of more appropriate alternative sites for a campsite
- inaccuracies on application form
- established hospitality businesses would lose visitors
- local residents seriously affected by the unauthorised campsite use
- larger blocks are visible from both road and public footpath
- buildings should be removed when the campsite is not in use
- applicants should adhere to permitted development rights

- the bus stop only has one bus a week
- facilities have no function on their own
- proposal is contrary to several policies
- loss of privacy and overlooking from the site
- inaccuracies in the application
- application should include the whole campsite proposal
- approval would be the 'thin end of the wedge'
- proposal shouldn't be considered in a Dark Sky Reserve/AONB
- campsite would destroy the village

An objection letter submitted on behalf of several local residents (20 households), many of whom have written in separately, raises the following points:

- a proposal for a facility in association with a use which has not been granted permission should not be considered
- the application doesn't demonstrate phosphate neutrality
- proposal should be considered with the associated elements of the campsite such as access tracks and extended use as was previously proposed

For: 4

- facilities are excellent and well maintained
- welcome addition to the locality
- will enhance the amenities for the benefit of the visitors and the environment/natural setting of the site
- campsite offers the opportunity for visitors to experience rural life
- buildings have a minimal impact
- those objecting don't understand the business
- campsite is an asset to the community
- local businesses should be supported
- villagers support the pub and village hall which create noise and disruption
- farm campsites are preferable to many

## 10 PLANNING ASSESSMENT

### Background

The application follows enforcement action as a result of the provision of several facilities buildings on land at Manor Farm. Whilst a planning application for their retention was submitted in 2020, that application also included the use of the land for camping purposes in excess of the permitted development rights for use of land for camping purposes (28 days per calendar year). It was withdrawn in late 2020. Since that time, discussions to address the concerns raised and account for temporary changes to the permitted development rights legislation due to the pandemic have been had. It was also considered necessary to serve a Temporary Stop Notice in the summer of 2021.

One of the main concerns in respect of the previous planning application was the impact of tourist accommodation on the European sites, in particular the increased level of phosphates occurring in the River Avon, designated as a Special Area for Conservation. This issue prevents 28 day camping from being permitted development unless measures are taken to mitigate against increased phosphates in the water environment. The applicants have now addressed this concern, completing a unilateral undertaking which requires all human waste to be tankered off site into a waste water treatment plant which does not discharge into the River Avon Catchment (application reference 21/10790). It was this particular issue that justified the issuing of the Temporary Stop Notice.

As this issue has now been addressed, this application should be considered on the basis that the use of the land as a campsite for up to 28 days a year is considered to be permitted development. There are no restrictions on the number of pitches allowed on the land for the 28 day period.

### Principle of Development

The buildings subject of this application are clearly intended for use in association with the 28 day permitted development rights for camping which the applicants have pursued for the last few years. Were they able to be removed i.e. not plumbed into the drainage tanks underground, they would constitute permitted development during the operation of the campsite. The fact that planning permission is required for their permanent retention and that it is a retrospective application are not relevant matters.

Policy CS19 supports the local tourism industry through, amongst other things, maintaining and enhancing tourist and visitor facilities and supporting new tourist provision in the countryside through farm diversification where local communities and the economy would benefit. Policy DM13 also supports farm diversification subject to new development being of an appropriate design and scale. It is therefore considered that the proposal is acceptable in principle.

### Design and Scale

As stated above, such a proposal is considered acceptable providing it is of an appropriate design and scale. In this respect, all four buildings have been constructed in timber which will weather down as a natural material. They have been placed on the ground and do not have foundations. The two larger buildings are comparable in their design and size to small stable buildings which are typical of a rural area. It is noted that in addition to cattle and pigs on the farm, the applicant also graze horses and these timber structures would not be out of keeping in this context when not in use in association with the campsite.

The buildings vary in height between 2.8m and 3.5m (with eaves levels 1.7m to 2.4m high). The two smaller buildings have a footprint of 9m<sup>2</sup> with the cumulative footprint of all buildings amounting to just 63m<sup>2</sup>. It is necessary to mention that agricultural permitted development rights would allow the construction of an agricultural building of up to 12 m in height and a floor area of up to 1000m<sup>2</sup> without the need for a formal planning application.

### Impact on character and appearance of area/AONB

It is acknowledged that the development has an impact on the character and appearance of the area. This does not automatically mean that the impact is harmful. The two smaller buildings are both set in excess of 200m from Browns Lane and are not readily visible from this public vantage point. From within the site, they are both situated with a back drop of trees which provide a good level of screening even during the winter months.

The two larger buildings are visible from Browns Lane and the public footpath although given their distance from both directions, are not considered to be intrusive features in their landscape setting. This part of the AONB is designated as Downland Hills which includes 'deciduous and coniferous woodland, clothing the crests of the slopes, silhouetted against the skyline'. The proposal would not interfere with this skyline.

### Other issues raised

The proposal would not give rise to overlooking of any nearby residential property, all of which are some distance from the buildings. There are no windows in the buildings and privacy is not an issue.

Noise and disturbance caused by visitors to the campsite (during the permitted 28 day period) is not a planning matter but a management issue. Noise complaints received by this authority's Environmental Health Service have been investigated on numerous occasions; but this has not resulted in statutory nuisance being proven..

The farm does not require planning permission to operate a campsite for 28 days each calendar year and as such, there is no requirement for the planning application to include use of the land as a campsite. Should the applicant wish to resubmit an application for additional days, it would be considered separately.

The conclusion of the Regulation 75/77 application dealt with the impact of this 'pop-up' campsite on the European sites and the waste generated during the 28 days of use will be tankered away to a waste water treatment facility which does not discharge into the River Avon catchment. That application also addressed the necessary Habitat Mitigation requirements.

Approval of this application would enable the facilities to remain on site all year round with limited impact on the character and appearance of the area. This does not affect the use of the land as a campsite which is permitted for just 28 days. Further, the retention of the buildings is unlikely to adversely impact the continuation of farming outside of the 28 days.

Whilst there have been many complaints and objections to the proposal, many of them relate to the principle of a campsite which is not for consideration at this time. It is accepted that visitors to the campsite will make use of the village facilities such as children's play area and pub. As there is no shop in Damerham, tourists are likely to go further afield to larger communities such as Fordingbridge where provisions can be purchased. In addition to this, the visitors would also be able to visit local attractions and overall, this would benefit both local community and the economy.

The proposal does not include any lighting within the buildings and externally, there are low key decorative string lights which are operated on a generator. The operation of these can be conditioned in order to minimise light pollution. Other lighting which has been drawn to our attention has related to events (beer/music festivals) held at the campsite which are regulated through different legislation and are not planning matters.

## **11 CONCLUSION**

The proposed retention of the amenity blocks would not have a significant impact on the character or appearance of this, Downland Hills part of the Area of Outstanding Natural Beauty given their small scale and timber construction.

## **12 OTHER CONSIDERATIONS**

It is acknowledged that the majority of concerns raised during the course of this application related predominantly about the issues generated by the campsite. The retention of the amenity blocks would have no impact on whether or not the campsite operates and would not affect traffic generation through the village and surrounding lanes.



It is fully accepted that there are some genuine concerns within the immediate locality about the campsite and the impact that it has on the amenity of nearby residents. However, legislation allows land to be used for up to 28 days a years for a variety of different uses (e.g.camping, motor events, markets, festivals etc.) without the need for any planning permission.

It is considered that the retention of these buildings would not have an impact upon the assessment of any subsequent applications that may be submitted in the future that may seek consent to use the land for camping/tourism (or any other use) beyond the permitted 28 day period.

## **13 RECOMMENDATION**

### **Grant Subject to Conditions**

#### **Proposed Conditions:**

1. The development hereby permitted shall be considered as having been commenced on the 9th March 2022

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:

Planning Statement  
Ecological Impact Assessment  
site location plan  
MBN OB/1 - plans/elevations  
MBNJCF/2 plans and elevations (excluding storage container and catering cabin).

Reason: To ensure satisfactory provision of the development.

3. No additional external lighting shall be installed on the buildings. The decorative string lighting present shall not be illuminated between 2300h and dusk the following day.

Reason: To protect the amenities of the area in accordance with Policy ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

#### **Further Information:**

Vivienne Baxter

Telephone: 023 8028 5442



# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

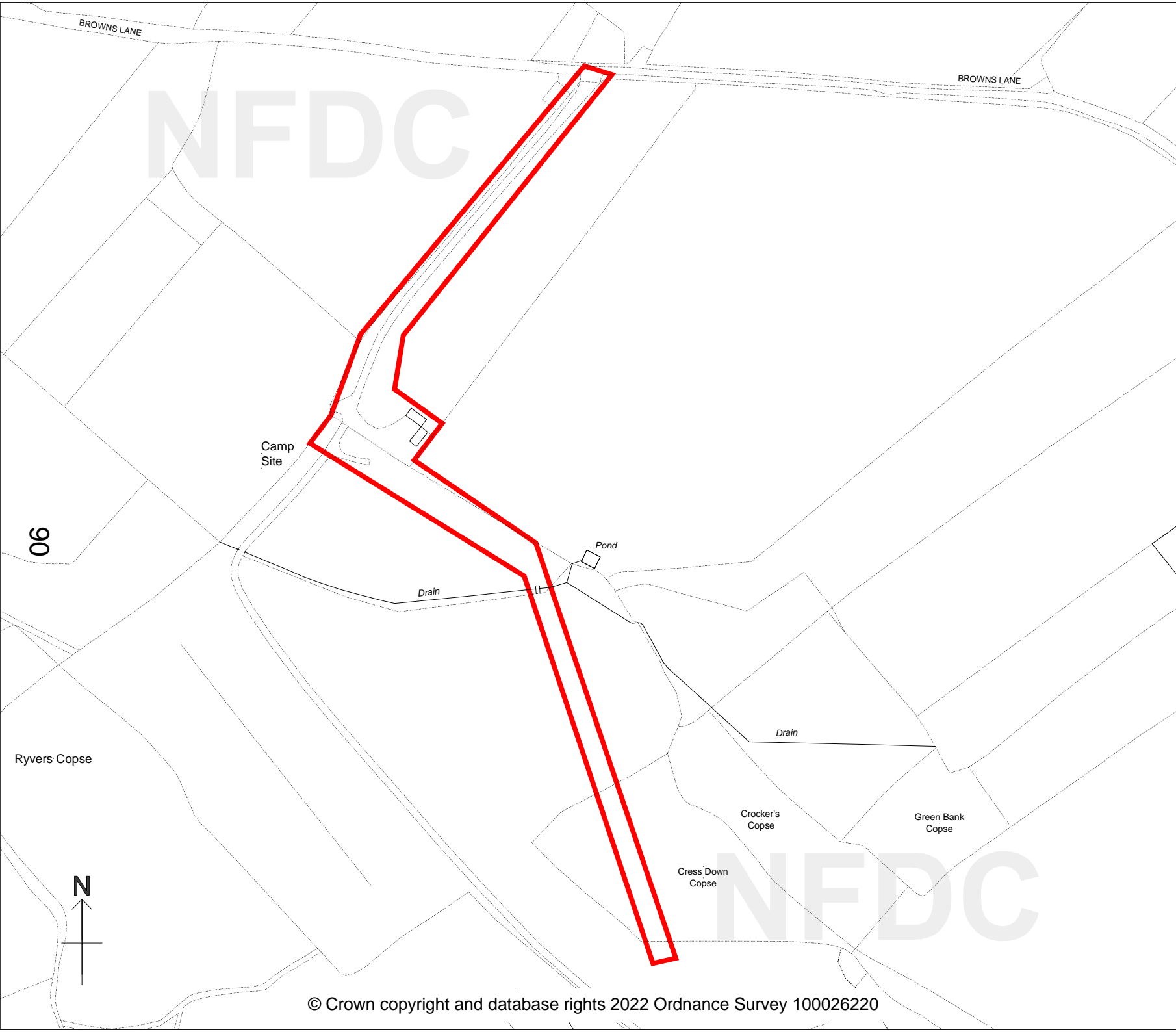
## PLANNING COMMITTEE

March 2022

JUBILEE CAMPING  
BROWNS LANE  
DAMERHAM SP6 3EJ  
21/11621

Scale 1:2500

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



Planning Committee 09 March 2022

**Application Number:** 21/11461 Full Planning Permission

**Site:** 196 EVERTON ROAD, HORDLE SO41 0HE

**Development:** Drainage pipe and inspection pits (Retrospective)

**Applicant:** Mr Loveridge

**Agent:**

**Target Date:** 11/01/2022

**Case Officer:** Vivienne Baxter

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) principle of the development
- 2) impact on the character and appearance of the area
- 3) impact on residential amenity
- 4) drainage

This application is to be considered by the committee because an objection has been received from Hordle Parish Council.

## 2 SITE DESCRIPTION

The site lies within the built up area of Hordle at the southern end of the village. It is one of two large detached houses constructed in the past few years and is situated on the corner of Everton Road and Sky End Lane. To the rear of the property, the garden is enclosed by a close boarded fence to all side. Either side of the garden are inspection chambers in relation to the drain which runs along the rear of properties in this part of Everton Road.

## 3 PROPOSED DEVELOPMENT

The proposal is retrospective and seeks permission for the retention of the culvert provided over the drainage channel and the associated gabion/blockwork inspection chambers.

The scheme involves the provision of a 17.5m length stretch of 450mm diameter water pipe across the rear garden of the property. Either end of this are inspection pits which show the pipe embedded in concrete with four rows of breeze blocks above, the top of which is level with the garden. To the north east side of the inspection pits are two layers of gabion baskets. The southern most pit adjacent to 198, Everton Road also includes the end of a further pipe with greater diameter which is understood to continue across the adjacent property. The garden has been landscaped with lawn over the pipe. There is also a surface mounted swimming pool adjacent to the southern inspection pit.

