

**Application Number:** 14/11441 Full Planning Permission

**Site:** Land at 68-74 OLD MILTON ROAD, NEW MILTON BH25 6DX

**Development:** Development of 7 dwellings comprised: 1 two-storey block of 4 flats; 1 two-storey block of 2 flats; 1 detached house; cycle/bin stores; parking; landscaping

**Applicant:** Perbury Developments Ltd

**Target Date:** 12/12/2014

## 1 REASON FOR COMMITTEE CONSIDERATION

Previous committee consideration on 8th April 2015

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area  
Town Centre

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

#### Objectives

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

#### Policies

#### Core Strategy

- CS2: Design quality
- CS4: Energy and resource use
- CS7: Open spaces, sport and recreation
- CS8: Community services and infrastructure
- CS10: The spatial strategy
- CS15: Affordable housing contribution requirements from developments
- CS17: Employment and economic development
- CS24: Transport considerations
- CS25: Developers contributions

#### Local Plan Part 2

- DM3: Mitigation of impacts on European nature conservation sites

#### **4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE**

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

#### **5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPD - The Delivery of Affordable Housing (on Development Sites) through the Planning Process  
SPD - Design of Waste Management Facilities in New Development  
SPD - Housing Design, Density and Character  
SPD - New Milton Local Distinctiveness  
SPD - Parking Standards  
SPD - Mitigation of Impacts on European Sites.

#### **6 RELEVANT PLANNING HISTORY**

- 6.1 Change of use from police dwelling houses to offices for police use (37250)  
Granted on the 22nd April 1988
- 6.2 Use as two dwellings - Prior Approval Application (11460) No details required

#### **7 PARISH / TOWN COUNCIL COMMENTS**

New Milton Town Council: Recommend refusal - this is an important site for redevelopment in the town and the consistent architectural theme is supported, however the proposal amounts to over-development with insufficient green amenity space for future residents and insufficient parking spaces. The mass and forward siting of the block of 4 flats is considered over-bearing in the street scene.

#### **8 COUNCILLOR COMMENTS**

None

#### **9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Engineer: No objections subject to conditions
- 9.2 Environmental Health (historic land use): No objection subject to condition
- 9.3 Tree Officer: No objection subject to details of new tree planting
- 9.4 Drainage Engineer: No objections subject to condition
- 9.5 Strategic Housing Officer: Under Policy CS15, the site should have 2 affordable dwellings on the site and a financial contribution.
- 9.6 Urban Design Officer: supports proposal – the scale, mass and intensity of development is now appropriate to this urban context. The layout offers external space subject to appropriate materials and landscaping. The internal courtyard will be fairly pleasant with some amenity value. Built form and proportions are respectful of the context.

## **10 REPRESENTATIONS RECEIVED**

- 10.1 1 letter of objection concerned with loss of privacy and the scale and siting of the building to the rear of the site would have an unacceptable impact on their outlook. New trees and soft landscaping should be planted along the rear boundary of the site.
- 10.2 1 letter that raises no objection and is generally supportive of the application. The comments do highlight that their site creates a certain level of noise during operations and the developer will need to take this into account.

## **11 CRIME & DISORDER IMPLICATIONS**

No relevant considerations

## **12 LOCAL FINANCE CONSIDERATIONS**

If this development is granted permission and the dwellings built, the Council will receive £10,368 in each of the following six years from the dwellings' completion, and as a result, a total of £62208 in government grant under the New Homes Bonus will be received. From the 6<sup>th</sup> April 2015, New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential development. Based on the information provided at the time of this report, this development has a CIL liability of £10,073.60.

## **13 WORKING WITH THE APPLICANT/AGENT**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 31 of Town and Country Planning (Development Management Procedure) (England) Order 2010, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

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

- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The current application has been revised to address the concerns with the layout and design of the proposal. Officers have met the applicant and agent to identify a way forward which the revised proposal has considered. Officers can now support the proposal.

## 14 ASSESSMENT

This planning application was considered by the Planning Development Control Committee on the 8th April 2015 and the resolution was that the Head of Planning and Transportation be authorised to grant permission subject to the Section 106 Agreement to secure affordable housing (2 on site dwellings and a off site financial contribution of £51,080) and habitat mitigation monitoring contributions of £3850. The Section 106 Legal Agreement was not completed by the 30th August 2015 and accordingly, planning permission could not have been granted in accordance with the resolution. The Section 106 Agreement has now been completed and this application is only being brought back to Committee to enable the permission to be issued.

