

Application Number: 21/11535 Full Planning Permission

Site: Land adjacent to PEARTREE HOUSE, TAVELLS LANE,
MARCHWOOD SO40 4WH

Development: Erection of a detached dwelling

Applicant: Edgewater Homes Ltd

Agent: Anders Roberts & Assoc

Target Date: 07/01/2022

Case Officer: Richard Natt

Extension Date: 23/02/2022

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Design, site layout and impact on local character and appearance of area
3. Impact on highway safety, including matters relevant to car parking
4. Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy
5. Habitat Mitigation
6. Housing Land Supply

This application is to be considered by Committee because of the objection by Marchwood Parish Council.

2 SITE DESCRIPTION

The application site comprises part of the garden to Peartree House, which is a large detached dwelling lying on the corner of Tavells Lane and Poplar Drive. Peartree House is one of three detached dwellings built around the 1970's, which all front onto Tavells Lane and have rear access, parking and garaging to the rear, accessed from Poplar Drive. It is noted that Peartree House also has vehicular access and two car parking spaces to the front from Tavells Lane.

The site is laid to grass with some ornamental plants and is enclosed by an existing timber fence and hedgerow bounding the boundaries of the site. There is a large tree to the front of the site, and there are several smaller trees along the side boundary.

The application site lies within the built up area of Marchwood. Tavells Lane is a relatively busy residential street with a semi-rural character which consist of a variety of housing types, styles and ages. Directly opposite the site is Marshfield Close, which is a modern residential development of 10 dwellings, which are predominately semi-detached. Poplar Drive lies to the south of the site and comprises mainly detached and semi-detached dwelling set within cul de sacs.

3 PROPOSED DEVELOPMENT

This planning application proposes the subdivision of the site to create a detached 3 bedroom two storey dwelling. The proposed dwelling would front onto Tavells Lane and would have its side elevation facing onto Poplar Drive. The proposed dwelling would be sited broadly in line with Peartree House, with a front and rear garden area. Peartree House would retain its rear garden area, albeit the space would be reduced in size.

Visually the proposed dwelling would be two storeys in height with ridge line running parallel to Tavells Lane, similar to the design and form of Peartree House. Two car parking spaces would be provided to serve the proposed dwelling accessed from Poplar Drive. The existing dwelling would retain its car parking spaces.

The large tree to the front of the site is shown to be retained. In addition, other than the need to provide two on site car parking spaces, the existing hedgerow which wraps around the boundary of the site is shown to be retained.

It should be noted that during the course of the application, the applicant's amended the plans to address Officers concerns. The amendments entailed a reduction in the footprint of the building, four bedrooms reduced to three bedrooms, a narrower building width which increased the gap and space to the side boundary with Poplar Drive, and alterations to the design, appearance and form of the building to reflect the neighbouring buildings in which the main ridge line runs parallel to Tavells Lane.

4 PLANNING HISTORY

None of direct relevance

5 PLANNING POLICY AND GUIDANCE

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

DM2: Nature conservation, biodiversity and geodiversity

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development

Policy STR3: The Strategy for locating new development

Policy STR4: The Settlement hierarchy

Policy STR5: Meeting our housing needs

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 CCC2: Safe and Sustainable Travel

Policy IMPL1: Developer contributions

Policy IMPL2: Development standards

Supplementary Planning Guidance and other Documents

SPD - Housing Design, Density and Character

SPD - Mitigation Strategy for European Sites

SPD - Parking Standards

Relevant Advice

NPPF Chapter 5 - Delivering a sufficient supply of homes
NPPF Chapter 12: Achieving well designed places

Plan Policy Designations and Constraints

Built-up Area
Plan Area
Solent Nitrate Area

6 PARISH / TOWN COUNCIL COMMENTS

Marchwood Parish Council: Recommend refusal

Marchwood Parish Council would like to raise an objection to this application and lists the following material planning considerations.

Local Plan 2016-2036 Part 1: Planning Strategy

The proposal would adversely affect the spatial characteristics of the area by virtue of the height, width and depth of the proposed dwelling which would be unsympathetic to its setting.

The proposed separation from the existing curtilage would result in a form of development that would be out of character with the appearance of this area.

Members are also concerned that this development would impact on residential amenity of adjacent neighbouring properties, in respect of visual intrusion and privacy;

Members are concerned that the development would have a significant impact on the character and appearance of the area;

Members are concerned that the development would have a significant impact on highway safety, including matters relevant to car parking.

Members would like this application to be dealt with by the Development Control Committee if the delegated officer is minded to grant permission.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Ecologist No objection

The site lies in close proximity to the New Forest SAC, SPA and Ramsar and Solent and Southampton Water SPA, Ramsar and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance. Recreational habitat mitigation should be provided in line with the adopted mitigation strategy.