Permission is not normally required for landscaping within a dwelling's garden, however the nature of these works mean that it can be considered as an engineering operation, thereby requiring planning consent.

#### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
20/10710 Proposed conservatory to side elevation	21/08/2020	Granted Subject to Conditions	Decided	
17/11079 Variation of Condition 2 of Planning Permission 17/10305 to allow additional window to plot 1; enlarge rooflights, alter windows to side elevation of plot 1; 1.8m high northern boundary fence; 1.0m high fence to north east boundary	29/09/2017	Granted Subject to Conditions	Decided	
17/10305 2 houses; parking; access	27/04/2017	Granted Subject to Conditions	Decided	
16/11751 2 houses; 1 detached garage; access; parking	16/02/2017	Refused	Decided	
16/11384 3 houses; access; parking; landscaping	10/01/2017	Refused	Decided	
16/10964 3 houses; access; parking	05/09/2016	Withdrawn by Applicant	Withdrawn	
08/91643 2 dwellings; access to Sky End Lane (Outline application with details only of layout and access)	15/01/2009	Refused	Appeal Decided	Appeal Dismissed

#### 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness

##### **Local Plan Part 2: Sites and Development Management 2014**

##### **Supplementary Planning Guidance And Documents**

New Forest Strategic Flood Risk Assessment

##### **Relevant Legislation**

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

##### **Relevant Advice**

Chap 12: Achieving well designed places

NPPF Ch.14 - Meeting the challenge of climate change, flooding and coastal change

##### **Constraints**

NFSFRA Surface Water

Aerodrome Safeguarding Zone

Small Sewage Discharge Risk Zone - RED

##### **Plan Policy Designations**

Built-up Area

## 6 PARISH / TOWN COUNCIL COMMENTS

**Hordle Parish Council:** Parish 4 We recommend refusal.

The Parish Council is concerned that this area is liable to flooding and there is no evidence that the necessary consents under the Land Drainage Act have been received from the lead Local Flood Authority - Hampshire County Council.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Southern Water:** no objection

**HCC Surface Water**

No justification for works, retrospective land drainage consent will not be granted

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the three objections received.

- the stream should remain open and unhindered
- the property was sold with the knowledge that the stream should remain open
- enclosing the scheme could result in further flooding upstream on Everton Road

## 10 PLANNING ASSESSMENT

### Background

During the course of the original approval for this property and its immediate neighbour (17/0305), it was stated that the prior written consent - outside of the planning process - would be required from the Lead Local Flood Authority (HCC) to implement any works which would affect the ordinary watercourse. At that time, the application did not involve any alterations to the watercourse. It was also noted that the watercourse was sensitive as there have been historic incidents where it has failed to cope with excess flows, resulting in flooding of the adjacent road and property. The New Forest Strategic Flood Risk Assessment indicates the possibility of flooding across the rear garden area of the site, extending north into Sky End Lane and south into 198, Everton Road and beyond. The application was approved with conditions relating to the surface water drainage and landscaping of the site. The drainage condition was discharged and its requirements included in the subsequent permission for a variation of condition.

The application to vary conditions involved changes to windows, roof lights and boundary fencing. As the landscaping had not been agreed under the original scheme, details were provided as part of the variation of condition application and this scheme was secured through condition 10 of that subsequent approval. The approved landscaping scheme included retention of the watercourse as an open stream through the site and adjoining property.

### Principle of the development

In principle, there are no objections to the engineering works which include alterations to the approved landscaping scheme.

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

The alterations to the rear garden area of the site do not impact on the character of the area in that the garden is well screened from public views. The inspection pit adjacent to Sky End Lane does not extend beyond the site boundary fence and has no adverse impact on the character or appearance of the area.

### Residential amenity

Covering over the watercourse clearly enables a more useable rear garden area for the occupants of the property. However, in view of the pipe being a different diameter to the adjacent section, there may be an instance where the 450mm pipe does not have adequate capacity to accommodate the water coming from the north(upstream) the 600mm pipe and this could result in the northern inspection pit filling up and impacting on the occupants' amenity through flooding.

### Drainage

The watercourse runs along the rear of properties on Everton Road and Longfield Road in a south easterly direction. It is culverted underneath Sky End Lane and this section is contained within a 600mm diameter pipe running west/east before it returns to run in a south easterly direction through the rear garden of the site. There have been numerous instances of flooding reported in this area over the years.

Throughout the consideration of applications on this site, the Council's drainage team have advised that the surface water drainage scheme should accommodate run-off from a 1 in 100 year storm event plus 30% in order to minimise the impact of the additional built form and hard surfacing on the areas at potential risk of flooding identified in the New Forest Strategic Flood Assessment for surface water. A drainage scheme to deal with the scenario of a 1 in 100 year storm event plus 40% has been approved and implemented on site. The approved scheme did not include any outlets into the watercourse within the site area of this application although there is one agreed outlet into the watercourse where it flows through the rear garden of no.198 and does not, therefore impact on flows through the site.

However, it has also been made clear that any alterations to the watercourse would require the *prior* consent of Hampshire County Council (Flood and Water Management). In this respect, it is understood that works implemented to realign the watercourse in 2016 were reinstated when the Lead Local Flood Authority threatened enforcement action for that change. The same team have now advised that the subsequent works to culvert the watercourse subject of this application do not have consent nor can retrospective consent be granted. They also advise that an open watercourse would have significantly more storage capacity than the 450mm pipe which has been installed.

## **11 CONCLUSION**

The retrospective works do not have any adverse impact on the character or appearance of the area. With regard to residential amenity, there is likely to only be harm to occupants of the site were the culverted watercourse to overflow adjacent to Sky End Lane. As it is within the remit of HCC Flood and Water Management to rectify issues surrounding flooding of this watercourse, it would be unreasonable to refuse permission for either residential amenity or flooding reasons as these could both be addressed through the Flood Authority.

## **12 OTHER CONSIDERATIONS**

Whilst permission is recommended for the retrospective works, it should be noted that were HCC Flood and Water Management successful in pursuing the reinstatement of the watercourse, this authority would not object to this subject to the approved landscaping details being reinstated.

## **13 RECOMMENDATION**

### **Grant Subject to Conditions**

#### **Proposed Conditions:**

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

- ASP.17.079.502 - landscape plan
- Block plan
- Site location plan
- Plan showing photo locations
- Photographs
- Statement of works

Reason: To ensure satisfactory provision of the development.

#### **Further Information:**

Vivienne Baxter  
Telephone: 023 8028 5442



# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

## PLANNING COMMITTEE

March 2022

196 EVERTON ROAD  
HORDLE  
SO41 0HE  
21/11461

Scale 1:1250

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





Planning Committee 09 March 2022

**Application Number:** 22/10063 Full Planning Permission

**Site:** 45 NORTHFIELD ROAD, RINGWOOD BH24 1LT

**Development:** Erection new front boundary treatment. (Retrospective)

**Applicant:** Mr & Mrs Knight

**Agent:** Ken Parke Planning Consultants

**Target Date:** 14/03/2022

**Case Officer:** Jacky Dawe

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact upon the character and appearance of the area and street scene
- 2) Neighbour amenity

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Ringwood Town Council

## 2 SITE DESCRIPTION

The application property is located within the Ringwood defined Built up Area and is also within an area that is covered by the Ringwood Local Distinctiveness Statement. 45 Northfield Road is a detached property situated alongside and accessed from a well-used through road.

## 3 PROPOSED DEVELOPMENT

Permission is sought to regularise a recently constructed 1.8m wall with timber inserts and iron entrance gates.. The wall is set back from the boundary by approximately 1.1m with 6 shrubs planted along the front of the wall which have the capacity to reach approximately 1.7m in height.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
99/67944 Single storey addition	07/01/2000	Granted Subject to Conditions	Decided
96/NFDC/59672 Erection of dwelling, integral double garage & new access	26/09/1996	Granted Subject to Conditions	Decided
96/NFDC/59260 Erection of garage & new access	05/08/1996	Granted Subject to Conditions	Decided
95/NFDC/57116 Erection of dwelling with detached double garage & access	17/08/1995	Granted Subject to Conditions	Decided
94/NFDC/54020 Erect dwelling with new pedestrian/vehicular access	14/04/1994	Granted Subject to Conditions	Decided

90/NFDC/45287 Erect two-storey dwelling and new access 03/07/1990 Granted Subject to Decided Conditions

## 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness

### Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

### Relevant Advice

Chap 12: Achieving well designed places

### Constraints

SSSI IRZ Waste  
SSSI IRZ Water Supply  
SSSI IRZ Rural Residential  
SSSI IRZ Minerals Oil and Gas  
SSSI IRZ Residential  
SSSI IRZ Rural Non Residential  
SSSI IRZ Wind and Solar Energy  
Aerodrome Safeguarding Zone  
Planning Agreement  
Small Sewage Discharge Risk Zone - RED  
Plan Area  
Avon Catchment Area  
SSSI IRZ Compost  
SSSI IRZ Discharges  
SSSI IRZ Infrastructure  
SSSI IRZ Air Pollution  
SSSI IRZ All Consultations  
SSSI IRZ Combustion

### Plan Policy Designations

Built-up Area

## 6 PARISH / TOWN COUNCIL COMMENTS

### **Ringwood Town Council**

R(4) Recommend refusal. The Committee felt the proposal was out of character and inappropriate for the area and disputed comments made by the Planning Agent in relation to this, with poor comparisons provided. The proposal is contrary to the Ringwood Local Distinctiveness SPD which states that low hedges and fences predominate, and evidence can be provided to prove this is the case. There is no justification for the height, which also sets the proposal aside from other boundary treatments in the area. The "modest shrubs? that have been planted will take a considerable number of years to soften the impact. Should the application go before NFDC Planning Committee, a more comprehensive response will be submitted.

## 7 COUNCILLOR COMMENTS

No comments received

## **8 CONSULTEE COMMENTS**

No comments received

## **9 REPRESENTATIONS RECEIVED**

No comments received

## **10 PLANNING ASSESSMENT**

### Principle of Development

The principle of the development is acceptable subject to relevant material considerations relating to residential amenity, character and appearance of the area and Policies.

Policy ENV3 - requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

NPPF Chapter 12 - The proposal would meet the objectives of Chapter 12 of the National Planning Policy Framework paragraph 127 in so much that it would optimise the potential of the site.

Ringwood Local Distinctiveness - Character Area 8 North Ringwood - key defining elements are the remaining hedgerows which give the area its character, the verges and hedgerows with a deep set back of the properties give a vista to the forest in the east.

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

The removal of any hedgerow is regrettable, however permission is not required to do so. The wall is set back from the front boundary by 1.1m and softened by the mixed use of timber and brick, the wall is further softened by the addition of the shrubs which will naturally mature and have the capacity to grow to 1.7m in height. The wall does not span the full width of the plot and the iron gates allow light to pass through.

The prevailing character remains the verdant nature of the mature hedgerows and verges, however there are examples of closeboard fences and brick walls along Northfield Road, some have been permitted development and remain lower, however over time these changes have collaborated towards the gradual erosion of the verdant nature, the now more varied character of the road assists in the mitigation of the wall. Indeed the next door property number 43 Northfield Road has a brick wall which gained consent in 2018, this wall is slightly lower at 1.2m in height but is directly adjacent the pavement and sits forward of the wall at number 45 the application site.

The proposal, due to its choice of material and set back with the addition of shrubs to the front, would not appear overly prominent within the street scene or detract from the character of the area. The Ringwood Local Distinctiveness Document refers to the importance of the remaining hedgerows, however over time the shrubs will mature and the wooden inserts will weather, the set back and the vista of the forest to the east remains.

### Neighbour Amenity

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

### Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

## **11 CONCLUSION**

The application has been considered against all relevant material considerations including the Local Plan, Ringwood Local Distinctiveness and National Planning Policy Framework, The application is considered to raise no significant issues. Accordingly the proposed development would have an acceptable impact on neighbour amenity, character of the area and the street scene. Also the National Planning Policy Framework states the planning balance is in favour of development and as such the application is recommended for permission.

## **12 OTHER CONSIDERATIONS**

None

## **13 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:

BSP1 = SITE LOCATION AND BLOCK PLAN  
PASB1 = EXISTING AND PROPOSED PLANS

Reason: To ensure satisfactory provision of the development.

