

Application Number: 22/10907 Full Planning Permission

Site: LAND AT CYGNUS GARDENS, DIBDEN SO45 5UH

Development: New dwelling

Applicant: Mr Carr

Agent: Sanders Design Services Ltd

Target Date: 03/10/2022

Case Officer: Stephen Belli

1 SUMMARY OF THE MAIN ISSUES

- 1) Principle of development including 5 year land supply
- 2) Design and impact on the character and appearance of the area
- 3) Impact on residential amenities of adjacent neighbours, in terms of light, outlook and privacy
- 4) Car parking provision and highway safety
- 5) Ecology and impact on sites designated for nature conservation, and matters relating to Biodiversity net gain

The application is before Committee due to the contrary view of the Parish Council

2 SITE DESCRIPTION

The site is located within the settlement boundary of Hythe/Dibden Purlieu as shown in the adopted Local Plan 2016-2036. The site comprises an irregular shaped parcel of land measuring some 41 metres in length by 8 metres wide, widening to 10 metres at the front before narrowing down. The site lies immediately adjacent to two other dwellings, nos. 46 and 47 Cygnus Gardens situated along the northern boundary. The site lies at the end of a publicly adopted unclassified highway estate cul de sac road. Access to the site is via an existing grass verge area and is currently on foot only. Nos, 46 and 47 Cygnus Gardens comprise a semi detached pair of dwellings with no. 47 fronting the cul de sac turning circle and no. 46 fronting the application site's northern boundary. These two dwellings are provided with two parking spaces each. No. 47 has a small, limited garden area to the front with the garden of No. 46 to the rear. The southern boundary of the site backs onto public open space recreation land and amenity woodland.

3 PROPOSED DEVELOPMENT

The development is for full planning permission for a detached two storey two bedroom dwelling orientated to face east towards the cul de sac presenting a side elevation to the north and south. The dwelling will be constructed in brick under a tiled roof and will generally match with existing dwellings on the estate. The dwelling comprises a lounge, diner and kitchen on the ground floor with two bedrooms and a bathroom at first floor. Vehicular access is via a new hard surfaced roadway within the existing grass verge with two parking spaces and a small turning area along with a bin storage area also provided. The dwelling is predominantly two storey but with a single storey lean to extension at the rear forming the kitchen and diner. The site enjoys all mains services.

4 PLANNING HISTORY

04/82011 Single-storey rear extension 46 Cygnus Gardens	01/09/2004	Granted Subject to Conditions
99/66534 Conservatory 46 Cygnus Gardens	05/07/1999	Granted Subject to Conditions
91/NFDC/48634 Two-storey side addition 46 Cygnus Gardens	11/12/1991	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Full details of the following policies can be found on the Council's web site by following this link.

[Planning policy - New Forest District Council](#)

Local Plan Part 2: Sites and Development Management

Policy DM1 Heritage and Conservation

Policy DM2 Nature conservation, biodiversity and geodiversity

Local Plan Review 2016-2036 Part One: Planning Strategy

Policy STR1 Achieving sustainable development

Policy STR3 Strategy for locating new development

Policy ENV1 Mitigating the impact of development on International Nature
Conservation sites

Policy ENV3 Design quality and local distinctiveness

Policy IMPL1 Developer contributions

Policy IMPL2 Development standards

Hythe and Dibden Neighbourhood Plan 2019

*Para 7.4 The parish will be notable for its **high standards of design** in the built and natural environment. New development including housing will be informed by a clear understanding of the locally valued environmental and cultural assets of the parish and will be sensitively integrated into the existing environment.*

Aim 1 To promote high standards of design in the built and natural environment

Objectives

- New development shall be designed and built to high standards of quality based on a clear understanding and appreciation of the unique character of the area and what is valued locally.

- New development shall respect and enhance the character and distinctiveness of the built and natural environment.
- The design of new development shall contribute to 'sense of place' and support a locally appropriate balance of environmentally, economically and socially sustainable outcomes.

Policy D1

All new development in Hythe and Dibden will be required to seek exemplary standards of design and architecture, to demonstrate

- that local character and context has been fully recognised,
- that the proposed design responds to it, and
- that what is valued locally is respected.

The design and materials used in the development should complement, but do not necessarily need to imitate, the best examples of design and building in the local area. Innovation in design is encouraged, provided it fully respects local context.

