

Application Number: 16/11025 Full Planning Permission

Site: Land of 24 NORTH POULNER ROAD, RINGWOOD BH24 1SP

Development: House; access alterations; parking

Applicant: Taylor Grey Homes Ltd

Target Date: 26/09/2016

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policy CS15 (Affordable housing contribution requirements from developments)

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS2: Design quality

CS10: The spatial strategy

CS15: Affordable Housing

CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM3: Mitigation of impacts on European nature conservation sites

National Planning Policy Framework - Achieving Sustainable Development

NPPF Ch. 6 - Delivering a wide choice of high quality homes NPPF Ch. 7 - Requiring good design

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

Parking Standards SPD (Oct 2012)

SPD - Mitigation Strategy for European Sites

6 RELEVANT PLANNING HISTORY

No relevant history, although the applicant sought the Council's pre-application advice in 2015 for a larger, two storey dwelling. While a full two storey house was considered inappropriate the applicant was advised that a smaller chalet style bungalow may be acceptable on this site.

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 viewed this proposal as overdevelopment of the site and were concerned over the insufficient provision of parking.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

Hampshire County Council Highway Engineer -

The proposal is for the erection of a new 4 bedroom dwelling within the grounds of the existing 4 bedroom dwelling at the site. Vehicular access onto the highway in Hordle Lane would be via the existing access serving No. 24 which would be widened to allow 2 vehicles to pass within the site clear of the highway. The NFDC document 'Parking Standards Supplementary Planning Document (SPD)' adopted in October 2012 , provides a recommended average provision of 3 spaces for each of the the existing and proposed four-bed dwellings where parking is on plot. Although the application form states that 4 on site car parking spaces would be provided it is considered that the area shown on the plans together with the existing attached garage for the host dwelling might be capable of accommodating in excess of 4 vehicles within the site. The applicant should therefore provide full details of the extent of the parking provision for both the existing and proposed dwellings and in particular the proposals for the retention or otherwise of the existing attached garage so that the parking proposals might be fully evaluated by the Highway Authority and if considered adequate to allow them to be conditioned to remain should the Local Planning Authority be minded to grant permission. A holding objection is therefore raised pending submission of full details of the proposed parking provision at the site

10 REPRESENTATIONS RECEIVED

Two letters have been received, objecting to the proposal on grounds of overdevelopment, under provision of off-street parking, loss of highway safety, detrimental impact upon the character of the area, reduced spacing between dwellings and loss of amenity with regard to privacy and light.

11 CRIME & DISORDER IMPLICATIONS

None

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.

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 £13,758.46.

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.

In this case, the applicant sought the Council's pre-application advice on a similar, albeit larger form of development to that now proposed. The plans were amended prior to submission in light of the guidance offered at pre-application stage. Consequently the plans were considered acceptable as submitted and no further actions were required.