**Further Information:**

Jacky Dawe  
Telephone: 023 8028 5447

Bridge

# NFDC



## New Forest DISTRICT COUNCIL

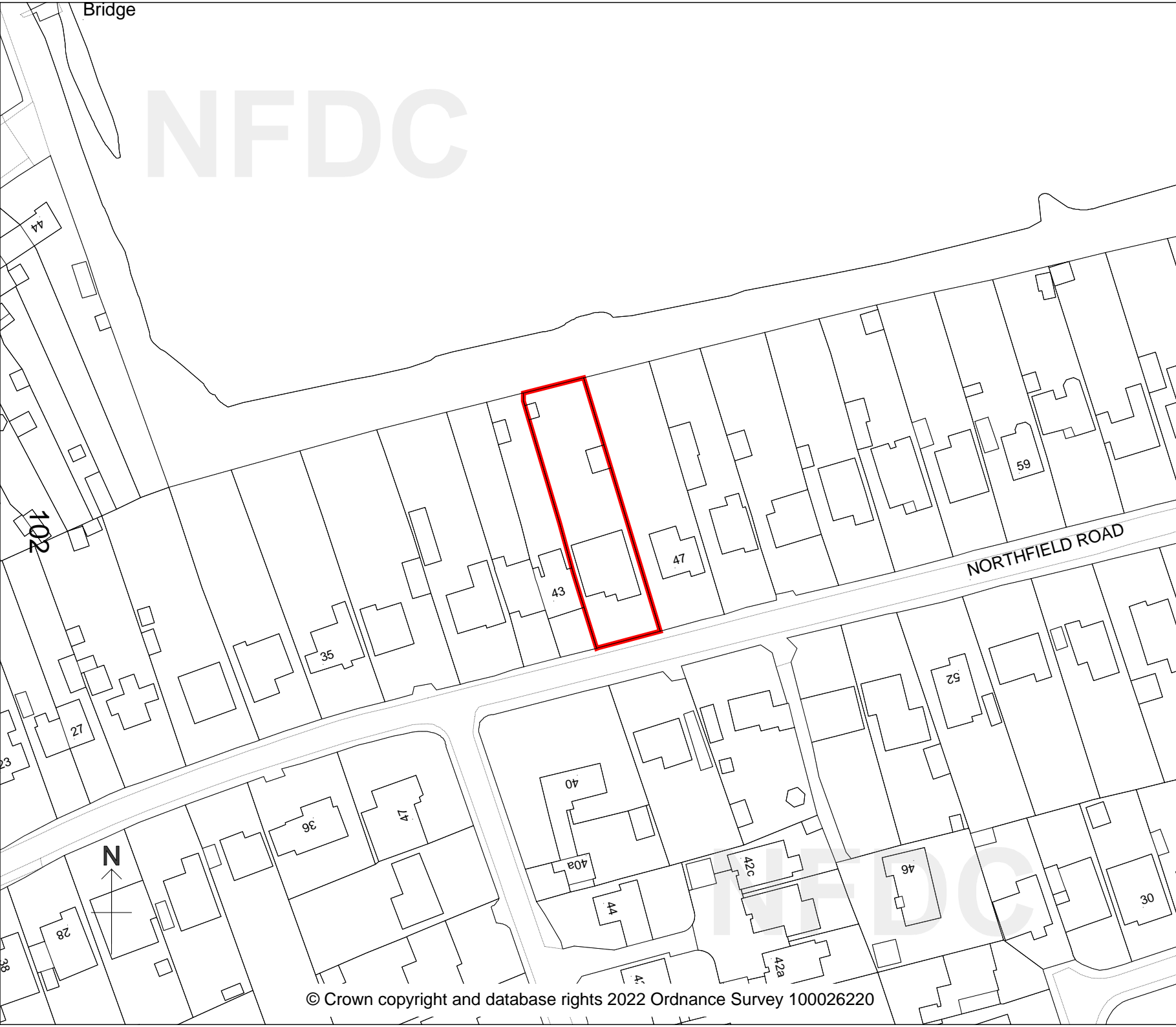
Tel: 023 8028 5000  
www.newforest.gov.uk

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

### PLANNING COMMITTEE

March 2022

45 NORTHFIELD ROAD  
RINGWOOD  
BH24 1LT  
22/10063



Scale 1:1250

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

Planning Committee 09 March 2022

**Application Number:** 21/11672 Full Planning Permission

**Site:** 5 SIKA RISE, BRANSGORE BH23 8FA

**Development:** Single-storey rear extension

**Applicant:** Mr & Mrs Simpkins

**Agent:**

**Target Date:** 14/02/2022

**Case Officer:** Jacky Dawe

**Extension Date:** 10/03/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact upon the character and appearance of the area and street scene
- 2) Neighbour amenity

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Bransgore Parish Council

## 2 SITE DESCRIPTION

The application property is located within the Bransgore defined Built up Area. The property forms part of a modern development of 8 houses. The property is a semi-detached house of red brick construction, the top half is timber clad, the roof tiles are slate grey in colour and the dormer cheeks are of lead construction.

The property has an open front with an area of planting, there is an allocated parking space within an open timber frame carport, this also has slate grey tiles which match the property.

## 3 PROPOSED DEVELOPMENT

Permission is sought for a single-storey rear extension

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
18/10240 Development of 8 dwellings; 3 detached garages, 1 car port and 1 four bay car port, landscaping, parking (Details of appearance & landscaping, development granted by Outline Permission 17/11414)	18/07/2018	Granted Subject to Conditions	Decided
17/11414 8 dwellings; parking (Outline application with details only of access, layout and scale)	10/01/2018	Granted Subject to Conditions	Decided
17/10861 7 houses; 6 garages; carport; parking; landscaping; access	27/09/2017	Granted Subject to Conditions	Decided

## 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness

#### Relevant Advice

Chap 12: Achieving well designed places

#### Constraints

SSSI IRZ Wind and Solar Energy

SSSI IRZ Rural Residential

SSSI IRZ Rural Non Residential

SSSI IRZ Water Supply

SSSI IRZ Waste

SSSI IRZ Residential

Planning Agreement

Plan Area

Historic Land Use

Aerodrome Safeguarding Zone

SSSI IRZ Discharges

SSSI IRZ Compost

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Infrastructure

SSSI IRZ Air Pollution

Avon Catchment Area

SSSI IRZ Combustion

SSSI IRZ All Consultations

Tree Preservation Order: 53/02

#### Plan Policy Designations

Built-up Area

## 6 PARISH / TOWN COUNCIL COMMENTS

### **Bransgore Parish Council**

Recommend Par 4, Refusal.

Concerns were raised regarding the proposed materials, specifically the roof and cladding materials, as it was felt they were not in keeping with the existing property.

There was no objection to the principle of the extension and there was not considered to be any negative impacts on neighbouring properties.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Environmental Health Contaminated Land:** comment - no concerns

**Wessex Water:** comment - no objection

**National Park Authority:** comment - no comment



## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 1

- *the existing outbuilding blocks natural light to cottage*
- *skylights will shine directly into lower set bedroom windows*
- *additional noise*

## 10 PLANNING ASSESSMENT

### Principle of Development

The principle of the development is acceptable subject to relevant material considerations relating to residential amenity, character and appearance of the area and Policies.

Policy ENV3 - requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

NPPF Chapter 12 - The proposal would meet the objectives of Chapter 12 of the National Planning Policy Framework paragraph 127 in so much that it would optimise the potential of the site.

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

The proposal is for a single-storey rear extension. The proposal does extend to the side of the existing property by 1m, which will be visible from the front elevation. However, there is an existing 2m high closeboard fence which runs along from the garage to the front elevation of the house which will obscure part of the extension, also the existing outbuilding is timber clad.

The proposed materials of the extension are timber cladding, with an aluminium roof in anthracite. These materials match the existing timber cladding of the house and the slate grey tiles of the roof.

The proposal is modest in scale and size and has been designed as a sympathetic and proportionate addition to the existing dwelling and would not detract from the character of the area or appear overly prominent within the street scene.

### Neighbour Amenity

The proposed extension is set off the shared boundary with number 4 Sika Rise and relatively low.

The property beyond the rear boundary is Godwins Mede, this is a thatched property, indeed the first floor windows are of a lower level than the first floor windows of the host dwelling. The built form Godwins Mede stops in line with the existing outbuilding, the proposed extension and subsequent rooflights face beyond the neighbouring property Godwins Mede and its own outbuilding towards the trees, also to be noted the proposals are single-storey and the rooflights are situated on a low pitched roof and will face upwards.

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

### Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

## **11 CONCLUSION**

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice and the views of consultees and interested 3<sup>rd</sup> parties. On this occasion it is considered that the issues raised are not so significant as to warrant a refusal of planning permission

Accordingly the proposed development would have an acceptable impact on neighbour amenity, character of the area and the street scene. Also the National Planning Policy Framework states the planning balance is in favour of development and as such the application is recommended for permission.

## **12 OTHER CONSIDERATIONS**

None

## **13 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:

P-001 = SITE LOCATION AND BLOCK PLAN  
P-002 = SITE PLAN  
P-003 = EXISTING AND PROPOSED GROUND FLOOR PLAN  
P-004 = EXISTING AND PROPOSED FIRST FLOOR PLAN  
P-005 = EXISTING AND PROPOSED ROOF PLAN  
P-006 = EXISTING ELEVATIONS  
P-007 = PROPOSED ELEVATIONS  
P-008 = MATERIALS

Reason: To ensure satisfactory provision of the development.

**Further Information:**

Jacky Dawe  
Telephone: 023 8028 5447



# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

## PLANNING COMMITTEE

March 2022

5 SIKA RISE  
BRANSGORE  
BH23 8FA  
21/11672

Scale 1:1250

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



Planning Committee 09 March 2022

**Application Number: 21/11673** Full Planning Permission

**Site:** 3 ARNWOOD DRIVE, BRANSGORE, SOPLEY BH23 8FH  
**Development:** Additional front dormer, enlarge existing dormer; increase depth of front window  
**Applicant:** Mr & Mrs Annandale  
**Agent:** AJC Architectural Services  
**Target Date:** 08/02/2022  
**Case Officer:** Jacky Dawe  
**Extension Date:** 10/03/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact upon the character and appearance of the area and street scene
- 2) Neighbour amenity

This application is to be considered by Committee at the request of Councillor Tony Ring

## 2 SITE DESCRIPTION

The application property is located within the Sopley defined Built up Area. The property forms part of a recently constructed development. A detached bungalow with an open front, area of lawn and planting, with a detached garage to one side.

## 3 PROPOSED DEVELOPMENT

Permission is sought for a new front dormer, extension to existing front dormer and enlarged front window.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
15/10914 Development of 80 houses (Details of appearance, landscaping, layout, scale & access development granted by Outline Permission 13/11408)	28/10/2015	Granted Subject to Conditions	Decided
13/11408 The erection of up to 80 dwellings; (Outline application with all matters reserved)	15/12/2014	Granted Subject to Conditions	Decided

## 5 PLANNING POLICY AND GUIDANCE

**Local Plan 2016-2036 Part 1: Planning Strategy**  
Policy ENV3: Design quality and local distinctiveness

## **Relevant Advice**

Chap 12: Achieving well designed places

## **Constraints**

SSSI IRZ Water Supply  
SSSI IRZ Wind and Solar Energy  
SSSI IRZ Waste  
SSSI IRZ Residential  
SSSI IRZ Rural Non Residential  
SSSI IRZ Rural Residential  
NFSFRA Surface Water  
Avon Catchment Area  
Planning Agreement  
Plan Area  
Aerodrome Safeguarding Zone  
SSSI IRZ Discharges  
SSSI IRZ Infrastructure  
SSSI IRZ Minerals Oil and Gas  
SSSI IRZ Compost  
SSSI IRZ Air Pollution  
SSSI IRZ All Consultations  
SSSI IRZ Combustion

## **Plan Policy Designations**

Built-up Area

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

### **Sopley Parish Council**

Comment - no objections, support request for referral to Committee

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

No comments received

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

For: 0

Against: 2

- *loss of privacy, property visible from public road*
- *frontal privacy difficult to mitigate*
- *noise pollution*
- *out of character, no other frontal changes to original scheme*
- *change of pitch to existing dormer, poor design contrary to Policy*
- *increase in size of windows will increase overlooking*
- *construction will cause disruption and safety issues*
- *request condition stating no parking, unloading or obstruction of road at any time*

## 10 PLANNING ASSESSMENT

### Principle of Development

The principle of the development is acceptable subject to relevant material considerations relating to residential amenity, character and appearance of the area and Policies.

Policy ENV3 - requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

NPPF Chapter 12 - The proposal would meet the objectives of Chapter 12 of the National Planning Policy Framework paragraph 127 in so much that it would optimise the potential of the site.

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

The proposed front dormers are proportionate to the existing roof form and create balance to the overall design. The enlargement of the front ground floor window is minimal and relative in size to that of the other existing window.

The proposals are modest in scale and size and have been designed as sympathetic and proportionate additions to the existing dwelling and would not detract from the character of the area or appear overly prominent within the street scene.

### Neighbour Amenity

The proposed windows are front facing and look towards the road and the public realm. The increase to the size of the windows is minimal and due to the curve of Arnwood Drive and the orientation of the properties within, the windows to the front do not directly face each other.

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

Whilst some degree of noise and general disruption is inevitable when construction works take place, these are of temporary nature and therefore cannot justify planning refusal. Furthermore, imposing a condition restricting parking on an application for a domestic extension would not be reasonable in planning terms. However, if these noises and disruptions to traffic/pedestrians amounted to a statutory nuisance then this would be dealt with under legislation relevant to anti-social behaviour by the Council's Environmental Health Officers.

### Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

## 11 CONCLUSION

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance, government advice and the views of consultees and interested 3<sup>rd</sup> parties. On this occasion it is considered that the issues raised are not so significant as to warrant a refusal of planning permission

Accordingly the proposed development would have an acceptable impact on neighbour amenity, character of the area and the street scene. Also the National Planning Policy Framework states the planning balance is in favour of development and as such the application is recommended for permission.

## 12 OTHER CONSIDERATIONS

None

## 13 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:

SITE LOCATION PLAN  
BLOCK PLAN  
01 REV A = ELEVATIONS, FLOOR AND ROOF PLANS

Reason: To ensure satisfactory provision of the development.

