

**Application Number:** 16/10364 Full Planning Permission

**Site:** 149 HIGHTOWN ROAD, RINGWOOD BH24 1NL

**Development:** 2 houses; access; parking; demolition of existing

**Applicant:** Mulberry Developments

**Target Date:** 19/05/2016

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## 1 REASON FOR COMMITTEE CONSIDERATION

Affordable housing negotiations

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

#### Objectives

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

#### Policies

#### Core Strategy 2009

- CS2: Design quality
- CS10: The spatial strategy
- CS15: Affordable housing contribution requirements from developments
- CS24: Transport considerations
- CS25: Developers contributions

#### Local Plan Part 2 (Sites and Development Management DPD) 2014

- DM2: Nature conservation, biodiversity and geodiversity
- DM3: Mitigation of impacts on European nature conservation sites

## 4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

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

SPD - Housing Design, Density and Character  
SPD - Parking Standards  
SPD - Ringwood Local Distinctiveness  
SPD - Mitigation Strategy for European Sites

## **6 RELEVANT PLANNING HISTORY**

- 6.1 4 houses, 2 detached garages, new access (95219) Refused on the 6th May 2010 (Land of 149 and 151 Hightown Road).
- 6.2 3 houses, associated garages, parking, access alterations (95938) Refused on the 18th October 2010. Appeal dismissed. (Land of 149 and 151 Hightown Road).

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

Ringwood Town Council: recommend refusal but would accept the decision reached by the DC Officers under their delegated powers. The Committee supported the Planning Officer's comments and viewed this proposal as overbearing and out of character with the area, particularly in that the Local Distinctiveness document details Edwardian buildings, separation of dwellings and frontages of properties, which are all typical of the area.

## **8 COUNCILLOR COMMENTS**

None

## **9 CONSULTEE COMMENTS**

- 9.1 Land Drainage: No objection subject to condition
- 9.2 Ecologist: No objection
- 9.3 Hampshire County Council Highway Engineer: No objection subject to condition
- 9.4 Tree Officer: No objection
- 9.5 Councils Valuer: The viability appraisal submitted is acceptable

## **10 REPRESENTATIONS RECEIVED**

- 10.1 1 letter of objection concerned with the impact on the character and street scene. Discrepancies in the drawings. Impact of the building on the light and outlook from windows in annexe.
- 10.2 1 letter of observation about additional access onto Hightown Road which would effectively create 4 entry points within a short distance which could cause conflict on the highway. Can housing be sited further north further away from neighbours.

## **11 CRIME & DISORDER IMPLICATIONS**

No relevant considerations

## **12 LOCAL FINANCE CONSIDERATIONS**

If this development is granted permission and the dwellings built, the Council will receive £1152 in each of the following six years from the dwellings' completion, and as a result, a total of £6912 in government grant under the New Homes Bonus will be received.

Based on the information provided at the time of this report this development has a CIL liability of £20,184.91.

Tables setting out all contributions are at the end of this report.

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

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

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

Following concerns raised by officers, revised plans have been submitted which form the basis of this application and it is considered that the proposals are now acceptable.

## **14 ASSESSMENT**

14.1 The site comprises a detached two storey dwelling on a wide and deep plot along a residential street known as Hightown Road. The existing property is a relatively attractive building with a simple form set back from the road with wide gaps to the side boundaries. The front, side and rear

boundaries are defined with trees, hedgerows and vegetation. There is a collection of good trees along the side boundary and within the rear garden area.