The site falls within 5.6km of Solent and Southampton Water SPA at the closest point. There is a likely cumulative impact from recreational disturbance as such it would be necessary to contribute towards recreational habitat mitigation in line with the adopted mitigation strategy.

Nitrate impacts on Natura 2000 designated sites. Evidence has shown that residential development contributes to high levels of nutrients in the water environment, specifically nitrates in Solent catchments. Adverse effects on international nature conservation sites in New Forest area cannot be ruled out. Following recent case law, residential and other development providing overnight accommodation will need to mitigate its effects to become nutrient-neutral, to avoid making the current situation worse. Adverse effects arise from increased sewerage treatment, and from surface water runoff from both urban and greenspace areas. I note that the water quality checklist has been completed. An appropriate assessment considering these points is required.

The gardens in the main appear to be formal and well-tended. There are a number of trees and a hedge on the site boundary. I note that the hedge is to be retained which is supported, it should be adequately protected during construction if permission were granted. I cannot see any consideration has been given to retaining the trees. Wherever possible I would seek to retain the trees on-site. The trees, shrubs etc on-site could support nesting birds. I would be minded to recommend including the planning condition below with respect to any vegetation clearance.

No clearance of vegetation (e.g. trees and scrub) that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds.

HCC Highways No objection

Additional plans have been submitted, which demonstrate the length of the drop kerb and visibility splays. The Highway Authority have no objections to this application.

Tree Officer: No objection

There are no protected trees within this plot. There is a group of small garden ornamental/fruit trees growing to the rear that would be lost to this proposal. These trees are not of large enough stature to be considered worthy of protection.

Southern Water No objection

The proposed development will lie over an existing public foul sewer, which will not be acceptable to Southern Water. The proposal to divert the sewer would be acceptable, however, they would require technical details to be submitted and approved.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

1 letter raising no objection to the proposed dwelling, only concern is regarding the trees that are present in the vicinity of the proposed parking area. The applicant has ticked the box stating "no trees or hedges on the proposed development site" on the application for planning permission. These trees provide valuable screening between houses and are in keeping with the local landscape character with many trees.

5 letters of objection concerned with the following:

- The proposed dropped kerb and off-road parking. This will be directly opposite the entrance to the garages and off-street parking for 11 houses, which form part of Poplar Drive. Seven of these houses face on to Tavells Lane, but their garages and road access are behind their homes and via Poplar Drive. This proposal would increase the traffic of this specific area of Poplar Drive, which is very near the junction with Tavells Lane, with more cars coming in and out from the proposed off-road parking spaces. There is already considerable roadside parking at certain times of the day, which makes accessing Poplar Drive from Tavells Lane quite difficult. In my view this proposal will decrease safety.
- Whilst we are not against the development, there are concerns over the period of construction blocking access to our homes and, in the future, the number of vehicles this development could increase leading them to park on the road and restrict access to our driveway.
- Out of character
- Concerns that it will alter the rural nature of Poplar Drive, and give it a definite feeling of crowding.
- Overlooking/loss of privacy from first floor side bathroom windows
- Concerns about the parking arrangements for the proposed 4 bed house above . They are directly opposite our rear lane car access for 11 houses in Tavells Lane and another exit for other houses in Tavells Lane at the side . There will also be problems with cars entering and leaving Poplar Drive .

10 PLANNING ASSESSMENT

Principle of Development

The application site lies within Marchwood's built-up area, where there is a presumption in favour of new housing. However, the benefits of the proposal in terms of new housing provision must be weighed against the potential harm caused, which is examined in the following sections.

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

Policy ENV3 stipulate that new development will be required to be well-designed to respect the character, identity and context of the area's towns. Moreover, the policy states that new development will be required to create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features.

In assessing the impact on the character and appearance of the area, Peartree House is one of three detached dwellings constructed in the 1970's along Tavells Lane. The plot size is one of several large spacious plots along Tavells Lane. The site occupies a prominent position in the street on the corner of Tavells Lane and Poplar Drive.

Tavells Lane has a sylvan and spatial character in which there are predominately detached dwellings on large plots, set back from the road with mature trees and landscaping defining the front boundaries. Most of the dwellings along Tavells Lane

lie to the south of the road, but the grassed verges and footpath on one side of the road, together with the key features noted above, contribute significantly to the character of the area. It is noted that there are several smaller plots along Tavells Lane and plot widths and depth differ considerably.

Property types and styles vary along Tavells Lane, but the predominate character is detached dwellings. The plot widths of the detached properties within this part of Tavells Lane currently range from around 8 to 21 metres. The proposed subdivision of the site would result in a plot width to the two dwellings (including existing dwelling) of around 10-11 metres, which would be similar to several existing plots in the vicinity of the site. The neighbouring property at No 8 has a plot width of around 11 metres and the property at Sorreacre measures 12.5 metres.