The following assessment repeats the report that was considered by the Committee in April.

- 14.1 The site lies within the town centre of New Milton and is occupied by the former police station and offices, which are now vacant. The site is laid out with the main station building sited to the front of the site. It is an attractive, traditional, two and a half storey brick building with a single-storey side element. The rear of the site comprises an attractive two storey office building, which was originally a pair of semi-detached police houses. This building makes a positive contribution to the character of the area. Just behind the station building there is a detached garage building with the remainder of the site occupied by car parking. A low front brick boundary wall spans across the sites frontage with some soft landscaping and tree planting behind and generally throughout the site.
- 14.2 The character of the area is very mixed in terms of land uses and property types and styles. There are offices, shops, residential flats and family dwelling houses, storage buildings, schools and other community buildings. Building types vary throughout, but generally, the properties are two storey in scale. To the rear of the site are the rear back garden areas of the residential properties in Compton Road.
- 14.3 Across the road there are some detached bungalows set in a relatively spacious residential setting. On either side of the site there are detached buildings used for business purposes, with one of the neighbouring sites incorporating a large building which appears to be used for storage purposes. Heading north east, towards the town centre, the density of the development increases where there is a three storey parade of shops, with offices and residential above and a recently built three storey residential block of flats. Buildings along this part of the road tend to be sited close to the road, spanning across the sites frontage and the overall intensity of development is much more significant here. To the south west of Old Milton Road the development

around Old Milton Green becomes more intensive with employment uses including offices, warehousing, and shops. Buildings vary throughout but generally building heights rise to two and two and a half storeys built up to the road frontage.

- 14.4 The planning application seeks to redevelop the former police station with 7 residential flats which would comprise 2 two storey buildings fronting Old Milton Road and a detached dwelling to the rear. A separate Prior Approval Application has been approved for the change of use of the existing two storey office building to the rear of the site into two residential properties. In total, there would be 9 residential flats on the site, but it should be noted that two of the units have already been permitted under the recent Prior Approval application.
- 14.5 The proposed layout of the site would include 2 two storey buildings fronting onto Old Milton Road with an internal access running between the buildings and two buildings to the rear forming a central court yard area. The central courtyard would be used for car parking and the layout does entail communal amenity and green areas to the rear of the dwellings. Visually, the proposed two storey buildings have been shown to be of a traditional design with fully hipped roof which would have a similar scale to the neighbouring buildings.
- 14.6 The main issues in this case are whether the loss of this community use and the principle of a residential use is acceptable; the effect on the character and appearance of the area; the effect on the living conditions of the adjoining neighbouring properties; and the effect on public highway safety. In addition, whether it is reasonable to seek contributions in light of the recent changes to government policy.
- 14.7 In assessing the policy position, the site is not allocated in the local plan but a Police Station is a community facility that provides employment. As set out above, there would be no objections to the loss of the offices to the rear of the site given that the change of use of this building to residential has already been considered under the Prior Approval process. In terms of the station building, Core Strategy Policy CS8 is applicable and relates to community uses. This policy states "there will be a presumption against any development that involves the loss of education, health, social and other publicly provided community services, except where it is part of a service providers plans to provide improved local services in equally accessible locations."
- 14.8 The submitted application indicates that the site was recently sold following the Police Station becoming surplus to requirements and this forms part of the police service's changes in policing areas within the community. It is stated that the focus continues to be centred around community policing but requiring more cost-effective solutions and there is a desire to move away from the traditional view of the Police Station. Instead it seeks to develop partnerships that enable policing to be maintained at the heart of the community while allowing the access to better quality and more appropriate work bases and core investment is continuing to be made in new purpose built custody centres to support these partnership bases. The supporting statement states that the New Milton Police Station was identified as a building that was surplus to requirements and that needed to be released to fund local public centre partnerships. Based on the case put forward, and on the basis that the police station site is vacant and currently provides no employment, and

the fact that the offices can be converted to residential uses, the loss of this facility would be acceptable.