### **Further Information:**

Jacky Dawe  
Telephone: 023 8028 5447





# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

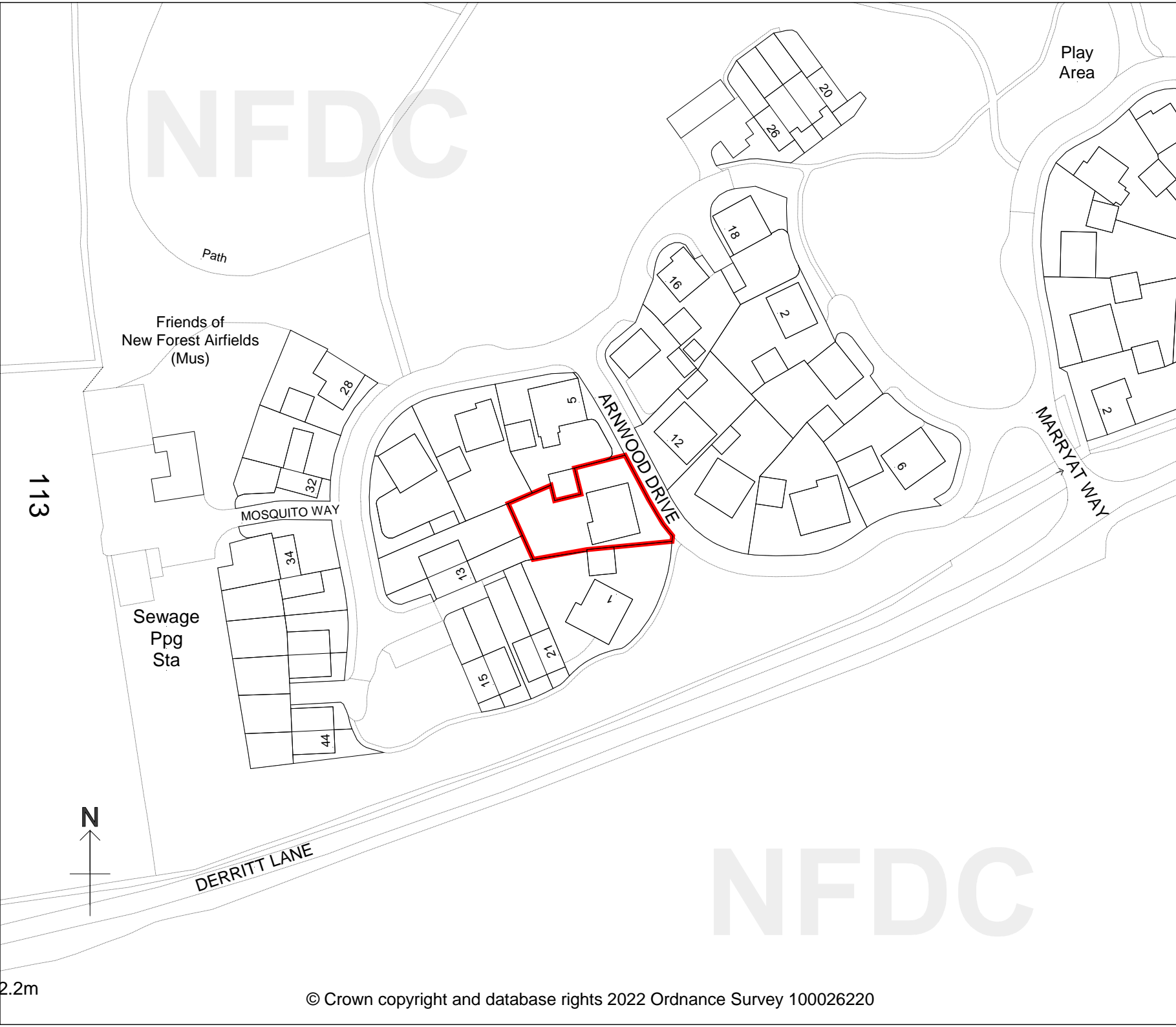
## PLANNING COMMITTEE

March 2022

3 ARNWOOD DRIVE  
BRANSGORE  
SOPLEY BH23 8FH  
21/11673

Scale 1:1250

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



113



2.2m

NFDC

NFDC

This page is intentionally left blank

Planning Committee 09 March 2022

**Application Number:** 21/11674 Full Planning Permission

**Site:** LITTLE TOLLER, CHAPEL LANE, LANGLEY, FAWLEY SO45 1YX

**Development:** Demolition of existing; replace with 2no dwellings

**Applicant:** Mr Morris

**Agent:**

**Target Date:** 16/02/2022

**Case Officer:** Warren Simmonds

**Extension Date:** 11/03/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the proposed development
- 2) Design, site layout and impact on local character and appearance of area
- 3) Highway safety, access and parking
- 4) Residential amenity
- 5) Ecology

This application is to be considered by Committee because of the objection received from Fawley Parish Council.

## 2 SITE DESCRIPTION

The application relates to the bungalow and associated curtilage known as 'Little Toller', being located on the south side of Chapel Lane within the settlement of Langley, Fawley.

The application site comprises the existing bungalow (which has been long-term vacant and appears to be in a poor condition) and associated residential curtilage which extends to approx. 1,135 square metres.

The existing property has a vehicular access onto Chapel Lane to the north east.

## 3 PROPOSED DEVELOPMENT

The application proposes the redevelopment of the site by the erection of a replacement, two storey detached dwelling (referred to as Plot 1) over the approximate footprint of the existing bungalow, and the erection of a new additional bungalow (Plot 2) towards the rear (south west) of the site, together with associated amendments in respect of the provision of access and hard and soft landscaping.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
21/10045 Demolition of existing bungalow; replace with 2 dwellings; associated access alterations; parking and landscaping	22/03/2021	Withdrawn by Applicant	Withdrawn	

19/10891 3 dwellings; associated parking and landscaping; demolish existing	16/01/2020	Withdrawn by Applicant	Withdrawn	
10/95992 House; bungalow; access; demolition of existing	12/10/2010	Refused	Appeal Decided	Appeal Dismissed
08/93365 One pair of semi-detached houses; 1 bungalow; access; parking; demolition of existing	13/03/2009	Refused	Decided	
07/91125 House; access	12/12/2007	Refused	Decided	

## 5 PLANNING POLICY AND GUIDANCE

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

STR1: Achieving sustainable development

STR3: The strategy for locating new development

STR4: The settlement hierarchy

STR5: Meeting our housing needs

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

ENV3: Design Quality and Local Distinctiveness

HOU1: Housing type, size, tenure and choice

IMPL1: Developer contributions

Policy IMPL2: Development standards

### **Local Plan Part 2: Sites and Development Management 2014**

DM2: Nature conservation, biodiversity and geodiversity

### **Relevant Legislation**

Town & Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

The Conservation of Habitats and Species Regulations 2017

### **Supplementary Planning Guidance And Documents**

SPD - Parking Standards

Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021)

### **Relevant Advice**

NPPF Para.126: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF Para.130: The National Planning Policy Framework 2021 Chapter 12 "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

## **Constraints**

Plan Area

## **Plan Policy Designations**

Built-up Area

### **6 PARISH COUNCIL COMMENTS**

#### **Fawley Parish Council**

(No 4) We recommend refusal as the Parish Council considers this to be over development of the site.

### **7 COUNCILLOR COMMENTS**

No comments received

### **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

#### **HCC Highways**

Consultation response not yet received.

#### **NFDC Ecologist**

The main ecological constraint to development is the presence of a medium population of slow worm on-site. A mitigation plan has been devised and is provided in Section 6.2 of the report. Use of a receptor site under the control of Fawley Parish Council is proposed. I am content with use of the proposed site as a receptor site (up to 60 animals as stated in the report) and the intended approach and trapping effort identified.

Bird (2\*swift bricks) and bat boxes (2\*) are proposed in the Ecology report to be integrated within the fabric of the buildings. This is agreed, I would request that elevation drawings showing the location of these and the model/specification proposed (if different than the ecology report) is provided and approved in writing by the LPA. The inclusion of hedgehog highways, sensitive lighting for bats and proposals for native species planting is welcomed and should be secured.

### **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Two representations were received in support of the application.

Four representations were received objecting to the proposal on grounds including:

- Overdevelopment
- Insufficient parking provision
- Highway safety
- Neighbouring privacy concerns
- Insufficient garden space for two properties
- Not in-keeping

For: 2

Against: 4

## 10 PLANNING ASSESSMENT

### Principle of Development

The application site is within the defined 'built-up' area of the settlement, whereby development is considered acceptable in principle, subject to accordance with relevant local plan policies and local and national planning policy guidance.

### **Housing Land Supply**

The Council cannot demonstrate a five-year supply of deliverable housing land and the Council Planning Policy team is currently engaging with developers in order to produce an updated five-year housing land supply figure that takes into account last year's delivery of new homes along with the latest information about sites coming forward. It is anticipated this will be published in early 2022 and will be the formal position of the Council. However, it is anticipated that the updated housing land supply position will remain below the required 5 years. In such circumstances the NPPF (para 11d) indicates that the tilted balance is engaged, whereby in applying the presumption in favour of sustainable development even greater weight should be accorded in the overall planning balance to the provision of new housing (and affordable housing).

Whilst the current proposal is for a very modest increase in housing provision, appropriate weight should be given, duly applying the presumption in favour of sustainable development in the overall planning balance to the provision of new housing.

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

The application site comprises the existing bungalow (which has been long-term vacant and appears to be in a poor condition) and associated residential curtilage which extends to approximately 1,135 square metres and is bounded by fences and hedges. The width of the site at the north eastern end is approximately 17m, tapering slightly to approximately 13.5m at the south western end. The overall length of the site is approximately 70m. Consequently, the site is significantly longer and larger in area than the curtilages of adjoining dwellings in the surrounding area.

The application proposes the redevelopment of the site by the erection of a replacement, two storey, four bed detached dwelling (referred to as Plot 1) over the approximate footprint of the existing bungalow, and the erection of a new additional three bed bungalow (Plot 2) towards the rear (south west) of the site, together with associated amendments in respect of the provision of access and hard and soft landscaping.

The existing property has a vehicular access onto Chapel Lane to the north east which it is proposed will be retained to serve both dwellings. Plot 2 (the bungalow to the rear) will be accessed via an internal driveway running along the inside of the south eastern side boundary of the site.

### **Plot 1**

Proposed Plot 1 constitutes a detached two storey dwelling sited approximately over the footprint of the existing bungalow (for demolition). The siting and relationship of Plot 1 to the adjacent road and relative to existing properties along Chapel Lane would read as an appropriate continuation of the existing pattern and rhythm of development along the road.

The proposal for Plot 1 incorporates access and parking for 3 cars, with associated landscaping and a proportionate enclosed rear garden with cycle and bin store.

The scale, design and external materials of Plot 1 would be similar to that of the late 20th century houses located immediately to the north of the application site. As such it is considered Plot 1 would be appropriate to, and in-keeping with the character of the surrounding area.

## **Plot 2**

Proposed Plot 2 is a modest single storey dwelling with a fully hipped roof, within which no first floor accommodation is proposed or could be achieved without subsequent enlargements/alterations to the roof. It is considered the siting and location of Plot 2 relates appropriately to the existing pattern of development within The Glade to the immediate south west. Whilst Plot 2 would not front onto or have access from The Glade, it is considered the pattern of development would not be out of keeping with the character of the surrounding area.

Access to Plot 2 is via Chapel Lane and an internal driveway running along the inside of the south eastern side boundary of the site. A parking and turning area for up to 3 cars is provided for Plot 2, together with a modest yet proportionate garden curtilage with cycle and bin stores.

Taking into consideration the particularly generous size of the application site and it's location within the existing built-up area of the settlement, the proposal is considered to constitute an acceptable form of additional residential development that would not adversely affect the character of the surrounding area.

## Highway safety, access and parking

The application proposes an amended vehicular access onto Chapel Lane to provide access to both proposed dwellings. Chapel Lane is an unclassified adopted Highway and is subject to a 30MPH speed restriction and benefits from pedestrian footways on both sides of the carriageway and street lighting.

The applicant has submitted a Highway Technical Note (Nick Culhane Highway Consultant, November 2020 - updated February 2022), in which It is recognised that the position of the current access does not afford the site adequate visibility, therefore it is intended to relocate the access to the western boundary, which will provide a maximum splay to be provided to the east, which is deemed to be the more critical direction.

At the time of writing of this report, the formal consultation response from HCC Highways had not been received. It is anticipated that the HCC Highways consultation response (together with any related planning conditions) will be available before the date of the Committee meeting and will be made available as a Committee Update.

## Residential amenity

Consideration has been given to the potential amenity impacts of the proposed development, in accordance with the provisions of local plan policy ENV3.

## **Plot 1**

Plot 1 constitutes a detached two storey dwelling sited over the approximate footprint of the existing bungalow (for demolition). Having regard to the two storey form and mass of the proposed house and the separation distance and general relationship the building would have to the closest neighbouring house at number 6

Chapel Lane (the closest element of which is an attached double garage), it is considered the proposal for Plot 1 would not result in an undue overbearing or overshadowing impact on number 6 Chapel Lane.

The proposed house for Plot 1 has single small side facing casement windows within the north east facing side elevation (facing towards 6 Chapel Lane). These windows serve a WC on the ground floor and a stairwell/landing at first floor level. Neither of these are habitable rooms and each of these proposed windows can be obscure glazed for the preservation of amenity.

The front windows of Plot 1 would have views towards the public realm of Chapel Lane and would not unduly overlook neighbouring properties.

The south east side facing elevation of Plot 1 contains a single small casement window at first floor level, serving a bathroom. This window can also be obscure glazed (via a planning condition).

Windows within the rear facing elevation of Plot 1 would have views primarily over the private enclosed rear garden associated with the dwelling. There may be a degree of incidental overlooking at an oblique angle of neighbouring rear gardens from first floor rear windows, however such arrangements are a common feature of residential development in urban areas and, it is considered, would not constitute undue overlooking within the context of the policies of the local plan.

## **Plot 2**

Plot 2 constitutes a modest single storey dwelling (bungalow) with a fully hipped roof, within which no first floor accommodation is proposed or could be achieved without subsequent enlargements/alterations to the roof. Of the two proposed dwellings, Plot 2 is located in a more sensitive position relative to adjoining neighbours, particularly with regard to the potential for overlooking from any accommodation above ground floor level.

The fully hipped roof form of the proposed bungalow would preclude the use of the roof void for habitable rooms/accommodation and so no undue overlooking (or overshadowing) of adjoining neighbouring houses or gardens would result. To prevent the creation of additional first floor accommodation via future roof alterations or enlargements, it is proposed by officers that permitted development rights should be removed for Plot 2. This would mean that any extension or enlargement to the bungalow, including roof enlargements such as hip-to-gable or dormer windows, and any additional outbuildings or structures would require consideration via a planning application rather than potentially under permitted development rights.

In all other respects, it is considered the proposed bungalow would not result in undue overlooking/overshadowing or other negative amenity impacts.

## Ecology

The applicant has submitted a Preliminary Ecological Assessment & Phase II Reptiles & Bats survey report (Ecosupport, 15th October 2021) to support his application.