14 ASSESSMENT

- 14.1 The site currently forms the side and rear garden of a detached dwelling (no. 24 North Poulner Road), within the built up area of Ringwood. The site is occupied by a large detached dwelling, within a very generous garden curtilage, which is noticeably larger than others in the locality. The area is characterised by detached dwellings of various types (mostly bungalows), with open gaps between gables, set back from the line of North Poulner Road. The site in question has a particularly large gap between the southern gable of the existing dwelling and no. 22 North Poulner Road. The boundaries of the site are defined by hedges on all sides.
- 14.2 The application proposes erection of a detached chalet bungalow, with associated garden area and parking and turning space for vehicles to the front, including an integral garage. The materials of construction would be red brick, timber cladding, rolled lead and clay effect tiles.
- 14.3 Policy CS2 of the Core Strategy seeks to ensure that all new development is appropriate and sympathetic to its setting and shall not cause unacceptable effects to adjoining land uses in terms of visual amenity and adverse impacts upon residential amenity.
- 14.4 Policy CS2 of the Core Strategy stipulates that new development will be required to be well designed to respect the character, identity and context of the area's towns. The character of the area is informed by detached dwellings of varying types and heights with gaps between gables. The proposal respects the established building line along this side of North Poulner Road, retains gaps between dwellings and would retain good sized curtilages for both the existing and proposed properties, so the development would not be considered overdevelopment or out of character with these aspects of the area's context. An attractive hedgerow fronts much of the site, its length interrupted only by the existing site access. In the interests of retaining as much of the existing hedgerow as possible and in maintaining the street scene, a shared access would serve the two dwellings. Modest widening/hedge removal may be acceptable in the interests of providing a suitable access to serve both dwellings.
- 14.5 With regard to the amenity provisions of Policy CS2, it needs to be considered whether the scale and siting of the proposal would present any significant overbearing impact, loss of light, privacy or outlook to adjoining occupiers. It also needs to be considered whether the depth and level of amenity space proposed for future occupiers of the development, around the proposed dwelling would be acceptable. With regard to the second point the proposal offers a good level of garden curtilage, including off-street parking, for future occupiers of the development. Regarding adjoining amenity, the plans include a two storey element projecting to the rear of the proposed dwelling. The adjoining dwelling (no. 22) has extended close to the common boundary of the site, with a two storey extension to the side and a conservatory to the rear. The north elevation of no. 22 is unfenestrated and the proposal would not cause any significant loss of light or privacy.

- 14.6 The submitted plans show that on site parking would be provided for 2 cars, and vehicular access would be shared with the existing dwelling. The NFDC document 'Parking Standards Supplementary Planning Document (SPD)' adopted in October 2012, provides a recommended average provision of 3 spaces for a four-bed dwelling where parking is on plot. The level of parking to be provided in respect of the proposed dwelling is therefore less than that recommended in the SPD. However, the Highway Authority consider that adequate parking could be provided within the site, (3 spaces per dwelling) taking garages into account and that these spaces should be indicated on an amended drawing. The applicant has been requested to provide an appropriately amended drawing to show the requisite level of parking.
- 14.7 In terms of contributions, the proposal is CIL liable and the applicant will be required to mitigate the impact of the development on European wildlife sites, which may be addressed following the grant of any planning permission. 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.
- 14.8 On 28th November 2014 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...; 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. In these circumstances, the law gives no priority to either the Council's Core Strategy or to the Government's national guidance. It is for the decision maker to assess both policies as "material considerations" and to decide which should have greater weight 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 exceptional circumstances which indicate otherwise.

- 14.9 While the need for affordable housing in this District is pressing, this in itself does not give rise to the sort of circumstances that can be considered exceptional. 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.
- 14.10 In conclusion it is considered that the proposed dwelling would be appropriate to the character and appearance of the area with no adverse implications for neighbouring properties. The access and parking arrangements are acceptable. Accordingly the application is recommended for approval.
- 14.11 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.

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargable Floorspace (sq/m)	Rate	Total
Dwelling houses	165		165	165	£80/sqm	£13,758.46 *

Subtotal:	£13,758.46
Relief:	£0.00
Total Payable:	£13,758.46

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

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: 8756/100 Rev A and 8756/101 Rev A

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. 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.

5. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of hedges to be retained shall be submitted to and approved in writing by the Local Planning Authority. The hedge protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority.

Reason: To ensure the retention of existing natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. The car parking spaces shown on plan no. 8756/100 Rev A for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwelling hereby approved at all times.

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

7. No development shall start on site until plans and particulars showing details of the provisions of cycle storage within the site have been submitted and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details before the use of the development is commenced and shall be retained thereafter.

Reason: To ensure adequate provision within the site.

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, the applicant sought the Council's pre-application advice on a similar, albeit larger form of development to that now proposed. The plans were amended prior to submission in light of the guidance offered at pre-application stage. Consequently the plans were considered acceptable as submitted and no further actions were required.

2. In discharging condition no. 4 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)



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DISTRICT COUNCIL

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**Planning Development
Control Committee
October 2016**

Item No: 3n

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North Poulner Road
Ringwood
16/11025
SU1506

Scale 1:1250

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

