

**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

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## 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of existing bungalow; replace with 2 dwellings; associated access alterations; parking and landscaping	22/03/2021	Withdrawn by Applicant	Withdrawn	

19/10891 3 dwellings; associated parking and landscaping; demolish existing	16/01/2020	Withdrawn by Applicant	Withdrawn	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 NOx, 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:**

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# New Forest DISTRICT COUNCIL

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## 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.