In terms of plot depths, these range from 30 metres to 70 metres, in which most of the plots within the 30 to 40 metres range bracket. The proposed dwelling plot depth would measure around 40 metres. Again, when compared to other plot depths on the immediate vicinity of the site, these are not significantly dissimilar.

The proposed footprint is modest and enables sufficient space and gaps around the building and to its boundaries. Indeed, it is noted that the distance and gap between the proposed dwelling to the side road (Poplar Drive) is greater than the distance of the adjacent property at No 8 to Poplar Drive. Both the existing and proposed dwelling would benefit from a good sized front and rear garden, which would provide sufficient amenity space and reflect the surrounding character in terms of plot sizes. Overall the size of the plot is sufficient to acceptably accommodate two dwellings of this size without appearing cramped or out of character.

The key characteristic features would be retained. The proposed dwelling would be set back from Tavells Lane sited broadly in line with Peatree House, which would maintain the important set back of buildings from the street. This would also help maintain the spatial character of the site and surrounding area. The tree to the front of the site, which is a healthy large tree is shown to be retained.

Moreover, other than the removal of a short section of a hedgerow and some ornamental trees, the existing hedgerow that wraps around the perimeter of the site is shown to be retained. The loss of the ornamental trees is unfortunate, and to mitigate their loss, new trees can be planted and this can be dealt with by a suitably worded landscape condition.

Visually Tavells Lane has a mixture of property types, styles, ages and designs. However, the application site sits within a row of three dwellings which are similar in form and design, in which their ridge lines run parallel to the road and side gables. The proposed dwelling seeks to reflect the design and form of the existing three dwellings, with their ridge lines running parallel to the road. Equally, the proposed dwelling has a ridge height that broadly matches these properties. This is considered to be the correct design approach. Moreover, the side gable facing Poplar Drive has been design with articulation and windows which add visual interest to the street.

In summary, it is considered that the proposed development for one dwelling would be contextually appropriate and would not appear cramped or congested. The design and quality of the dwellings is high and a condition can be imposed to ensure a good quality of materials and a detailed landscaping scheme for both hard and soft landscaping, together with new trees planting throughout the entire site.

Highway safety, access and parking

In relation to the policy context Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 107 of the NPPF specifically addresses car parking. It does not provide suggested standards, but instead sets out that if setting local parking standards for residential and non-residential development, policies 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, including secure cycle parking.

The proposal seeks to retain the existing access, garage and parking spaces that serves the existing dwelling at Peartree House. The existing property is a four bedroom house and the proposed layout would retain two car parking spaces to the front of the site, there is an integral garage and detached garage to the rear. The proposed dwelling would have three bedrooms and the layout would have 2 car parking spaces with access gained from Poplar Drive.

Based upon the Councils adopted car parking standards, the level of car parking spaces for the existing dwelling would be 3 spaces and this is achieved through the proposed layout. The number of car parking spaces recommended for the proposed three bedroom dwelling would be 2.5. The proposal would be fractionally below, however, the shortfall is relatively small and there would be sufficient space to park safely on the highway.

Concerns have been expressed that the two car parking spaces that would serve the proposed dwelling would be directly opposite the existing access and car parking spaces that serves 11 dwellings along Tavells Lane and Poplar Drive. In response, it is considered the extent of vehicle movements egressing or entering the access to the 11 dwellings would not be significant and vehicles existing the access will have clear direct views onto the car parking spaces that serve the proposed development with no obstruction on visibility. As such, there is no evidence to suggest that this arrangement would prejudice public highway safety.

The submitted plans demonstrate sufficient visibility splays in both directions onto Poplar Drive and the Highway Authority are satisfied that the proposals would not be of severe detriment to the operation and safety of the local highway network and would therefore recommend no objection.

Although no details have been submitted it is considered that the provision and securement of electric charging points is a matter that can be dealt by condition.

Overall it is considered that the proposal would not result in severe harm to public highway safety and sufficient car parking would be provided to serve the development.

Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy

Policy ENV3 also requires the impact of development proposals upon the amenity of existing and future occupiers to be taken into consideration, in relation to residential amenity. It therefore needs to be considered whether the relationship of the development would be acceptable in respect of loss of privacy, loss of light and overbearing impact; and also whether the proposed development would provide

sufficient private open spaces arrangements for occupiers of the existing and proposed dwellings.

In assessing the impact on the host property Peartree House, this property has a first floor window on the side elevation, which is a secondary window to a bedroom. The proposed dwelling would be sited within 2 metres from the side elevation and would impact on this bedroom window. Whilst it is accepted that the proposal would impact on the light and outlook of this window, given that it is a secondary window and the bedroom would still have sufficient light from the large window to the front elevation, it is not considered to result in demonstrable harm to refuse consent.