Policy D3

Hythe and Dibden has its own unique qualities and characteristics - all new development must demonstrate that local distinctiveness has been recognised and that the development proposals respond to this appropriately.

Supplementary Planning Guidance and other Documents

SPD Mitigation Strategy for European Sites
 SPD Parking standards 2022
 SPD Housing design, density and character

Relevant Legislation

Planning and Compulsory Purchase Act 2004

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

Habitat Regulations 2017

63 – assessment of implications for European sites etc.
 64 – considerations of overriding public interest

Relevant advice

National Planning Policy Framework 2019

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

National Design Guide 2019

Constraints

Plan Area

SSSI IRZ All Consultations

Aerodrome Safeguarding Zone

Plan Policy Designations

Built-up Area

Landscape Feature

6 PARISH / TOWN COUNCIL COMMENTS

Hythe & Dibden Parish Council

Comment: PAR 4: Recommend REFUSAL for the following reasons:

- 1) There are concerns about the impact on residential amenity of the adjacent neighbouring property No 46 Cygnus Gardens, in respect of light, visual intrusion, privacy and enjoyment of their garden.
- 2) The proposed property would be overbearing to the neighbouring property, No 46 Cygnus Gardens.
- 3) There are concerns regarding vehicular access to the property and associated parking problems which could potentially lead to neighbour disputes.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Ecology

The site has clearly been cleared having previously been overgrown. If these works are recent this will have been undertaken in the bird nesting season which is disappointing. The habitats that were present could also have supported common reptiles species such as slow worm. Whilst given the current state of the site there appears little point in requesting a Preliminary Ecological Assessment, I would suggest inclusion of a planning condition requiring a comprehensive scheme of biodiversity enhancements given the site clearance that has taken place in advance of the planning application. I would expect this to include, swift bricks, bat box, bee bricks and a landscaping scheme comprising native species / species of wildlife value.

NFDC Trees

There are no trees within this site that are considered a constraint to development. However, there are a number of trees on the adjacent land that could be impacted by this proposal. To support this application the MJC Tree Services Limited Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan & Arboricultural Method Statement has been submitted. This report has identified the trees that could be potentially impacted by the proposal. I am in agreement with the grading of the

trees within this report. Off site to the south on public land is a prominent large Oak tree. This tree has been recently protected by Tree Preservation Order TPO/0014/22. The proposed dwelling is far enough from this tree that it does not encroach the root protection area. However, this Oak tree will cast a degree of shade over the front of the dwelling but there is sufficient light to the rear of the proposed dwelling and garden that this should be tolerable for any future occupants. As a precaution this Tree has been protected by a Tree Preservation Order to ensure any pruning back of this tree can be controlled through the tree work application process. The submitted tree report specifies sufficient tree protection measures and I have no objections on tree grounds. If you are minded to grant consent, please include the below condition.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Two letters of objection received

- Size and position of new dwelling will have a significant effect on direct sunlight into the property and garden of no 46
- Proposed dwelling will cause loss of privacy with overlooking from upstairs rear windows to garden of no. 46
- No. 46 claim ownership of right of way for driveway and concerns raised about this and the level of parking which could conflict with their own needs
- Query over drainage runs and potential trespass to install drainage
- Concern that site has been cleared of any ecological value before the application was made – this should be remedied with new ecological enhancements in the event of an approval
- Future extensions upwards of the rear single storey element could be intrusive
- Concerned about past and future tree loss in this area

10 PLANNING ASSESSMENT

Principle of Development

The site lies within the settlement boundary and consequently the principle of development is generally agreed subject to consideration of other environmental factors including an assessment of the sustainable development test set out in the NPPF.

Housing Land Supply

The Council cannot demonstrate a five-year supply of deliverable housing land and while 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. When published, this 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 modest level of housing provision and in the absence of any identified harm, there is little to weigh against the proposal.

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

Policy ENV3 of the Local Plan states that development should contribute positively to local distinctiveness, quality of life and enhance the character and identity of the locality by creating buildings, streets, places and spaces that are functional, appropriate in appearance and attractive. New development should be accessible for those with different needs with realistic levels of car parking, and attractive and appropriate green spaces. This policy is supported by the Neighbourhood Plan policies set out above.