- 14.9 In terms of the assessment of the character and appearance of the area, the New Milton Local Distinctiveness SPD, can be given significant weight as a material consideration. The site falls within character area 1; 'Town Centre'. Within the document there is nothing that relates specifically to the site, but there are general comments about the character of Old Milton Road. Paragraph 4.1.7 and the illustrative map picks up on the approach to the town centre from Old Milton Village and the commercial frontage, on either side of the road. The guidance references elements of the areas character and identity, including building up of building lines (with a few breaks in the frontage for access), the need for massing to be guided by neighbouring buildings and an acceptance of short courtyard gardens supplemented by balconies.
- 14.10 The design approach seeks to build up the frontage with two buildings which would follow the street pattern and create a central courtyard area fronted by buildings to the rear. The buildings to the front of the site would be set back from the road with open front green areas set behind the existing low brick wall and a hedgerow. The internal access would be a reasonable width to allow views to the existing attractive two storey building to the rear and enough space is also achieved to provide some soft landscaping between the buildings. The courtyard area would be largely screened but it is proposed to provide traditional paviers in this space, which would match the existing type of surfacing and several new trees would be planted with green areas. The residential units to the rear would have their own private rear gardens, and the dwellings to the front of the site would have communal gardens. The building to the rear of the site would follow the design concept for the site to achieve a courtyard layout and its siting and design would reflect the existing neighbouring former police house buildings.
- 14.11 Overall, while it is considered that the layout of the site is intensive, the site is currently dominated by hardsurfacing and buildings and the site does fall within the town centre where slightly higher densities would be more appropriate. Nevertheless, the submitted layout has shown space for greenery, trees and hedgerows to be provided which would soften the development and subject to the quality of the finishes and landscaping, the site would make a positive contribution to the character of the area. The level of garden space and amenity areas would be appropriate for the residential units in which the dwellings to the rear would benefit from larger and private areas. Balconies are provided to the front of the site for people to sit and there is enough space in the rear gardens to benefit from the midday and afternoon sun.
- 14.12 Visually, the proposed frontage dwellings would be two storeys in height rising to round 8 metres high constructed from brick under pitched clay tile roofs. The fenestration of the building is shown to be designed to a high standard with a number of windows, doors and balconies fronting onto Old Milton Road. The scale, proportion and appearance of the frontage buildings would blend into what is a varied context that would reinforce the streets building line. The overall quality of the buildings would be subject to the materials used and detailing on the building, which is a matter that can be controlled by a condition. Overall, it is considered that the retention of the existing former office building to the

rear is welcomed and the new built development has been shown to be designed to a high standard that would complement the character of the area.

- 14.13 With regard to residential amenity, the proposed residential building to the rear of the site identified as plot 3 would be sited close to the rear gardens of 35 and 37 Compton Road. There would be a gap of approximately 3 to 5 metres between the back of the proposed building and the rear boundary. The main part of the dwelling would rise to 7.6 metres to the ridge and the rear section would be lower, rising to around 7 metres. The distance from the rear elevation of the dwellings at 35 and 37 Compton Road to the rear of the building would measure more than 25 metres. It should also be noted that the more sensitive parts of the gardens are located closer to the dwellings. On balance, it is considered that there will be some impact on the residential properties at 35 and 37 Compton Road, but the impact would not be so severe as to refuse planning permission. In terms of overlooking, it is proposed to install one first floor window on the rear elevation facing the rear of these residential properties, however, the window is shown to be a high level bedroom window with the bottom of the cill to the floor level measuring around 1.7 metres in height. This is considered acceptable to ensure that the neighbouring residential properties would not suffer a material loss of privacy. The submitted plans indicate that some soft landscaping would be provided along the rear boundary of the site which would help soften the view from the neighbouring properties in Compton Road.
- 14.14 The neighbouring property to the north east, at No 66, comprises a detached building used as offices with a large warehouse to the rear. There does not appear to be any main windows on the side elevation and, accordingly, the impact on that property would be minimal. The proposed buildings have bathroom windows shown on the side elevation, which can be glazed with obscure glass to maintain a reasonable level of privacy.
- 14.15 Concerning the neighbouring property to the south west at No 80, the building appears to be used as a business on the ground floor with a residential flat above. It does not appear that there are any main windows on the side elevation of the building facing the site and, accordingly, the proposal would not compromise the available light or outlook of that neighbour. A first floor secondary dining room window is proposed and it would be reasonable for a condition to be imposed for the window to be fitted with obscure glass to maintain a reasonable level of privacy.
- 14.16 With regard to the car parking provision, the proposal does not fully accord with the recommended guidance for car parking space for residential development as set out in the Council's Supplementary Planning Document. A total of 11 car parking spaces are proposed within the courtyard. The recommended guidance states that around 15 spaces are required and the shortfall equates to 4 spaces. In cases where the level of car parking is below the recommended guidance, for this to be unacceptable, there would have to be harm demonstrated on public safety or environmental damage. The site is located in the town centre close to a number of amenities and facilities and it is considered that a proposal that provides less car parking would be acceptable and the Highway Authority does not raise any objections. Indeed, the level of

car parking space for this site in the town centre is reasonably high and the site also offers a cycle shelter to be provided within the courtyard.