With regard to the impact on the neighbouring property to the east at 8 Tavells Lane, this property has a blank side elevation facing Poplar Drive and rear conservatory. The property also has a rear garden area running parallel to Poplar Drive, which is enclosed by a 1.8 metre high brick wall.

The proposed dwelling would be sited on the opposite side to Poplar Drive. in which its side elevation would face No 8. Given the distances involved, the proposed dwelling would not result in any adverse harm to the light or outlook to No 8. In relation to overlooking, the proposed dwelling would have windows on the side elevation facing this property. Because these windows would face the road and the distances involved, the proposal would not result in any unacceptable overlooking to refuse permission.

On Site Biodiversity and protected species

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. The elevational drawings show bee bricks and bat tubes to be provided and it is considered that this is a minor development proposal and these would be appropriate ecological enhancements. A planning condition can be imposed for these enhancements to be provided before occupation of the development.

Habitat Mitigation

a) Recreational Impacts

The site lies in close proximity to the New Forest SAC, SPA and Ramsar and Solent and Southampton Water SPA, Ramsar and Solent Maritime SAC. The proposals would result in additional residential dwellings. There is a likely cumulative impact on the New Forest European Sites from recreational disturbance.

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 such adverse impacts would be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. In this case, the applicant will undertake to make a financial contribution to secure the required habitat mitigation directly to the Council before any development commences on the site.

b) Air quality monitoring

To ensure that impacts on international nature conservation sites are adequately mitigated, 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. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. 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. In this case, the applicant will undertake to make a financial contribution to secure the required air quality monitoring contribution directly to the Council before any development commences on the site.

c) Nitrate neutrality and impact on Solent SAC and SPAs

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 which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to nitrogen levels in the River Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the River Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation together with a mitigation package to addressing the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition has been agreed with the applicant and is attached to this consent

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 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. The current proposal is for a very modest level of housing provision and the harm identified above in respect of character, amenity and habitat impacts weighs against the proposal.

Response to representations

In response to the concerns that during the period of construction, this could result in blocking access to several homes and the number of vehicles this development could increase leading them to park on the road and restrict access, this is not a planning matter and given the small scale of the development, it is not considered reasonable or necessary to impose any conditions for a traffic management scheme to be submitted.

Developer Contributions

As part of the development, the following would have been required to 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 would be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	136	0	136	136	£80/sqm	£13,934.77 *

Subtotal:	£13,934.77
Relief:	£0.00
Total Payable:	£13,934.77

11 CONCLUSION

In summary, the proposed development to create a single dwelling would be contextually appropriate and would not have an adverse impact on the character and appearance of the area. The proposal has been designed not to give rise to any adverse impact on the living conditions of the neighbouring properties, trees or public highway safety. There are no concerns on ecological matters and the proposal would provide considerable opportunities for ecological enhancements. The Council cannot demonstrate a five year land supply, however, whilst the creation of one dwellings will certainly help towards this need, the level of weight attached would be small. Nevertheless the proposal is considered to be acceptable and the concerns previously raised in the appeal decision has been addressed. Permission is therefore recommended.

12 OTHER CONSIDERATIONS

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. 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

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.

13 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 appropriate habitats mitigation (as detailed within the Committee report), 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: 9525/101 Rev C and 9525/100 Rev C

Reason: To ensure satisfactory provision of the development.

3. Before any works above DPC, 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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

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

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

5. The development hereby permitted shall not be occupied until the spaces shown on Drawing No 9525/100 Rev C for the parking of motor vehicles have been provided. The spaces shown on Drawing No for the parking or motor vehicles shall be retained and kept available for the parking of motor vehicles for the dwelling hereby approved at all times.

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

6. Before first occupation of the dwelling hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the 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).

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

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;

- (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

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

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

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. The development hereby permitted shall not be occupied until:

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;

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

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.

10. Prior to the occupation of the dwelling hereby approved, the works hereby approved shall be undertaken in strict accordance with the Ecological enhancements and mitigation measures detailed in drawing No 9525/101 Rev C unless otherwise first agreed in writing with 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).

11. 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.

12. No clearance of vegetation or trees that may be used by breeding birds (e.g. hedgerows, trees and scrub) shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to 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).

13. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of tree and hedegrow to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a method statement detailing timing of events, all changes of existing surfaces and plans showing the protective fencing or other measures required for the avoidance of damage to retained trees all in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". Such fencing shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The tree protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing without the prior written agreement with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

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New Forest DISTRICT COUNCIL

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Lyndhurst
SO43 7PA

PLANNING COMMITTEE

February 2022

Land adjacent to PEARTREE HOUSE
TAVELLS LANE, MARCHWOOD
SO40 4WH
21/11535

Scale 1:1250

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