The site comprises an open unused parcel of land closely sited and associated with the existing housing estate. In character terms the development of this site does not undermine the character of the estate or its adjoining woodland and public open space. The development will be seen more as rounding off. The site does not represent an important piece of open space or amenity land where its loss might impact on local character. The dwelling has been designed to fit comfortably within the plot and can even be seen as a larger plot than most of its neighbours. At pre application advice stage the Council was approached about a development here of two dwellings. The Case Officer on a without prejudice basis in response considered that this would be a cramped form of development and give rise to parking issues, but that one dwelling may be considered more favourably. In addition, the earlier proposal completely filled the width of the plot whereas the application proposal has a walkway between it and the fence boundary with no. 46 and a narrow strip along the southern boundary with the open space. Finally, the depth of the two storey element facing the neighbour no. 46 has been reduced and is no more in line with the two storey element of no.46. The applicant has therefore generally followed the without prejudice advice offered at pre application stage in his submission.

The applicant has submitted a plan showing an appropriate slab and ridge level similar to the adjoining properties.

Overall, there are no objections in terms of the impact of the new dwelling on local character and appearance. The design and layout generally accord with Local Plan and Neighbourhood Plan policies it is considered.

Highway safety, access and parking

The Council's current SPD on parking requires two on plot parking spaces for a 2 bedroom dwelling. The application plans indicate two spaces sized as per the enlarged size standards set out in the SPD. Furthermore, the applicant has provided an electric charging point again as required by the SPD.

The access to these parking places runs over a grassed area claimed by the owner of no. 46. The applicants in response (see below) have stated that they have a right to pass and re-pass for access purposes with or without vehicles. Officers are satisfied that parking and access can be conditioned to be completed prior to occupation. Any civil law matters will need to be resolved between the parties concerned.

The parking spaces are also provided with a small turning area to allow vehicles to enter and leave the site in a forward gear. A minor addition to the parking spaces to include bollards to prevent cars overrunning the access pathway to the front of the two neighbouring dwellings can be included by condition.

Traffic speeds in this location are low given the tight knit nature of the cul de sac and it is considered that there are no overriding highway safety matters which could substantiate a reason for refusal.

Residential amenity

The adjoining dwelling has expressed a number of amenity concerns set out above.

The new dwelling is located to the south of the objector's property. The Case Officer has taken the opportunity whilst carrying out his site inspection to view the interior of the objector's property to assist in assessing the impact. The objector has a living room and conservatory extension on the side nearest to the development plot. The living room has a side facing window which will suffer from sun light and day light loss due to the proximity of the two storey side element of the new dwelling. That said the living room window is set back from the common boundary with a 4 metre gap between the existing and proposed building. In addition, this window is already partially shielded by a tall closed boarded fence. The living room window affected is also not the only window into this habitable room as the living room extends into a conservatory with glazed doors between the two rooms giving borrowed light. On balance whilst it is accepted there will be some loss of sun and daylighting into this habitable room the impact is not so severe as to warrant a recommendation of refusal. The new dwelling also has a single storey lean to extension at the rear which assists in reducing any impact further. It is considered given the close relationship between the two properties that in the event of an approval recommendation permitted development rights to restrict any upward extension of this lean to, along with any other extensions to the dwelling.

The objector also refers to overlooking issues. The new dwelling has one ground floor side facing window serving the dining area which will look directly into the party boundary fence. At first floor level there is a narrow landing window on the side elevation which looks obliquely towards a first floor bedroom window of the objector. On the rear elevation the upstairs windows which the objector claims will cause overlooking are one bedroom window on the side furthest away from the objector, and one bathroom window closest to the party boundary with the objector. The bedroom window will cause oblique overlooking of the garden of the objector but not at close quarters and no different to other overlooking relationships on the estate. The bathroom window can be obscure glazed and is shown as such on the submitted plan. Similarly, the landing window is shown as obscure glazed. Both windows can be retained as such by condition. Overall, therefore the level of overlooking is no so severe as to warrant a refusal of permission.

The objector finally refers to matters of civil law relating to car parking access and rights to install drainage runs.

The applicant's agent has commented as follows with regard to the matters raised by objectors.

In relation to the comments received from number 50, these seem to be concerned with potential future development at the site and the ecology recommendations. There would be no objections to a condition removing permitted development rights for enlargements to the dwelling. Furthermore, the ecology recommendations are included within the proposal as submitted and these can be secured by condition. Your officers are satisfied that the matters raised by objectors and the Parish Council have been adequately addressed above. It remains the case that a grant of planning permission does not invalidate any civil law rights and a planning permission does not give rights to trespass on 3rd party land or to carry out works thereto without the owners consent. It will be made a condition of planning permission that all parking and access roads are completed prior to the occupation of the dwelling.

