

**Application Number:** 15/10032 Full Planning Permission

**Site:** 59 STATION ROAD, NEW MILTON BH25 6JA

**Development:** Second & three-storey extensions to create 10 flats; parking

**Applicant:** Sheet Anchor Evolve Ltd

**Target Date:** 13/05/2015

**Target Date:** 11/08/2015

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## 1 REASON FOR COMMITTEE CONSIDERATION

Contrary to policy and previous committee consideration (19th June 2015 and 9th March 2016)

## 2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Town Centre  
Built up area  
Primary Shopping Area  
Adjacent protected trees

## 3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

### Core Strategy

#### Objectives

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

#### Policies

CS2: Design quality  
CS7: Open spaces, sport and recreation  
CS8: Community services and infrastructure  
CS10: The spatial strategy  
CS15: Affordable housing contribution requirements from developments  
CS17: Employment and economic development  
CS20: Town, district, village and local centres  
CS24: Transport considerations  
CS25: Developers contributions

#### Local Plan Part 2

DM3: Mitigation of impacts on European nature conservation sites  
DM14: Primary shopping frontages

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

## **6 RELEVANT PLANNING HISTORY**

None of direct relevance

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

New Milton Town Council: recommend refusal

- (1) Inappropriate design, use of metal cladding and balconies at this important central site, therefore considered out of character as the building would become incongruous on the street scene;
- (2) Could create the persistent pressure to prune the protected Oak tree.

Members support the principle of having one bedroom homes at this location (including affordable housing) but require a more aesthetically pleasing design and more traditional material usage.

## **8 COUNCILLOR COMMENTS**

None

## **9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Engineer: No highway objections subject to condition
- 9.2 Tree Officer: No objection subject to condition
- 9.3 Land Drainage Engineer: No objection subject to condition
- 9.4 Strategic Housing Officer: The proposed development would require 40% for affordable housing which would equate to 4 units on site to be affordable
- 9.5 Urban Design Officer: The proposal is acceptable
- 9.6 Environmental Health (historic land use): No objection
- 9.7 Southern Water Authority: No objection subject to condition
- 9.8 Environment Agency: No objection
- 9.9 Councils Valuer: Accepts the viability appraisal

## **REPRESENTATIONS RECEIVED**

1 letter of objection concerned that New Milton is built on a sand foundation and already the centre of town is crowded with buildings with poor access for emergency services. Examining the site there does not seem any available space for any more building and there is already a car park for the use of shop owners/lessees.

## **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 £11520 in each of the following six years from the dwellings' completion, and as a result, a total of £69120 in government grant under the New Homes Bonus will be received.

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments. Based on the information provided at the time of this report this development has a CIL liability of £61,371.08.

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

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of 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 discussions with the applicants, revised and additional plans have been submitted to address design concerns and issues raised by the highway authority which have enabled a positive recommendation to be made.

## 14 ASSESSMENT

### 14.1 Introduction

14.1.1 This planning application was considered by this Committee on the 9th March 2016 when the Executive Head of Planning and Transportation was authorised to grant planning consent subject to the completion of the requisite Section 106 Agreement by the 30th October 2016 to secure an offsite financial contribution towards affordable housing of £74,621 and habitat mitigation and monitoring contributions of £5550. Unfortunately the legal agreement has not been completed and this application is now brought back to the Committee following changes to the government's policy as set out below.

14.1.2 On 19th May 2016 the Government issued planning guidance setting out the specific circumstances in which contributions for affordable housing and tariff style planning obligations (section 106 agreements) should not be sought from small scale and self-build development. This guidance has been reissued following the order of the Court of Appeal dated 13th May 2016 (*West Berkshire District Council and Another v The Secretary of State for Communities and Local Government*). The planning guidance specifies the circumstances in which contributions should not be sought as follows:

"Contributions should not be sought from developments of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 sqm;

In designated rural areas, local planning authorities may choose to apply a lower threshold of 5 units or less;

14.1.3 Affordable housing and tariff style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing house", This national guidance is at odds with Policy CS15 of the Council's Core Strategy which requires many small scale housing developments including the current application proposals to make affordable housing provision.