The Council's Ecologist has assessed the proposal and the submitted ecological survey report and provides the following advice:

*'The main ecological constraint to development is the presence of a medium population of slow worm on-site. A mitigation plan has been devised and is provided in Section 6.2 of the report. Use of a receptor site under the control of Fawley Parish*



*Council is proposed. I am content with use of the proposed site as a receptor site (up to 60 animals as stated in the report) and the intended approach and trapping effort identified. I have e-mailed Fawley Parish Council (FPC) to seek their agreement to these proposals (and copied you in). My approval of the reptile mitigation is subject to approval by FPC.*

*As stated in the report, all capture works are to be completed in suitable weather conditions during the active season for reptiles (typically April to late September / early October). I would request that a reptile translocation report be submitted to NFDC detailing the trapping effort, the full capture details and also detailing all receptor site enhancement works undertaken - this should be secured and should be shared with FPC.*

*Bird (2\*swift bricks) and bat boxes (2\*) are proposed in the Ecology report to be integrated within the fabric of the buildings. This is agreed, I would request that elevation drawings showing the location of these and the model/specification proposed (if different than the ecology report) is provided and approved in writing by the LPA. The inclusion of hedgehog highways, sensitive lighting for bats and proposals for native species planting is welcomed and should be secured.'*

In these respects, subject to the recommendations of the Council's Ecologist as detailed above, the proposed development is considered acceptable in terms of ecological impact and biodiversity net gain (BNG) mitigation and enhancement.

### **Habitat Mitigation**

#### **a) Managing Recreational Impact**

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives.

The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to mitigate its impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. In this case, an appropriate mitigation contribution has been secured through a Unilateral Undertaking.

#### **b) Nitrate neutrality and impact on the Solent SPA and SACs**

There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. Natural England have now raised this with the Council and other Councils bordering the Solent catchment area and have raised objections to any new application which includes an element of new residential overnight accommodation unless nitrate neutrality can be achieved or adequate and effective mitigation is in place prior to any new dwelling being occupied.

To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites.

The Council has a policy in its Local Plan, which seeks to safeguard against any adverse impact and that suitable mitigation is in place to avoid any harmful impact on sites of importance for nature conservation. An Appropriate Assessment as required by Regulation 63 of the Habitat Regulations has been carried out, which concludes that the proposed project would have an adverse effect due to the additional nitrate load on the Solent catchment. As the Competent Authority, NFDC consider that there needs to be a mitigation project to provide this development with a nitrate budget.

For this reason, a Grampian style Condition can be imposed and a further Appropriate Assessment carried out on discharge of this condition.

### **Managing Air Quality**

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO<sub>x</sub>, nitrogen deposition and ammonia). Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations.

A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring.

A financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. An appropriate contribution has been secured through a Unilateral Undertaking.

### **Biodiversity net gain**

As from 7th July 2020 the Council has sought to secure the achievement of Biodiversity Net Gain (BNG) as a requirement of planning permission for most forms of new development in accordance with Policy DM2.

Details have been submitted of proposed mitigation and enhancement measures (detailed in Sections 4.4 and 4.5 of the applicant's EcoSupport Preliminary Ecological Assessment & Phase II Reptiles & Bats Report dated 15th October 2021). The Council's Ecologist raises no objections to the proposal, subject to the proposed mitigation and enhancement measures being secured. These biodiversity enhancements can be secured by an appropriate planning condition.

### **Developer Contributions**

As part of the development, the following will be secured via a Section 106 agreement or unilateral undertaking:

- Infrastructure contribution of £5,155
- Non-infrastructure contribution of £749
- Bird Aware Solent contribution of £681
- Air quality monitoring contribution of £85

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	263.38	0	263.38	263.38	£80/sqm	£26,905.28 *

Subtotal:	£26,905.28
Relief:	£0.00
Total Payable:	£26,905.28

## 11 CONCLUSION

The application proposes the redevelopment of an existing residential site to provide a replacement dwelling together with an additional bungalow within a sustainable location whereby such development is considered acceptable in principle.

The proposed development would not adversely affect the character of the surrounding area and would not result in undue impacts on the amenity of neighbours.

The proposal is considered acceptable in terms of access, parking provision and Highway safety and makes appropriate provision with respect to habitats mitigation, the protection of wildlife and the provision of biodiversity net gain.

## 12 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion by the landowner of a planning obligation entered into by way of a Section 106 Agreement (or unilateral undertaking) to secure contributions towards habitats mitigation, as detailed in the officer report to Committee, and
- ii) the imposition of the conditions set out below.

### 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:

REV B AMENDED SITE LAYOUT  
PLOT 1 4 BED REV B  
PLOT 2 BUNGALOW REV A  
SPLAYS REV C

STREET SCENE REV C  
EcoSupport Preliminary Ecological Assessment  
& Phase II Reptiles & Bats Report dated 15th October 2021  
UPDATED TRAFFIC SURVEY REPORT  
ADDITIONAL INFO FOR TRAFFIC REPORT

Reason: To ensure satisfactory provision of the development.

3. The development hereby permitted shall not be occupied until:
- (i) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation must be installed before first occupation and retained thereafter; and
  - (ii) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
  - (iii) The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

4. Before development commences above ground level, exact details of the facing and roofing materials to be used (for both dwellings) 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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Before first occupation of the dwellings hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve each new dwelling shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and thereafter retained.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

6. Before development commences above ground level, 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 Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. 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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

8. In respect of Plot 2 (the bungalow), notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes AA, 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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

9. The ground floor and first floor windows on the north west facing side elevation of the approved house referred to as Plot 1 shall be :

- (i) obscurely glazed, and
- (ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and the windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

10. The first floor window(s) on the south east facing side elevation of the approved house referred to as Plot 1 shall be:

- (i) obscurely glazed, and
- (ii) non-opening at all times unless the parts that can be opened are more than 1.7m above the floor,

and the windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

11. Development shall be carried out in accordance with the Mitigation, Compensation and Enhancements detailed within the submitted Preliminary Ecological Assessment & Phase II Reptiles & Bats report (Ecosupport, 15th October 2021). In particular, all capture works are to be completed in suitable weather conditions during the active season for reptiles (typically April – late September / early October). A reptile translocation report shall be submitted to NFDC detailing the trapping effort, the full capture details and also detailing all receptor site enhancement works undertaken.

Reason: In the interests of nature conservation and the appropriate preservation of protected species, in accordance with saved local plan policy DM2 of the Local Plan Part 2: Sites and development Management.

12. Development shall be carried out in accordance with the submitted scheme for the provision of biodiversity net gain (as detailed within Section 6 of the Ecosupport Preliminary Ecological Assessment & Phase II Reptiles & Bats report dated 15th October 2021).

Reason: To enhance existing features of nature conservation value within the site, in accordance with saved local plan policy DM2 and the guidance set out within the Council's Ecology and Biodiversity Net Gain – Interim Advice and Information Note (July 2021).

**Further Information:**

Warren Simmonds

Telephone: 023 8028 5453



# New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

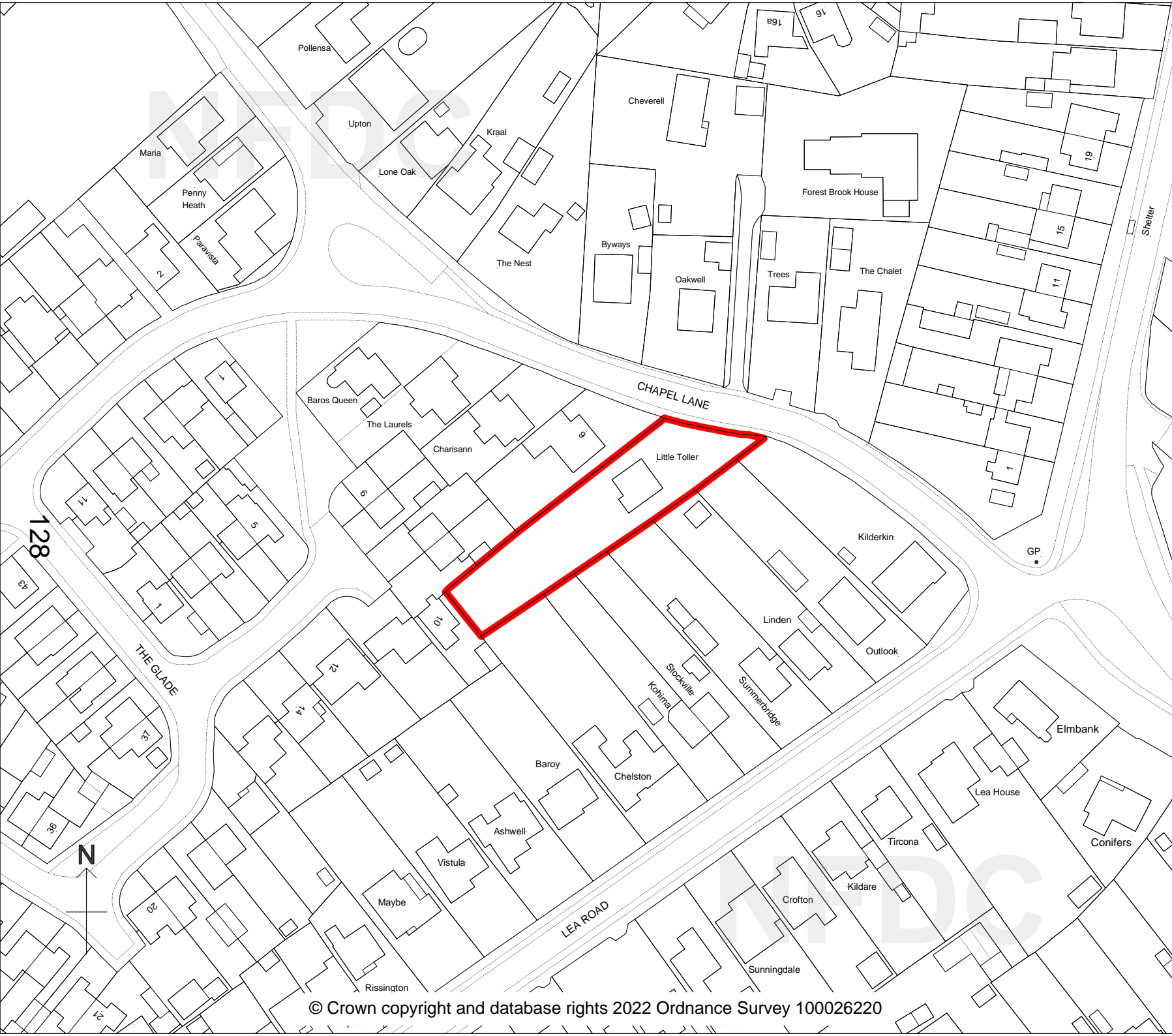
## PLANNING COMMITTEE

March 2022

LITTLE TOLLER  
CHAPEL LANE, LANGLEY  
FAWLEY SO45 1YX  
21/11674

Scale 1:1250

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





Planning Committee 09 March 2022

**Application Number: 22/10018** Full Planning Permission

**Site:** SQUIRRELS BEECH, BEAULIEU ROAD, DIBDEN PURLIEU,  
HYTHE SO45 4JF

**Development:** Covered garden area

**Applicant:** Mr & Mrs Drummond

**Agent:** IHD Architectural Services Ltd

**Target Date:** 03/03/2022

**Case Officer:** Julie Parry

**Extension Date:** 09/03/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the character of the area
- 2) Impact on neighbour amenity in terms of outlook and loss of light
- 3) Impact on protected trees

This application is to be considered by Committee because of a contrary view from Cllr Osborne who has requested the application is decided at the Planning Committee

## 2 SITE DESCRIPTION

The application site relates to a detached two storey dwelling within the built up area of Hythe. Squirrels Beech is set back from the main Beaulieu Road and is accessed via a narrow road where there are a mixture of styles and sizes of properties. The property is on a lower ground level than the road and the level decreases further to the dwelling to the rear, Woodglade, which has a vehicle access which runs alongside the application site. There a number of trees in this area with two within the rear garden of Squirrels Beech which are protected with tree preservation Orders.

## 3 PROPOSED DEVELOPMENT

The application seeks planning permission for an increase in the height of the rear boundary wall with a timber slatted structure to allow for a flat roof to cover an area of the existing patio.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
08/92827 Retention of front shed	07/11/2008	Granted	Decided	
NFDC/97/61176 2 storey addition	14/05/1997	Granted Subject to Conditions	Decided	

96/NFDC/58712 One and two-storey addition	13/09/1996	Granted Subject to Conditions	Decided	
95/NFDC/56568 One and two-storey addition	13/06/1995	Refused	Appeal Decided	Appeal Dismissed

## 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness

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

DM2: Nature conservation, biodiversity and geodiversity

### Plan Policy Designations

Built-up Area

### Neighbourhood Plan

Hythe and Dibden

## 6 PARISH / TOWN COUNCIL COMMENTS

### Hythe & Dibden Parish Council

Comment: PAR 2: Recommend REFUSAL but would accept the decision reached by the DC Planning Officers under their delegated powers. The Committee has the following concerns:

- 1) It will have a disproportionate effect on neighbouring properties due to its location
- 2) There will be a negative visual impact on neighbouring properties
- 3) There are concerns about the existing protected trees which are a valuable amenity in the area

## 7 COUNCILLOR COMMENTS

Councillor Osborne has objected to the proposed development for the following reasons:-

- The boundary wall is raised beyond the two metres height permitted in planning regulation.
- The structure projects beyond the existing building line up to the boundary of the property.
- There is no provision of the collection and dispersal of rainwater.
- Redecoration will need to be carried out on the side of the wall.

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

### Southern Water

Comment only in respect of foul sewage.

### NFDC Tree Team

The construction of the garden structure is unlikely to affect the protected trees on the site and there is no objection on tree grounds.