Ecology

a) Recreational Impacts

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 was to mitigate that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. The applicant is happy to submit a Unilateral Undertaking to secure the recreational mitigation contribution.

b) Air quality monitoring

Since July 2020 the Council is required to ensure that impacts on international nature conservation sites are adequately mitigated in respect of traffic-related nitrogen air pollution (including NO_x, 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. The applicant is happy to submit a Unilateral Undertaking to secure the air quality monitoring contribution.

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 included in the recommended conditions below.

d) On Site Biodiversity and protected species

The Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats.

Development Plan policy, Government advice and emerging legislation all require an enhancement to on site biodiversity wherever possible.

Objectors have referred to the land being cleared prior to the application being made. Whilst that may be the case the applicants have now submitted a biodiversity enhancement plan to include bird and bat boxes and bee bricks included in the fabric of the building. In addition, the applicant has agreed to a landscaping condition which can include the details of all fence boundaries which should include hedgehog holes. There have been some instances in the past of some works to trees in this area but there is no evidence that such works were undertaken by this applicant. The large oak tree at the front of the site is considered worthy of protection however and whilst this is outside the site on County Council land it has been made the subject of a provisional Tree Preservation Order to protect the tree from future works to lop, top or fell. The trees within the site or adjoining within the garden of no.46 are however not worthy of formal protection. The landscaping scheme can also require some suitable tree planting to take place within the site.

Developer Contributions

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
Self Build (CIL Exemption in place)	83	0	83	83	£80/sqm	£8,478.77 *
Subtotal:	£8,478.77					
Relief:	£8,478.77					
Total Payable:	£0.00					

11 CONCLUSION

The application site lies in a sustainable location within the settlement boundary of Dibden Purlieu. The design and layout of the site are considered to be generally in character and will not adversely harm the appearance of the area. The issues raised by the Parish Council and objectors can be addressed by planning conditions and through the design and layout of the site. Parking and access are adequate to serve this modest dwelling. Permitted Development rights can be withdrawn to ensure the development remains of an appropriate scale to protect matters of amenity and highway safety. Conditions can be applied to include ecological enhancements within the building and the site. Finally, the new dwelling will help to address the current shortfall in housing land availability and the tilted balance as set out in the NPPF is engaged. The small size of the property will assist in meeting a housing need as a potential starter home. The planning balance is therefore one of approval subject to a S106 Unilateral Undertaking or S106 obligation to secure the necessary habitat mitigation and air quality contributions, and appropriate planning conditions.

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 of a S106 Unilateral Undertaking or a planning obligation under S106 by, 16 December 2022, to secure recreational habitat mitigation and air quality contribution;
- 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:

dc sht 1 rev A	Proposed Elevations and Floor Plan
dc sht 2 rev A	Location block and bin store plan
dc sht 3	Site layout parking and access plan
dc sht 5	Proposed slab and ridge levels

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 ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. The first floor landing and bathroom windows on the rear and side elevations of the approved dwelling shall be :

- (i) obscurely glazed, and
- (ii) the landing window be 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.

5. The development hereby permitted shall not be occupied until the spaces shown on plan dc sht 3 for access and parking of motor vehicles have been completed and provided. The spaces shown on the approved plan shall be retained and kept available for the parking of motor vehicles for the dwelling hereby approved at all times. Such spaces shall be fitted with bollards the details and location of which shall be agreed in writing with the LPA and installed prior to occupation of the dwelling and maintained as such thereafter.

Reason: To ensure adequate and safe 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 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).

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 planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory 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 dwelling shall not be occupied until such time as the bat and bird boxes, together with bee bricks as shown on the approved elevation plans have been installed. Following installation such details shall be maintained in perpetuity thereafter. All close boarded fences within the site shall also be fitted with at least one hedgehog hole measuring 13cms x 13 cms in each fencing run prior to occupation of the dwelling and maintained as such thereafter.

Reason: To ensure biodiversity improvements are implemented and to comply with Local Plan Policies ENV3 and DM2

10. 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.

11. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:
- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
 - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
 - (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

12. The shed and cycle store as shown on approved plan dc sht 2 along with the bin and recycling storage facilities shown shall be made available prior to occupancy and retained as such thereafter.