14.1.4 The presumption in favour of the development plan remains, in that the decision should be taken in accordance with the plan unless material considerations indicate otherwise. The new guidance is a material consideration which post-dates the adoption of the Local Plan. It is for the Council to decide which should prevail in the determination of a planning application. However, the Secretary of State, through his Inspectors can be anticipated to give greater weight to the Government's national guidance unless there are reasons to make an exception.

14.1.5 While the need for affordable housing in this District is pressing, this in itself is unlikely to be considered by the Secretary of State as sufficient reason for the Council to apply its own development plan policy rather than applying national policy. Therefore it is recommended that no affordable housing or tariff style contributions are sought from this development, in accordance with national Planning Practice Guidance, contrary to the provisions of Policy CS15 of the Core Strategy.

## 14.2 Officers report as set out on the 10th June 2015

- 14.2.1 The site lies within the built up area of New Milton in the Primary Shopping Area of the Town Centre. The western part of the site contains a part single part two storey brick building with flat roof currently in use as a bank with separate uses including an estate agent offices and a vacant retail unit with offices on the first floor. Other than a landscape strip to the front of the site, the rest of it is hard surfaced and in use as a car park accessed from Ashley Road although the exit is onto Station Road.
- 14.2.2 The proposal seeks to create ten residential flats by constructing a second floor on the existing building and a new three storey extension to the rear on part of the existing car park. The proposal would create 9 one bedroom flats and a 1 two bedroom flat. It is proposed to retain the existing retail and office uses on the ground and first floor of the building. The proposed second floor would be constructed over the existing first floor and would be set slightly back from the edge of the building to enable a outside terrace to be created. The new three storey extension would rise to the same scale linking into the second floor addition with its main elevation facing onto Ashley Road.
- 14.2.3 Visually the proposed structure would be a contemporary flat roof design constructed predominately with grey metal vertical cladding with part horizontal timber cladding. A glazed balustrade would be provided around the perimeter of the terrace facing the two roads. The proposed extension would be constructed on concrete support columns so that car and cycle parking can be provided beneath and the extension would be built over approximately half the car park. Alterations are proposed to the car parking layout with new tree and soft landscaping provided.
- 14.2.4 In terms of policy matters, the site lies within the town centre and the Primary Shopping Frontage. Within this defined area, policies in the local plan and the National Planning Policy Framework support new residential uses providing that there is no loss of existing commercial uses and residential uses are not provided on the ground floor. The proposal seeks to retain the existing retail, commercial and offices spaces within the building although there would be some loss of car parking spaces to these units.
- 14.2.5 In assessing the proposal against these policies, on the basis that the existing employment and retail activity is retained, it is considered that this is supported under Core Strategy Policy CS20 and Local Plan Part 2 Policy DM14. Indeed, the site lies within a town centre location comprising a large car parking area and the proposal to create additional residential units would make good use of the site and there are no policies that prohibit such a proposal. While there would be a loss of existing car parking spaces that serve the existing retail and commercial uses, it is considered that the proposed residential development would provide overriding benefits and that the small loss of spaces would not be unreasonable on a town centre site nor would it compromise the attractiveness or viability of these commercial units.
- 14.2.6 In terms of the effect on the character and appearance of the area, the site lies within Character Area 1 'Town Centre' of the New Milton Local Distinctiveness Document. The Local Distinctiveness SPD described one of the key defining features that characterise the town centre as the: *"Rhythms of built form and features along Station Road"*. The guidance

seeks that: *“Rhythm should be retained through window and facade patterns, articulation and detail that run vertically through the whole building and articulation of sky line”.*