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 1

One letter of objection from the neighbour at Woodglade for the following reasons:-

- Loss of sunlight
- increase in height will result in degraded visual amenity
- increased density of development
- loss of privacy and light pollution
- impact on the protected trees

*Comments available in full on the Council's website*

## 10 PLANNING ASSESSMENT

### Principle of Development

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality. The principle of the development is considered to be acceptable subject to compliance with these policy criteria and the relevant material considerations relating to its impact on the character and appearance of the area and residential amenity.

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

The boundary wall is already in situ at the rear of the site and currently has a height of 1.8 metres. The proposed timber slats would increase the height of the boundary in this position by 85cm with a flat roof added to take the finished height to 2.65m metres. Given the modest height increase and the position of this development to the rear of the property there would be limited potential for the resulting built form to be viewed on the street scene.

The proposed development would have a flat roof finished in an EPDM synthetic rubber material. With open sides facing the garden the additional built form would be lightweight and modest in size and height and as it is to the rear of the property it would be acceptable in terms of scale and design with limited impact on the existing dwelling.

The agent has confirmed that the drainage of surface water will be dealt with on site using the current down pipe or soak away.

### Trees

The Council's Tree Officer has advised that the proposed covered garden area would be in close proximity to the 2 protected trees. However there is already an existing patio area within the area proposed so there would not be a significant change in the rooting environments for these trees. The installation of the roof structure will require post supports within the patio area, the installation of single posts will not significantly affect the trees. Therefore they have no objection on tree grounds.

### Residential amenity

The neighbour to the rear, Woodglade, has their side elevation 6.5 metres from the rear wall of the proposed development. This neighbour is positioned to the east of the application site and therefore consideration has been given on the potential for loss of light from the increased boundary height. There is already a degree of shading on this neighbour when the sun is setting from the existing built form at Squirrels Beech along with the high trees in this vicinity.

This neighbour has objected to the proposed development in terms of the impact on their amenity in terms of loss of light and outlook as well as a loss of privacy. This neighbour's side wall does contain a window at first floor and whilst the built form would be visible from this window it would not impact on their outlook in terms of a visual intrusion given the low height of the proposed development and the degree of separation. The increased height of the boundary would be visible from this neighbour's access and garden to the side however this is not a main amenity space and therefore the overall affect on this neighbour's amenity would not be to such a degree to be unacceptable.

The neighbour to the north, Valley Lodge, has a parking area to the rear of their property and is separated from the proposed development by the access road to Woodglade. With the modest height proposed along with the degree of separation the proposed development would have an acceptable impact on this neighbour's amenity.

### Ecology

There are no ecological enhancements identified to be incorporated in the proposed outbuilding nevertheless, taking into account the scale of the proposed development this would not be grounds to refuse this part of the proposed development.

## **11 CONCLUSION**

For the reasons given above, it is considered that the proposed development is acceptable and accords with the Government advice contained with the National Planning Policy Framework (2021) and other Local Plan policies. Permission is therefore recommended

## **12 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 received 6th January 2022:

- DRU 201 Existing floor plans
- DRU 202 Existing elevations
- DRU 203 Proposed floor plans
- DRU 204 Proposed elevations
- DRU 205 Block plan
- DRU 206 Location plan

Reason: To ensure satisfactory provision of the development.

**Further Information:**

Julie Parry

Telephone: 023 8028 5436



# New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

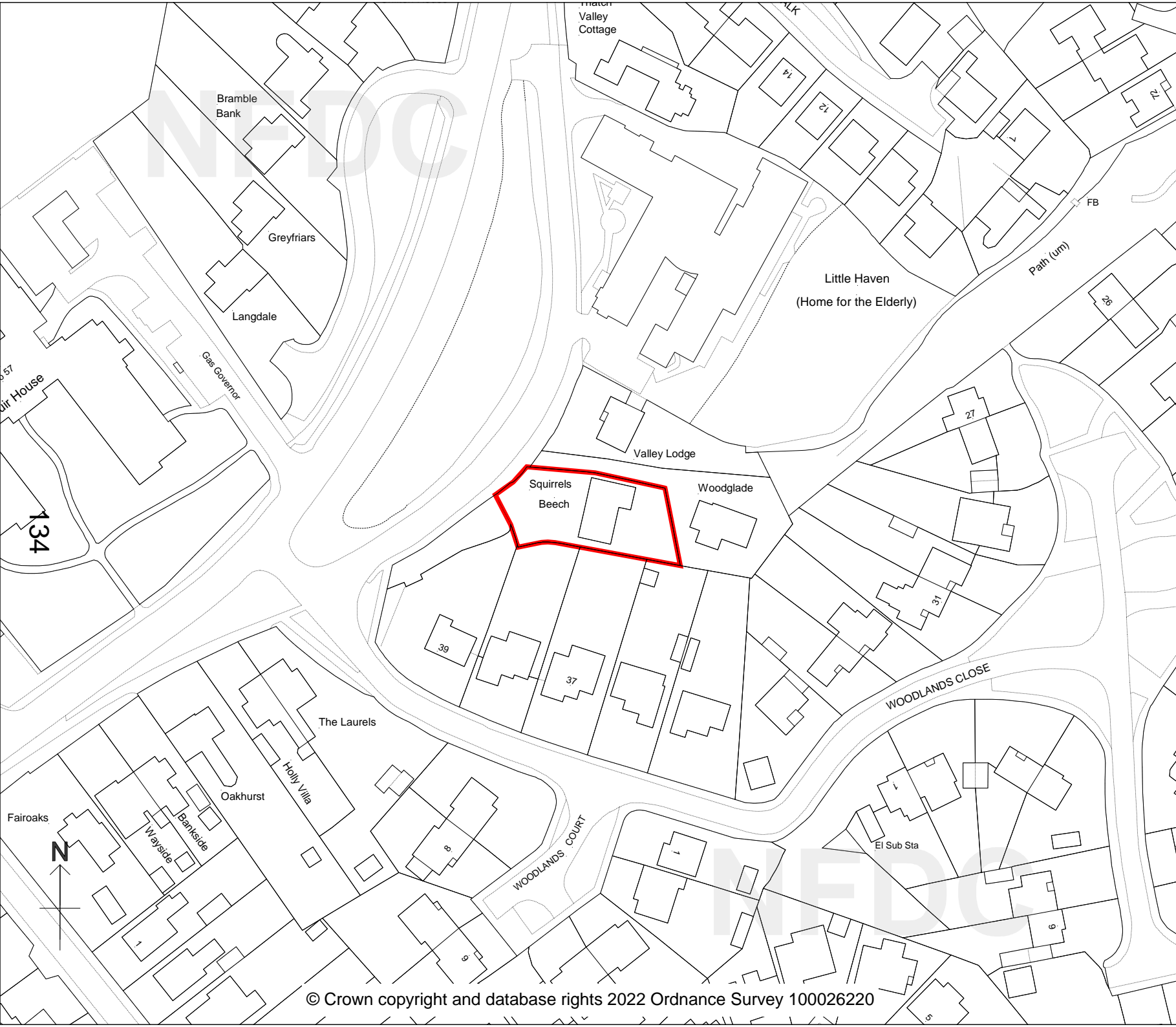
## PLANNING COMMITTEE

March 2022

SQUIRRELS BEECH  
BEAULIEU ROAD, DIBDEN PURLIEU  
HYTHE SO45 4JF  
22/10018

Scale 1:1250

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



Planning Committee 09 March 2022

**Application Number:** 21/10286 Full Planning Permission

**Site:** 16 SALISBURY STREET, FORDINGBRIDGE SP6 1AF

**Development:** Use of the outside area from residential garden to cafe seating area; erection of 2no. single-storey outbuildings; demolition of existing structures; installation of air conditioning unit, decking and fencing. Alteration to route of existing pedestrian right of way from No.12 across site to Salisbury Street.

**Applicant:** Mr Cheal

**Agent:** Western Design Architects

**Target Date:** 07/06/2021

**Case Officer:** Jim Bennett

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Impact upon Residential Amenity
3. Impact on the character and appearance of the area, including Fordingbridge Conservation Area
4. Impact on vitality and viability of town centre and on the local delivery of services, including local shops and pubs

This application is before committee as the recommendation is contrary to the view of Fordingbridge Town Council.

## 2 SITE DESCRIPTION

The site lies within the heart of the town centre, to the rear of Salisbury Street, where there is a mixture of shops, community and commercial uses including residential. The site lies within the built up area of Fordingbridge, Fordingbridge Town Centre, Fordingbridge Conservation Area and its Secondary Shopping Frontage. The site adjoins a Grade 2 listed building at Nos 18-20. The building sits along a high street of a typical historic town centre with traditional two and three storey building forms. The south east site boundary abuts the River Avon but the main building and most of the rear area is located outside the high risk flood zones (flood zones 2 and 3).

On the ground floor, there is a cafe with small children play area (Bubbles), with residential flats on the upper floors, which partly extends to the rear, the frontage building having been converted from a bank to a cafe/soft play facility following approval in 2016. When planning permission was granted for the commercial and residential uses, it was not clear how the land to the rear was intended to be used, although the application description and Design and Access Statement suggest the current use is as residential gardens.

### 3 PROPOSED DEVELOPMENT

This application is made retrospectively for operational development to facilitate the change of use of the outside area to cafe use (tables and chairs). The proposal seeks to expand the existing cafe and children's soft play facility (Bubbles) currently occupying the ground floor of the building to the outside area. The area has been furnished with heavy picnic benches, paving, decking, fencing, a small children's play area and works to provide cafe facilities to facilitate use of the rear curtilage as an outdoor area in association with the frontage premises, but use has yet to commence. It is proposed to utilise the outdoor area from 09:00 to 17:00 Monday to Saturday.

### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
17/10912 Variation of Condition 2 of Planning Permission 16/11650 to allow amended plan numbers to relocate external staircase, infill high level side windows and new side door.	14/08/2017	Granted Subject to Conditions
16/11650 Use part of ground floor as cafe; use remaining part of building as 4 flats; front and rear dormers; glazed balcony; new windows & doors	22/05/2017	Granted Subject to Conditions

ENQ/ 19/20317/SSRC - In 2019 the applicant sought the Council's pre-application advice on the form of development now proposed. That advice concluded that the use of the outside space for cafe use and children's play area would have some impact on the amenity of nearby properties, but the impact was considered to be at a reasonable level taking into account the planning test related to noise impact. Use of the space will have other benefits such as maximising the use of the business leading to the benefits associated with economic, tourism and community which are all elements of government policy. The applicant was advised that whilst the balance was in favour of permission, careful consideration would need to be given to any comments received, following a formal submission. If significant objections arose, the applicant was advised that the Authority could grant a temporary planning permission for a year, to allow the Council to monitor the impact of the business use on the amenities of the neighbouring residential properties.

### 5 PLANNING POLICY AND GUIDANCE

#### **Area based Planning Constraints and Planning Policies Relevant to the Proposal**

Conservation Area  
Adjacent to Listed Building  
Built-up Area  
Secondary Shopping Frontage  
Town Centre Boundary  
Flood Zone

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

Policy ECON5: Retail development and other main town centre uses  
Policy ECON6: Primary, secondary and local shopping frontages  
Policy ENV3: Design quality and local distinctiveness



## **Local Plan Part 2 Sites and Development Management Development Plan Document**

DM1: Heritage and Conservation  
DM15: Secondary shopping frontages

### **Supplementary Planning Guidance/ Documents**

SPG - Fordingbridge - A Conservation Area Appraisal  
SPD - Fordingbridge Town Design Statement

### **Relevant Advice**

#### **National Planning Policy Framework**

NPPF Chap 6: Building a strong competitive economy  
NPPF Chap 7: Ensuring the vitality of town centres  
NPPF Chap 12: Achieving well designed places  
NPPF Chap: 14 Flood Risk  
NPPF Chap 16: Historic Environment

### **Planning Practice Guidance on Noise 2014**

Advises LPAs on the determination of applications where noise is an issue. Noise can override other planning concerns, but the National Planning Policy Framework expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development. Local planning authorities' decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

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

**Fordingbridge Town Council** - Recommend REFUSAL under PAR4. With both the Applicant and Residents making compelling statements for and against this application, Fordingbridge Town Council is left in the position that we remain unclear regarding the possible effects of noise, smell and loss of privacy. Further uncertainty exists surrounding the status of the location (garden) as to whether it has residential or commercial status. With these unknown entities and remaining concerns over noise, smell and privacy, we opt to recommend refusal.

## **7 COUNCILLOR COMMENTS**

No comments received

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**Environment Agency** - Following a site visit are satisfied that the structure can be left in situ and remove their previous objection. They advise the applicant that the development does not have a Flood Risk Activity Permit, and cannot be granted retrospectively and retain the right to change, remove or dismantle the decking if the need arises.

Environmental Health Section - The site is close to residential properties and shares a boundary on three sides. A number of properties surrounding the site also have line of sight into the proposed seating area from an elevated position. The proposed change of use would represent a significant change to the existing residential use and would inevitably alter the soundscape in the locality with hubbub from café users most likely being audible to those living nearby.

The proposed location of the play area (in the north-west corner of the site) is poor being below a residential balcony and should be re-located or removed from the application. Similarly, the proposed siting of an air conditioning unit adjacent to the play area has the potential to affect those living in very close proximity. From the information provided the unit will emit a sound power level (Lw) of 59dB when operating on the highest setting. Having done an approximate distance attenuation calculation this outlines that the resultant noise level at the nearest residential property is likely to be below the background noise level during the day, which is indicative of a low impact.

One of the outbuildings will be utilised to serve hot drinks and food. Provided any food preparation is low key (e.g. sandwiches, warming food in a microwave etc) no specific measures are necessary to control cooking odours, however if more comprehensive cooking is required then a dedicated extraction system and odour abatement equipment would be necessary. Consideration to granting a temporary permission in order to evaluate the level of impact upon the locality could be considered in the circumstances. Should permission be granted, conditions restricting the hours of use to those outlined within the application (09:00- 17:00hrs Monday to Saturday), restricting the type of cooking that could be undertaken are requested.