- 14.2 The proposal is to demolish the existing dwelling and to construct two interlinked houses. The proposed dwellings would rise to two storeys in height with pitched roofs, double front gables constructed from render under slate roofs. Front gardens would be provided with some car parking and long rear garden areas.
- 14.3 In assessing the effect on the character and appearance of the area, the site lies within a residential street which comprises mainly detached and semi detached dwellings. The site is one of the largest plots along the northern side of Hightown Road, although there is a collection of large detached dwellings along the road which occupy wide and long plots. Although plot widths vary throughout, the character of the area is spacious with gaps to the side of the dwellings and trees, vegetation and trees define the front and side boundaries.
- 14.4 The site lies within 'Character Area 7 - Parsonage Barn and East Fields' within the adopted Ringwood Local Distinctiveness Document. Paragraph 4.7.9 refers to Hightown Road and states that the northern side of Hightown Road has a pavement in place of verge and development dating from around the beginning of the twentieth century. Fig 7.6 illustrates a photograph of part of Hightown Road with a comment which states '*a variety of villas, semi-detached cottages and a terrace sit behind suburban gardens from where they once looked out onto the wide open countryside to the south*'.
- 14.5 It is considered that although the proposed subdivision of this plot would result in narrower plot frontages and a reduction in the gap between buildings along the street, the development has the appearance of one large single detached dwelling, rather than two detached dwellings. This would help maintain the generous gaps between the buildings, which would maintain the spacious quality of the area. A good level of hedgerow and vegetation will also be retained and enhanced to the front and part of the side boundaries, which would help maintain the semi-rural character along Hightown Road.
- 14.6 Visually, the proposed development has been designed to a high standard using simple roof forms, chimney, detailing and traditional fenestration, which would maintain the quality of dwellings along Hightown Road. The proposed building would be taller than the neighbouring properties rising to around 9 metres to the ridge, however the sloping roof form will help break up its massing. The proposed building would extend deep into the rear of the site, considerably further than the neighbouring properties, however, the design of the building with its single storey rear elements and the design of the sloping two storey roof will help reduce the scale of the building. Overall it is considered that the proposed development has been designed to a high standard that would be in keeping with the character and appearance of the area.
- 14.7 With regard to residential amenity, the neighbouring property at No 151 Hightown Road is a detached property, which has its garaging on the side adjacent to the site. The proposed dwelling on plot 149A would come closer to this property however, given the degree of separation, it is not

considered that the proposal would compromise the available light or outlook of that neighbour. In order to protect the privacy of that neighbour, the bathroom windows on the side elevation can be fitted with obscure glass to maintain a reasonable level of privacy.

- 14.8 In terms of No 147 Hightown Road, this property is one half of a semi-detached dwelling. There are a number of windows on the side elevation which face the site, however, on the basis that they currently face the existing dwelling at No 149 and the proposed building would be sited in a similar position, the proposal is not likely to significantly worsen the outlook or light of that neighbour. On the side elevation of the annex to No 147 there is a ground floor window, which currently has a view on both vegetation and the existing detached garage and accordingly, it is not considered that there will be a severe impact on this property. The first floor windows on the side elevations serve bathrooms and it would not be unreasonable to impose a condition for these windows to be fitted with obscure glass.
- 14.9 The proposed layout of the site would provide sufficient car parking and turning spaces and the Highway Authority do not raise any objections to the proposal. There are no objections to the introduction of an additional access onto Hightown Road.
- 14.10 The proposed development requires an affordable housing contribution, in which the Council would accept a financial contribution of £76,200. The applicants contend that this would render the development unviable and have submitted a viability appraisal. The Council's Valuer has assessed the viability appraisal and concludes that the viability appraisal is acceptable and any affordable housing contribution would render the scheme unviable.
- 14.11 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard.
- 14.12 In conclusion it is considered that the proposed development would be in keeping with the character and appearance of the area and would not have any adverse impact on residential amenity or public highway safety.
- 14.13 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.

## Section 106 Contributions Summary Table

<b>Proposal:</b>			
<b>Type of Contribution</b>	<b>NFDC Policy Requirement</b>	<b>Developer Proposed Provision</b>	<b>Difference</b>
<b>Affordable Housing</b>			
No. of Affordable dwellings			
Financial Contribution	£76,200	0	£76,200
<b>Habitats Mitigation</b>			
Financial Contribution			

## CIL Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	428.02	185.95	296.05	£20,184.91

## 15. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
  
2. The development permitted shall be carried out in accordance with the following approved plans: 02B, 01B.  
  
Reason: To ensure satisfactory provision of the development.
  
3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.  
  
Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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

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

5. The development hereby permitted shall not be occupied until the spaces shown on plan 01B for the parking and garaging of motor vehicles have been provided.  
The spaces shown on plan 01B for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

6. 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 prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. 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 A, B or C 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, 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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

8. Before development commences, details of the means of disposal of surface water from the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

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

9. The works hereby approved shall be undertaken in strict accordance with the Ecological Survey methodology and details by Phil Smith dated 29th March 2016 unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policy CS3 of the Local Plan for the New Forest District outside of the National Park (Core Strategy) and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

10. The first floor windows on the side elevations of the approved building shall at all times be glazed with obscure glass.

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

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 DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

12. Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land shaded green on the approved plan.

Reason: In the interest of highway safety and in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

**Notes for inclusion on certificate:**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

2. In discharging condition No 11 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
3. This decision relates to amended / additional plans received by the Local Planning Authority on the 18th April 2016.

**Further Information:**

Major Team  
Telephone: 023 8028 5345 (Option 1)



# New Forest DISTRICT COUNCIL

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Planning Development  
Control Committee  
June 2016

Item No: 3e  
149  
Hightown Road  
Ringwood  
16/10364  
SU1505

Scale 1:1250

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