- 14.2.7 The existing building occupies a very prominent position on the corner of two roads and along the main high street in the town centre. The building is slightly set back from Station Road compared to other buildings in the street, and is constructed from brick under a flat roof rising to two storeys. Along Station Road building types, materials and designs vary throughout ranging between two and three storeys. Opposite the site along the west side of Ashley Road, there is a predominant two storey scale with additional accommodation in the roof space. The building comprises a single terrace located close to the road frontage with its ridge running parallel with the road, and the shop fronts and window patterns are very similar. On the corner of Ashley Road, the building rises to three storeys where the building makes a statement on this corner junction and adds interest into the street scene.
- 14.2.8 Along the east side of Station Road, to the north of the site, the buildings tend to be more modern developments with residential flats above shops rising to three storeys with hipped roofs, and glazed canopy's over the shop units. Some of these modern developments do not positively contribute to the character of the high street in terms of the design, massing, scale and appearance. In particular the scale, design and massing of the building immediately to the north known as Bursledon House is poor, which extends at three storey level deep into the rear of the site.
- 14.2.9 Generally the scale of the buildings along Station Road are two and three storeys, some with further accommodation in the roof space. There are also some four storey buildings along Station Road, but building heights vary throughout. Along Ashley Road there are large three storey residential flatted buildings. Accordingly, it is considered that there is no objection to a three storey building in this location subject to design and respect for the rhythms of built form and features along Station Road. Moreover, it is considered that the proposal to create a second floor and a building over the existing car park would make good use of the site in this town centre location.
- 14.2.10 The proposed second floor would be constructed over the majority of the existing building but recessed back from the front elevation to provide an outside terrace which helps break up the massing of the building. The extension in the car park would be set back from the road and linked to the appearance of the second floor extension which is considered to be the correct design approach. The balconies would provide some outdoor space for the residents and enables the massing of the building to be recessive. Using glazed balconies at a low height as shown would be appropriate in this context. The design of the second floor with its vertical cladding and fenestration in line with the first floor windows of the existing building picks up the rhythms in the street and this would accord with the principles of the New Milton Local Distinctiveness Document. The proposed use of a darkish metal clad finish would contrast with the existing brick building, but this is felt to create a contemporary design approach which would add character and presence to the existing building that would be acceptable in this location. If the building was designed with brick materials to match the existing building, this is likely to exacerbate the scale and massing of the overall building which would

be inappropriate in this context. Accordingly, the design approach and use of materials which link in with the three storey building in the car park would not unacceptably detract from the character of the area and would be viewed as an innovative design solution to extend and alter the building so that it appears as an extension to the original building.

- 14.2.11 The proposal has very limited private amenity space for the proposed dwellings, but the residential flats would have outside terraced areas and balconies which would broadly accord with the councils Supplementary Planning Document Housing Design Density and Character. New tree and soft landscaping in the existing car parking area would help soften the views and outlook from these residential properties.
- 14.2.12 With regard to residential amenity, the proposed residential properties that are most likely to be effected are to the north at Bursledon House and to the rear at Shannock House, 1 Ashley Road.
- 14.2.13 The building to the north at Bursledon House comprises several residential flats and has a number of windows on the side elevation at first, second and third floor level facing the application site. The proposed second floor to be added to the existing frontage building would have some impact on the outlook from the residential flats at Bursledon Home. There is currently a third storey dormer and second floor window nearest to the proposed extension and both these windows serve bedrooms which face the existing two storey building. The view from those windows would be onto the side elevation of the new extension which would extend approximately 3.7 metres above the existing two storey building. The distances from the existing windows at Bursledon House to the side elevation of the proposed second floor building would range from approximately 5.5 metres to 7 metres. Because of this close relationship and the design of the building with dark cladding, it is considered that there would be some loss of outlook from these windows, however the effect would not be so severe to refuse planning permission. The windows serve bedrooms and are not main living rooms such as a lounge and the residential flats have their main windows facing Station Road or to the rear of the site. It is also considered that a minimum distance in excess of 5 metres would be reasonable not to result in a level of impact that would warrant a refusal of planning permission in a densely developed Town Centre location such as this.
- 14.2.14 In terms of the three storey extension in the car park, the rear elevation of the building would have first and second floor windows together with balconies facing the side elevation to Bursledon House, which has first, second and third level windows which serve bedrooms, bathrooms and kitchens facing the application site. The distance from the proposed windows on the rear elevation would be approximately 11 metres but the views from the windows would be slightly oblique given that the building at Bursledon House is set further back from the proposed building in the car park. There is a high leylandii hedgerow along the boundary which provides some screening but this landscape feature is very unattractive and in a poor condition and it is proposed to replace this with some new trees and hedgerow. Given the distances involved between the properties and the oblique angled views, it is not considered to result in unacceptable overlooking. It should also be noted that overlooking is more apparent in town centre locations where buildings and residential properties tend to be at a higher density and located closer together.