Community Safety Coordinator - No comments received

Natural England - No objections

NFDC Tree Officer - No objections. There is an Ash tree located to the eastern extent of the rear. The tree has a reasonable level of visual amenity as it can be seen from the nearby public bridge. Being Ash it has a limited future long term retention prospects due to prevalence of Ash dieback disease it would not be deemed appropriate to apply further protection through a Tree Preservation Order. The existing area around the tree is paved and raised it is therefore unlikely there will be any significant impact on the tree with raised decking above this level as detailed in the submitted plans.

NFDC Ecologist - No appreciable objection in terms of ecology, the works already having been completed. A review of historic aerial imagery suggests the site was formally much greener and vegetated. As such, a condition for providing landscaping of value in ecology terms, for example to pollinators is suggested. This could be in the form of climbing vegetation, planters, beds etc with details to be approved. The application references discrete lighting on timber posts approximately 1m in height around the edge of the seating area. It should be established if there is any lighting adjacent the river corridor. The decked area adjacent the river should be left unlit to avoid potential impacts on commuting and foraging bats.

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

For: 78

- The addition of a tea room in this location on the riverbank in Fordingbridge will be an added advantage to the town and its businesses.
- The proposal echoes traits of the past when Fordingbridge was a Regatta town and had several tea rooms along the riverbank.
- The town has limited outside space apart from a few pubs
- Would be a community asset and meeting place
- The proposal will help the viability of the existing business
- Would create appealing play space
- Outdoor space is needed during/following pandemic
- The site is far removed from its previously derelict state, which encouraged anti-social behaviour.
- There is sufficient parking in the central car park and a zebra crossing nearby, promoting sustainable and disabled access to an area to enjoy nature.

#### Against: 18

- Number 16 Salisbury Street has already advertised the eating/playground on a shop front, even though they have only just applied for permission.
- The site has already been used on two occasions for large gatherings
- The retrospective nature of the application is criticised
- Noise and disturbance caused by use of the site for the proposed purpose.
- There are better places in the town to have such a business.
- Out of keeping with the town and Conservation Area and heritage assets
- Land level has been raised, particularly in relation to the decked area.
- Loss of privacy
- All of the neighbours next to the cafe are residential, it is unfair on all residents living around this cafe to have this inflicted on us.
- The use will need to be supervised by staff.
- Loss of security for adjoining residents
- The application mentions two outbuildings, but three have been constructed, the largest of which is a commercial kitchen, meaning neighbouring residents will have to endure odours from cooking.
- Lack of parking and loading facilities
- Traffic generation
- In view of the level of support received, it appears that the applicant is attempting to win a popularity competition.
- Dangerous child location near river
- Lack of neighbour notification
- Use of the passageway between no.16 and no. 18 as access to the proposed commercial garden is objected to. An alternative access through the cafe is suggested.
- The proposed planting of laurels raises queries in respect of overbearing impact, light loss and invasiveness
- The proposed planting does not address all boundaries
- The decking stands 1.7m above the height of neighbouring gardens providing a direct line of sight into gardens. As it stands, it is absolutely
- The decking area should be removed
- The type of food to be prepared on site is queried in relation to odour nuisance
- Litter and vermin issues
- Flood risk
- Ecological harm
- Misleading information within application

## 10 PLANNING ASSESSMENT

### Principle of Development

The application site lies within Fordingbridge's built-up area and Town Centre, where there is a presumption in favour of new development of the type proposed. However, the benefits of the proposal must be weighed against the potential harm caused, which is examined in the following sections, at the end of which a conclusion on the planning balance is reached.

### Impact upon Residential amenity

Policy ENV3 states that new development shall not have unacceptable impacts upon residential amenity of existing and future occupiers, in terms of visual intrusion, overbearing impact, overlooking, shading, noise or light pollution.

The main issue is the effect of use of the external area on the living conditions of the occupiers of surrounding residential properties, which could be disruptive in terms of how it is operated and the likely level of disturbance caused to neighbouring occupiers. The proposed use of the outside area would result in intensified use of the site impact than use as residential gardens. The outdoor area could be a potential source of noise to noise sensitive receptors, by virtue of the limited degree of separation to surrounding residential properties and raised levels and these concerns are reflected in the comments of notified parties.

The Environmental Health Section acknowledge the close relationship between the site and adjoining residential curtilages, that the proposal may alter the soundscape in the locality. Consequently, they recommend a temporary permission in order to evaluate the level of impact upon the locality, in addition to conditions restricting the hours of use to those applied for (09:00- 17:00hrs Monday to Saturday). They do not consider that any specific measures are necessary to control cooking odours, due to the low key nature of food preparation proposed, subject to a condition restricting the type of cooking that could be undertaken. The proposed air conditioning unit has the potential to affect those living in very close proximity, but from the information provided noise generated is likely to be below the background noise level during the day, which is indicative of a low impact.

The applicant has provided solid, fixed seating which would lower noise impacts of furniture being moved around and this is considered a suitable option. The seating capacity of the outdoor area is therefore limited to the 12 no. solid timber benches in situ on site, in order to control the intensity of use and associated level of noise.

It is intended to utilise the larger outbuilding indicated on the plan as a kitchen/servery for the tea garden, indeed it has already been fitted out for such a use, although not operated recently. Staff operating the servery will essentially supervise the outdoor area, as would be the case for any tea garden. Staff will not supervise the site as a play area, that use having been deleted from the scheme. While children utilising the play area would have been supervised by parents visiting the facility, following comments about the potential for noise from the play area, it has been deleted from the scheme in the interests of adjoining amenity, the primary purpose of the use sought being as an outdoor tea garden.

Concern is raised that the land level has been raised, particularly in relation to the decked area. The latticework fencing installed on the north eastern boundary of the site has been installed at 1.6m in height, which allows views into adjoining curtilages. Consequently the applicant has been requested to increase the height of the fencing to 1.8m as well as its extent to the south east to prevent intervisibility. A

planting scheme has also been requested to supplement this boundary, likely to include climbing species in raised planters, which will also enhance visual amenity and ecology.

While use of the passageway between no.16 and no. 18 as access to the proposed commercial garden is objected to, there is no reason to suggest it will be unacceptable. The temporary permission will allow time to assess the impacts of the pedestrian access.

The proposed change of use as an outdoor eating area, for a limited period of one year and subject to the conditions outlined below, would not have direct impacts upon adjoining occupiers in respect of noise, loss of privacy or overbearing impact, in accordance with Policy ENV3 of the Local Plan Part 1.

#### Impact on the character and appearance of the area, including Fordingbridge Conservation Area

The impact of the proposal on the character and appearance of the Fordingbridge Conservation Area and the public realm need to be considered under the provisions of Policies ENV3 and DM1.

The built form of the proposal consists of two timber outbuildings, fencing, decking, benches and natural stone paving. The outbuildings are modest in scale and their appearance is typical of outbuildings found in domestic curtilages and in the locality. The decking is a more visible feature, particularly on the river bank, but is not obtrusive. The implemented fencing is of reasonable quality and coupled with appropriate boundary planting is acceptable, as are the benches and stone paving. The applicant has been requested to submit amended plans of the fencing to raise its height and incorporate climbing plants in the interests of visual amenity, privacy and ecological enhancement.

It is not considered that the operational development causes significant harm to the character and appearance of the Fordingbridge Conservation Area. Similarly use of the land for the proposed purpose would cause no harm to visual amenity in accordance with the provisions of Policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD) 2014, Policy ENV3 of the NFDC Local Plan Part 1 2016-2036 and Paragraph 192 of the NPPF.

#### Impact on vitality and viability of town centre and on the local delivery of services, including local shops and pubs

Policy ECON05 places emphasis on retaining a good range of Main Town Centre Uses, where complementary to the retail function and would enhance the overall vitality of the centre. Paragraph 85 of the NPPF states that decisions should support the role that town centres play at the heart of local communities by taking a positive approach to their growth management and adoption. Moreover, the NPPF highlights the importance of meeting anticipated needs for retail, leisure, office and other main town centres uses. The emphasis of these policies is to ensure that the commercial vitality and function of the town centre and local shopping frontages is retained and where appropriate enhanced.

The development has not yet been operational, save for a handful on one-off events, and is promoted as providing a significant benefit to the continued operation of the existing cafe/soft play centre. The applicant states that in order for the existing cafe and soft play centre to survive, the business needs to expand to the outside space, particularly in light of the pandemic, where outdoor eating space is proving vital for such businesses.

The role of the town centre is important in local and national policies in delivering sustainable development. The area to the rear of the site is entirely within the defined Town Centre boundary, where a presumption in favour of commercial uses exists. While the proposal has a close relationship to the rear curtilages of residential properties, it is considered that the adverse impacts on adjoining occupiers can be addressed by the proposed alterations to the implemented scheme and by the conditions proposed. Accordingly, considerable weight should be attached to the overall benefits the use of the outside area would bring to the town.

Overall, it is felt that what is proposed would enhance the vitality and viability of the Town Centre, Primary Shopping Frontage and Area, in accordance with Policies ECON05 and ECON06 of the Local Plan Part 1 and Paragraph 85 of the NPPF.

#### Impact on highway safety, including matters relevant to car parking and loading

No off-street parking or loading space is provided for the proposal. However, as a proposal within a sustainable town centre location in close proximity to shops, public services, public car parks and proposing a use that is broadly acceptable in a town centre location, a refusal on the basis of a lack of parking cannot be substantiated.

It may be the case that the proposed tea garden would be a destination in its own right, which may result in a limited amount of additional traffic generation. However, the site is within a defined town centre, with ready access to public car parks, where the type of use proposed and associated traffic impacts are acceptable.

#### Flood Risk and Drainage

Much of the application site lies within Flood Zones 2 and 3, which is land defined by the Planning Practice Guidance for the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change as having a high and medium probability of flooding. The site is at risk of fluvial flooding from the immediately adjoining River Avon. While the footprint of the proposal is within the indicative flood zones, the type of development proposed (paving, fencing, decking and outbuildings) is not considered to be the most vulnerable development to flood risk and unlikely to increase the risk of flooding elsewhere.

The Environment Agency raise no objections to the proposal, but point out that the development does not have a Flood Risk Activity Permit, and cannot be granted retrospectively and so retain the right to change, remove or dismantle the decking if the need arises.

#### Impact on ecology and in particular protected species

From 7th July 2020, the Council has sought to secure the achievement of Biodiversity Net Gain (BNG) as a requirement of planning permission for most forms of new development. The Council's Ecologist raises no objections to the proposed development, subject to a condition for providing landscaping of value in ecology terms. Clarification is sought on whether there is any lighting adjacent the river corridor. The decked area adjacent the river should be left unlit to avoid potential impacts on commuting and foraging bats. Lighting has been installed on the site around the peripheries and is in situ on the decking, but 6m away from the river. It should, however be noted that the proposed hours of operation (09:00- 17:00hrs Monday to Saturday) dictate that lighting should not impact protected species. The hours of operation will be controlled by condition.

## Other Matters

With regard to the comments of notified parties not addressed above, the retrospective nature of the application is criticised. It is unfortunate the applicant has carried out works prior to submitting a formal application, but is not sufficient justification in isolation to substantiate a reason for refusal. The proposal must be considered on its own merits and in light of material planning considerations. Similarly the inference that no. 16 Salisbury Street has already advertised the eating/playground and that the site has already been used on occasion for gatherings prior to permission being granted cannot substantiate a reason for refusal.

It is not anticipated that use of the land as a cafe seating area between the hours of 9-5 Monday to Saturday would result in a loss of security for adjoining residents.

It is clear from the level of support received that existing users of Bubbles have got behind the scheme and notified parties suggest the applicant has encouraged existing users to lend their support. The applicant has not erred in this respect and this cannot substantiate a reason for refusal.

It is suggested that the location is dangerous for children close to the river, but roll top fencing at 1m in height reasonably prevents direct access to the river.

With regard to comment over a lack of neighbour notification, a site notice was posted for the requisite period, adjoining neighbours notified by letter and the application advertised in the Hampshire Independent.

There is no reason to suggest that the existing operator of the premises would operate the tea garden in a manner that would give rise to increased litter and vermin issues. As a commercial premises selling food and drink the premises would be inspected by the Council's Environmental Health Section.

## **11 CONCLUSION**

It is clear that the use of the outside space for cafe use will have some impact on the amenity of nearby properties. This impact is considered to be at a reasonable level taking into account the planning test related to noise impact. The additional use of the space will have other benefits such as maximising the use of the business leading to the benefits associated with economic, tourism and community which are all elements of government policy. The proposal causes no harm to the character and appearance of the area or Fordingbridge Conservation Area nor to adjoining amenity, while delivering tangible benefits to the vitality and viability of Fordingbridge Town Centre. Accordingly it is recommended for approval for a temporary period.

## **12 RECOMMENDATION**

### **Grant Temporary Permission**

#### **Proposed Conditions:**

1. The use shall cease on or before the expiry of one year from the date of this consent and the land restored to a condition which has first been agreed in writing by the Local Planning Authority.

Reason: In order to evaluate the level of impact of the proposed change of use upon the amenity of adjoining residents in accordance with Policy ENV3 of the Local Plan Part 1

2. The development shall be carried out/ retained in full accordance with the following approved plans: drawing no. 001 Site Location and Block Plans, drawing no. 002 Existing Site Plan, drawing no. 003 Rev B Proposed Site Plan, drawing no. 004 Existing Outbuilding, drawing no. 005 Proposed Outbuilding 1, drawing no. 006 rev A Proposed Outbuilding 2, drawing no. 007 Proposed Fencing and the Planning and Heritage Statement submitted by WDA.

Reason: To ensure satisfactory provision of the development.