- 14.17 The proposed development requires contributions towards affordable housing (2 on site dwellings and an offsite financial contribution of £51,070), and a habitat mitigation monitoring contribution of £3850, which are all considered fair and reasonable. The applicants are prepared to make these contributions, but the Section 106 Agreement has not been completed. The other contributions would be dealt with under CIL.
- 14.18 On the 28th November 2014 National Planning Practice Guidance was updated with regard to the charging of contributions for affordable housing. The changes are not strictly new national policy but they are “material considerations” when determining a planning application. As such when determining an application they have to be weighed against all other material considerations notably locally adopted policies in the Development Plan. The changes do not apply to Habitat Mitigation measures or site-specific requirements eg. an improved access on highway land that will continue to be applied in full. This is a complex issue. However, New Forest District Council’s evidence shows that small sites’ contributions are being varied when appropriate in response to site specific viability considerations (in accordance with our Local Plan policy). The loss of affordable housing provision from all small site developments would result in a reduced supply of affordable housing as small sites make a major contribution to our housing supply in this area. Developers not wishing to make a financial contribution do have the option of making provision on-site for affordable housing, to comply with the policies in the adopted Local Plan.
- 14.19 In these circumstances, and with an up-to-date Local Plan, it will generally be appropriate to conclude that the material consideration of the Government’s recent announcement does not outweigh the presumption in favour of following the Development Plan.
- 14.20 In conclusion, it is considered that the proposed development would be acceptable, and subject to the completion of a Section 106 Agreement for the require contributions the proposal would be acceptable.
- 14.21 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.



## Developers' Contributions Summary Table

<b>Proposal:</b>			
<b>Type of Contribution</b>	<b>NFDC Policy Requirement</b>	<b>Developer Proposed Provision</b>	<b>Difference</b>
<b>Affordable Housing</b>			
No. of Affordable dwellings	2	2	0
Financial Contribution	off site financial contribution of £51,070	£51,070	0
<b>Habitats Mitigation</b>			
Financial Contribution	£3850	£3850	0

## CIL Calculation Table

Use	Proposed GIA	Existing GIA	New Gain GIA	Chargeable Area	Multiplier	Sub Total Amount
Dwelling houses	498.16	372.24	125.92	125.92	£80/sqm	£10,073.60
<b>TOTAL</b>						<b>£10,073.60</b>

## 15. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: 13/1870/100 B, 13/1870/105A, 13/1870/104 A, 13/1870/102 B, 13/1870/101 B

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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

4. The first floor windows on the side [ north east ] elevation of the approved building identified as unit 9 shall be obscurely glazed and other than fan light opening fixed shut at all times.

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

5. No other first floor windows other than those hereby approved shall be inserted into the rear elevation (north west) of the building identified as Unit 3 unless express planning permission has first been granted.

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

6. The first floor window serving the bedroom/study on the rear (north west) elevation of the building identified as unit 3 shall at all times have a sill height of no lower than 1.7m above the floor of the room in which the window is installed.

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

7. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

8. The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented. These areas shall be kept available for their intended purposes at all times.

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

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

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting and tree 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 prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

10. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details. Before development commences details of the future maintenance of the drainage system shall be submitted to the Local Planning Authority. The maintenance arrangements and full details of the responsible parties must be confirmed to the Local Planning Authority by the applicant prior to occupation of the penultimate dwelling.

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

11. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 12 to 14 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 15 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

12. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The

investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

13. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

14. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

16. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years as stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

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

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

**Notes for inclusion on certificate:**

1. This decision relates to amended plans received by the Local Planning Authority on the 28th January 2015
2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.
3. The current application has been revised to address the concerns with the layout and design of the proposal. Officers have met the applicant and agent to identify a way forward which the revised proposal has considered. Officers can now support the proposal.

**Further Information:**

Major Team  
Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

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**Planning Development  
Control Committee  
October 2015**

**Item No: 3a**

Land at  
68-74 Old Milton Road  
New Milton  
14/11441  
SZ2494

Scale 1:1250

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



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