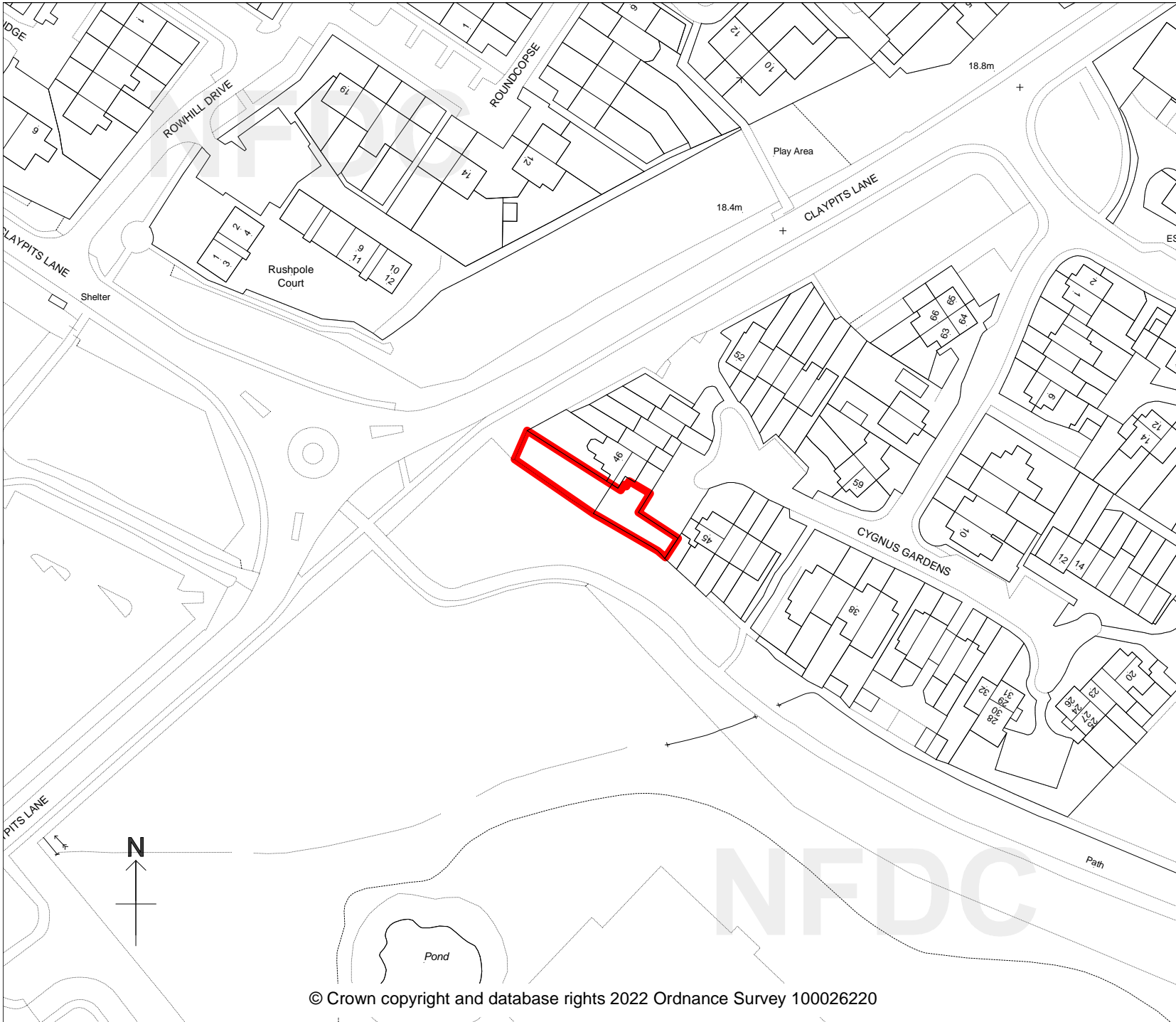
Reason: To comply with policy ENV3 of the Local Plan in the interests of design and sustainable travel options.

13. 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, shall be erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, and its relationship with neighbouring properties 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.

Further Information:

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New Forest
DISTRICT COUNCIL

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PLANNING COMMITTEE

October 2022

Land at Cygnus Gardens
Dibden

22/10907

Scale 1:1250

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