- 14.2.15 Concerning Shannock House, 1 Ashley Road, there are several first and second floor windows proposed facing in the direction of these neighbouring residential flats, although part of the building incorporates angled windows which predominately face to the front and rear of the site. In total, there would be eight windows facing east serving bedrooms and lounge areas. It is considered that there would be an element of overlooking to the neighbouring residential flats at Shannock House, but the impact would not be so severe as to justify refusal of planning permission. The existing windows comprise small kitchen windows rather than main living or lounge areas. The proposed building would be approximately 12 metres away from these windows, which is considered to be an acceptable distance not to result in any loss of light or look in this Town Centre location.
- 14.2.16 In terms of public highway safety matters, the proposal would result in the provision of 10 apartments, (9 x one-bed and 1 x two-bed) together with 26 car parking spaces and a number of secure cycle spaces. Parking within the New Forest District (outside the National Park) is sought in accordance with the NFDC document 'Parking Standards Supplementary Planning Document (SPD)' which sets a recommended average provision for residential car parking provision and recommended car parking provisions for all non-residential use classes. For one-bed dwellings the recommended provision is 1.4 per unit where shared/communal rising to 2 spaces where allocated, for two-bed dwellings the shared/communal recommended provision is 1.5 with the allocated provision the same as for a one-bed dwelling.
- 14.2.17 However, given the close proximity of the site to local amenities, including public transport, together with the fact that the parking SPD provides a recommended average provision and does not seek to set minimum or maximum standards, the highway authority consider that an objection based upon an under provision of car parking for the proposed residential development would be neither appropriate nor sustainable. The transport statement indicates that the level of off-street parking would increase by 2 spaces, with 1 space allocated to each dwelling with the remainder allocated to the ground floor commercial units, which represent a loss of 8 spaces for the existing users, i.e. an approximate reduction of 33% in capacity. In order to substantiate this reduction in car parking capacity the applicant should provide secure and covered cycle parking for the existing commercial units, in order to encourage alternative modes of transport to the private car. The parking SPD provides minimum standards for both long and short stay cycle parking, for long stay this 1 space & 1 loop/hoop per one-bed unit whilst the long stay provision rises to 2 spaces.
- 14.2.18 Due to the restricted widths of the existing vehicular access the car park operates under a one-way system with vehicular access being achieved from Ashley Road and egress onto Station Road. Given that both Ashley Road and Station Road are classified, together with the close proximity to the signalised crossroads, the highway authority consider that the continuation of this one-way system is necessary in highway safety terms and will need to be controlled and self policing. The plans show spring loaded recessed plates in the road to self police the one way system.
- 14.2.19 In terms of tree matters, situated to the east of the car parks entrance on the sites southern boundary is a large, mature Oak tree that provides a



good level of public amenity. The tree is protected by TPO: 0033/13 and is considered as a constraint to the development of this site. The Tree Officer does not raise any objections subject to imposition of a condition.

- 14.2.20 The proposed development would require contributions towards affordable housing under Policy CS15. The target minimum would be 40% of all dwellings to be for affordable housing which would equate to 4 of the 10 dwellings on site to be affordable. The applicant has proposed 2 units on site for affordable housing and an off site contribution of £22,750. Whilst it is considered 4 units should be on site affordable, on the basis that the applicant is meeting the policy provision which includes both on site and a financial payment, it is considered that this approach would be acceptable. In addition a contribution towards habitats mitigation would be required as set out in the Contributions table. The other contributions would be dealt with under CIL. The Section 106 Agreement has not been completed and is currently being progressed.
- 14.2.21 On the 28th November 2014 National Planning Practice Guidance was updated with regard to the charging of contributions for affordable housing. The changes are not strictly new national policy but they are “material considerations” when determining a planning application. As such when determining an application they have to be weighed against all other material considerations notably locally adopted policies in the Development Plan. The changes do not apply to Habitat Mitigation measures or site-specific requirements eg. an improved access on highway land that will continue to be applied in full. This is a complex issue. However, New Forest District Council’s evidence shows that small sites contributions are being varied when appropriate in response to site specific viability considerations (in accordance with our Local Plan policy). The loss of affordable housing provision from all small site developments would result in a reduced supply of affordable housing as small sites make a major contribution to our housing supply in this area. Developers not wishing to make a financial contribution do have the option of making provision on-site for affordable housing, to comply with the policies in the adopted Local Plan.
- 14.2.22 In these circumstances, and with an up-to-date Local Plan, it will generally be appropriate to conclude that the material consideration of the Government’s recent announcement does not outweigh the presumption in favour of following the Development Plan.
- 14.2.23 In conclusion, it is considered that the proposed development would be acceptable subject to the completion of a Section 106 Agreement for the required contributions.
- 14.2.24 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