3. No activity shall take place on the site in connection with the approved use other than between the hours of 09:00- 17:00hrs Monday to Saturday.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. No cooking processes shall be undertaken other than the preparation of hot and cold beverages, the heating of food in a microwave oven and or a sandwich/ panini type toaster and/ or a waffle iron. No other cooking equipment for hot food including frying or grilling shall be used without the prior written approval of the Local Planning Authority.

Reason: To minimise noise and odour nuisance, in the interests of environmental health and to comply with Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.

5. The outdoor area shall not be used for any private or public entertainment purposes including the use of amplified music, recorded background music, ancillary or otherwise.

Reason: To protect the amenity of adjoining residential occupiers in accordance with Policy ENV3 of the Local Plan Part 1 (2016-2036)

6. External seating on the site shall be limited to 12 no. picnic benches and no other external seating shall be provided without the prior written approval of the Local Planning Authority.

Reason: To minimise noise nuisance, in the interests of adjoining amenity and to comply with Policy ENV3 of the Local Plan Part 1 Planning Strategy for the New Forest outside of the National Park.

**Further Information:**

Jim Bennett

Telephone: 023 8028 5443





# New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

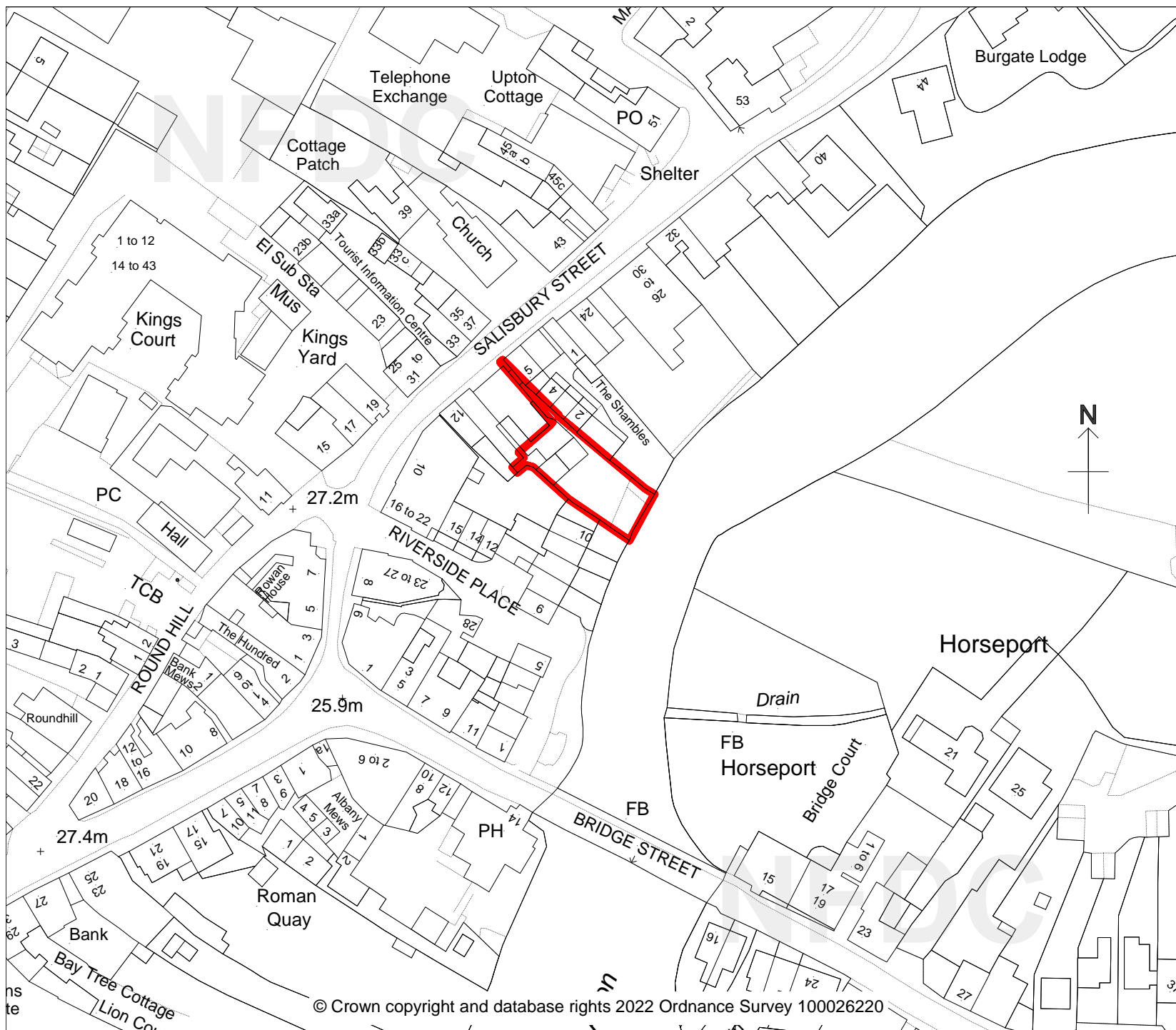
## PLANNING COMMITTEE

March 2022

16 Salisbury Street  
Fordingbridge  
SP6 1AF  
21/10286

Scale 1:1250

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



145

This page is intentionally left blank

Planning Committee 09 March 2022

**Application Number:** 21/11595 Full Planning Permission

**Site:** GREAT END, QUEEN KATHERINE ROAD,  
LYMINGTON, SO41 3RY

**Development:** Front and rear dormer windows; rooflight to side

**Applicant:** Mr & Mrs Redburn

**Agent:** Draycott Chartered Surveyors

**Target Date:** 27/01/2022

**Case Officer:** Andrew Sage

**Extension Date:** 10/03/2022

---

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the street scene and character of the area.
- 2) Impact on the Lymington Conservation Area
- 3) Impact on neighbour amenity

This application is to be considered by Committee because Cllr Jacqui England, a district councillor has requested that the application be considered by Committee.

## 2 SITE DESCRIPTION

The application site a is a mid-twentieth century, detached, two-storey, brick-built and tile-hung dwelling on a residential road in the built up area of Lymington. The property benefits from a single-storey rear extension. The ground falls away to the rear of the property, where there is a small garden.

Queen Katherine Road is a well trafficked residential road characterised by detached and semi-detached residential dwellings. These are set back from the road behind modest sized front gardens and parking areas.

The property is located outside, but is visible from, the Lymington Conservation Area.

## 3 PROPOSED DEVELOPMENT

Permission is sought for the construction of; a pitched roof front dormer; a large, pitched roof, rear dormer; and a new rooflight in the side elevation.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
01/73433 One & two storey additions	04/01/2002	Granted Subject to Conditions	Decided
01/71539 Ground floor extension and two storey addition	18/05/2001	Granted Subject to Conditions	Decided

## 5 PLANNING POLICY AND GUIDANCE

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

Policy ENV3: Design quality and local distinctiveness.

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

DM1: Heritage and Conservation

### Supplementary Planning Guidance And Documents

Lymington local distinctiveness SPD

### Relevant Advice

Chap 12: Achieving well designed places

### Constraints

Historic Land Use

Plan Area

Conservation Area: Lymington Conservation Area

### Plan Policy Designations

Built-up Area

## 6 PARISH / TOWN COUNCIL COMMENTS

**Lymington & Pennington Town Council:** PAR2: Recommend Refusal.

- Loss of privacy.
- Overbearing.

## 7 COUNCILLOR COMMENTS

No comments received

## 8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

**Southern Water:** comment only

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- *Overlooking and loss of privacy*
- *Overbearing development*
- *Scale and design of rear dormer will be out of keeping with the Lymington Conservation area.*
- *Wooden slats [louvres] would be unattractive, require maintenance and could be removed, resulting in overlooking.*

For: 0

Against: 2

## 10 PLANNING ASSESSMENT

The proposal is for; a large, rear dormer with a fully glazed rear elevation, screened by timber louvres, facing towards the Lymington River; a smaller front dormer; and the insertion of a rooflight into the south facing roof slope.

The principle of extending the house as proposed is acceptable, subject to compliance with policies.

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality through creating buildings and places that are sympathetic to their environment and context. Buildings and places that respect and enhance local distinctiveness, character, and identity, and avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading or other adverse impacts on local character or amenity.

Policy DM1 requires development to conserve and seek to enhance the historic environment and heritage assets with particular regard to local character, setting and the historic significance and context of heritage assets.

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

Queen Katherine Road is characterised by mixed residential development, typically detached and semi-detached dwellings, with a varied range of roof forms and facing materials present in the street scene.

The proposed front dormer, replaces an existing rooflight on the front elevation, is modest in scale, and will be set well back on the front roof slope between the existing front bay gable projections. It will be finished in matching materials to the existing dwelling and it is considered that it is in keeping with the street scene and character of the area.

Whilst the proposed larger dormer is on the rear of the property, as a result of the dog-leg in Queen Katherine Road 'Great End is set forward of the neighbouring dwelling, 'Timbers', as result the northern roof slope of the proposed rear dormer will be visible from the street when viewed from the north west. However, by virtue of being set in from the existing rear hip, the dormer will not be prominent when viewed from the street, and will be viewed in the context of the two existing chimneys on the north elevation of the dwelling which are already prominent in the street scene. It is considered that the scale and design of the proposed rear dormer will sit comfortably on the rear of the existing property, will be viewed within an already mixed roofscape, and as such the impact on the appearance of the street scene, property and character of the area are acceptable.

### Conservation Area impact

The application site is located 30 metres outside of the Lymington Conservation Area. Views of the development from public vantage points within the Conservation Area will be limited to the clay-tiled north elevation when viewed from the junction of Captain's Row and Nelson Place. The only public location that has been identified where the rear of the development will be visible from is a short stretch of Undershore Road, c.650 metres to the north. From this location the development, and its mixed palette of glazing, timber louvres and clay tiles will be viewed amongst the wider roofscape of the Lymington Conservation Area, and alongside the large industrial buildings of the boat yard. Given the scale, design and location of the development it is considered that the development would conserve the character of the Lymington Conservation Area.

### Residential amenity

By virtue of their scale and location it is considered that the proposed front dormer and rooflight adequately preserve the amenity, privacy, light to and outlook from of neighbouring properties.

Concerns have been raised by the neighbouring residents and by Lymington and Bennington Town Council with regards overlooking and loss of privacy caused by the proposed development.

Under application 01/73433 planning consent was granted for a two storey side extension and rear dormer. Whilst only the two-storey side extension was completed as this permission part-implemented the permission for the rear dormer remains extant.

Whilst the proposed development will afford oblique views to the areas directly to rear of the neighbouring property to the south, 'The Moorings', it is considered that this overlooking will be less direct than that already achieved from the existing first floor windows and will not therefore result in a loss of privacy over that already experienced. Whilst the development will afford some additional views of the far end of the rear garden of 'The Moorings' most of the garden is screened from view of the development by the existing outbuilding in the rear garden of that property.

Whilst the proposed development will afford more elevated views over the garden of 'Timbers' to the north and west these will not be significantly greater than those already achieved from the existing first-floor windows and the development will not achieve views over private areas to the immediate rear of 'Timbers', as these areas will be shielded from view by the roof of the garage of 'Timbers'.

Whilst the views from the proposed development would be similar to those that could be achieved from the, as yet, un-implemented dormer permitted by 01/73433, the additional floor space that would be created by this application means that it is reasonable to consider that the space may be used more flexibly, and for longer periods than under the extant permission. However, it is considered that the proposed timber louvres would restrict views towards neighbouring properties to such an extent that the impact in terms of overlooking would, in practice, not be significantly greater than would be achieved under the extant permission.

Concerns have been raised with regards the maintenance and retention of the proposed timber louvres. Maintenance concerns would exist for any traditional building materials in terms of regular maintenance and upkeep of building fabric. Notwithstanding this it is considered appropriate to make it a condition of the permission that the louvres should be retained in perpetuity in order to protect the privacy of neighbouring properties.

Given, the distance and orientation to neighbouring properties, the set back from the existing eaves, the scale, design and proposed materials, it is not considered that the proposed rear dormer represents a form of overbearing development.

With regards to all the above it is considered that the amenity, privacy, light to and outlook from of neighbouring properties would be adequately preserved by the proposed development.

## Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. The addition of bat and bird boxes should be considered as a proportionate measure to address biodiversity net gain.

## **11 CONCLUSION**

Overall the proposed development would have an acceptable impact on neighbour amenity, character of the Lymington Conservation Area, local area and the street scene.

The proposal would be consistent with the policies and objectives of the Local Plan 2016 - 2036 Part 1: Planning Strategy, Local Plan Part 2: Sites and Development Management Development Plan and National Planning Policy Framework with planning balance in favour of development and as such the application is recommended for permission.

## **12 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:

- Dwg no. 101 Rev A Block and location plan, as submitted to NFDC on 12 January 2022
- Dwg no. 031A All elevations - proposed, as submitted to NFDC on 03 February 2022
- Dwg no. 032 Louvers detail, as submitted to NFDC on 03 February 2022
- Dwg no. 022 Ground floor plan - proposed, as submitted to NFDC on 24 November 2021
- Dwg no. 024 First floor plan - proposed, as submitted to NFDC on 24 November 2021
- Dwg no. 026 Attic floor plan - proposed, as submitted to NFDC on 11 January 2022.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the external louvres to be used on the rear elevation of the rear dormer 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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. The louvres, as shown on the approved plans, shall be installed prior to occupation of the rooms for habitable purposes and thereafter maintained and retained.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**Further Information:**

Andrew Sage

Telephone: 023 8028 5780





# New Forest DISTRICT COUNCIL

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

Claire Upton-Brown  
Executive Head of Planning,  
Regeneration and Economy  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

## PLANNING COMMITTEE

March 2022

GREAT END  
QUEEN KATHERINE ROAD  
LYMINGTON SO41 3RY  
21/11595

Scale 1:1250

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



This page is intentionally left blank