## Developers Contributions Summary Table

<b>Proposal:</b>			
<b>Type of Contribution</b>	<b>NFDC Policy Requirement</b>	<b>Developer Proposed Provision</b>	<b>Difference</b>
<b>Affordable Housing</b>			
No. of Affordable dwellings	4	0	
Financial Contribution	0	£0	0
Financial Contribution	£0	£0	0

## CIL Contribution Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	1530	0	1530	£122,400.00

## 15. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

- 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.
- The development permitted shall be carried out in accordance with the following approved plans: 947/12 rev j, 947/10 rev i, 947/20 rev g, 947/21 rev h, 947/23 rev h, 947/22 rev h, 947/20 rev c.

Reason: To ensure satisfactory provision of the development.
- Before development commences, samples or exact details of the facing and roofing materials to be used to include the colour finishes to be applied and the details of the windows, doors and balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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

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

Reason: To ensure adequate parking provision is made in the interest of highway safety.

5. Prior to commencement of works (including site clearance and any other preparatory works) a scheme for the protection of trees in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations shall be submitted to the Local Planning Authority for approval. Once approved, the scheme shall be implemented and at least 3 working days notice shall be given to the Local Planning Authority that it has been installed. Information is required on the:

- a) Location of site compound and mixing areas,
- b) Routes of underground services,
- c) Tree work specification,
- d) Position of tree protective fencing/ground protection. The protective fencing shall be as specified in Chapter 6 and detailed in figures 2 or 3 of BS5837:2012 unless otherwise agreed in writing with the Local Planning Authority.
- e) The submission of further details of the spring loaded recessed plates proposed at the entrance to the site from Ashley Road to show the implications for the protected oak tree

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

6. In accordance with the submitted strategic landscape details on Drawing No 947/10 Rev 1, the following additional details shall be submitted to and approved by the Local Planning Authority:

- a) a specification for new planting (species, size, spacing, location, tree pits, irrigation tubes, cellular systems and root barriers);
- b) areas for hard surfacing and the materials to be used;
- c) other means of enclosure, including the external free standing wall/grill structure which screens the undercroft parking area from Ashley Road;
- d) 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 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 a similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

7. Before first occupation of the development hereby approved the applicant must design and install a surface water sustainable system to cater for the new impermeable areas (i.e. roofs) on the proposed development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land for storms up to 1 in 100 years including climate change.

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.

8. Prior to commencement of work a trial trench shall be dug in the area proposed for the foundations of the brick piered wall, in order to establish the presence and direction of any significant tree roots. The trial trench shall be hand dug to a depth of no less than 600mm without severing any roots of more than 20mm in diameter. The applicant shall give the Local Planning Authority notice of the completion of the trial trench and will allow reasonable access to the trench by the Council's Tree Officer for a period of 7 days following notification. Details of the design and construction of the foundations shall then be submitted to the Local Planning Authority having regard to the presence and orientation of any structural roots and development shall not proceed until the details have been approved by the Local Planning Authority. Work shall only take place in accordance with the approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with policy CS2 of the Core Strategy for the New Forest outside the National Park.

9. 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.

**Notes for inclusion on certificate:**

1. This decision relates to amended / additional plans received by the Local Planning Authority on the 13th May 2015
2. 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.

Following discussions with the applicants, revised and additional plans have been submitted to address design concerns and issues raised by the highway authority which have enabled a positive recommendation to be made.

3. In discharging condition No. 9 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/>

**Further Information:**

Major Team

Telephone: 023 8028 5345 (Option 1)



**New Forest**  
DISTRICT COUNCIL

Tel: 023 8028 5000  
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**Planning Development  
Control Committee  
August 2016**

**Item No: 3c**

59  
Station Road  
New Milton  
15/10032  
SZ2495

Scale 1:1250

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

