

Application Number: 16/11151 Full Planning Permission

Site: Land opposite BROADMEAD TREES FARMHOUSE,
BROADMEAD, SWAY, HORDLE SO41 6DH

Development: 2 detached houses; detached garage; demolition of existing
buildings

Applicant: Maxwell Leasing Ltd.

Target Date: 11/10/2016

Extension Date: 16/12/2016

1 REASON FOR COMMITTEE CONSIDERATION

The application constitutes a departure from the provisions of the Development Plan, which seek to protect Green Belt. The recommendation is also contrary to Policy DM20 related to residential development in the countryside.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt
Countryside
Tree Preservation Order

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS1: Sustainable development principles
CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS4: Energy and resource use
CS5: Safe and healthy communities
CS6: Flood risk
CS10: The Spatial Strategy
CS15: Affordable housing contribution requirements from developments
CS17: Employment and economic development
CS25: Developers contributions

Local Plan Part 2: Sites and Development Management Plan Document

NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development
DM2: Nature conservation, biodiversity and geodiversity
DM3: Habitat Mitigation
DM5: Contaminated land
DM20: Residential development in the countryside
DM22: Employment development in the countryside

National Planning Policy Framework - Achieving Sustainable Development

NPPF Ch. 6 - Delivering a wide choice of high quality homes

NPPF Ch. 7 - Requiring good design

NPPF Ch. 9 - Protecting Green Belt Land

NPPF Ch. 11 – Conserving and enhancing the natural environment

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

Residential Design Guide for Rural Areas of the New Forest

6 RELEVANT PLANNING HISTORY

- 6.1 The site and building are currently vacant, but there is quite an extensive planning history for the site, including several enforcement files opened to investigate the use of the barn for purposes not related to agriculture, the most recent being EN/12/0165, which was closed on 6th January 2014 following cessation of the unauthorised use. Several planning applications have also been submitted and refused between 1997 and 2007 for use of the buildings for B8 (storage and distribution) purposes.
- 6.2 A planning application for 3 no. dwellings under ref. 15/10932 was withdrawn in August 2015 due to concerns raised by the Council over the number, dispersed nature and design of the proposed dwellings.
- 6.3 Prior approval was refused in August 2014 under ref. 14/10872 for change of use of the building to residential dwellings.
- 6.4 The applicant sought the Planning Authority's view on the form of development now proposed in October 2014, under ref. ENQ/14/21578/SSRC. The Planning Authority took a pragmatic stance to facilitate redevelopment of the site, bearing in mind its previous unauthorised uses, the significant level of local support for the proposal, the Government's stance on encouraging conversion of agricultural buildings to residential uses and the environmental benefits that may result from the form of development proposed. The Council, therefore supported the principle of the type of development proposed, subject to provision of just two dwellings on the site, closely aligned to the footprint of the existing building, of appropriate design and scale and with appropriate landscaping to limit impacts on the Green Belt.

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council - recommend permission but would accept the decision reached by the Planning Officers under their delegated powers. The issues of surface water and foul drainage must be addressed.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer – The proposals are for the demolition of the existing B1 industrial use buildings at the site and the erection of 2 new dwellings. Access to the site would be via the existing site entrance onto the private shared driveway which currently also serves approximately 20 dwellings and joins the highway in Silver Street a short distance to the north of the site. There are no details of any cycle parking facilities. The indicated level of car parking to be provided in respect of the proposed dwellings is in accordance with that recommended in the SPD. Cycle parking facilities should also be provided in accordance with the recommendations of the SPD. No objections, subject to condition.
- 9.2 Hampshire County Council Flood and Water Management – there is no need for a comment as this site is below the 1 hectare threshold for consultation.
- 9.3 Environmental Health (Contaminated Land) - The previous use of the site includes agricultural and use as a nursery, there was a previous tank on site and oil spills etc. probably occurred. Due to the sensitive proposed use and significant ground breaking proposed, a desktop study and preliminary risk assessment is required to ensure the site is safe and suitable for use. No objection subject to imposition of conditions.
- 9.4 Tree Officer – The proposed development site is currently very overgrown with a mixture of low level dense scrub and larger more prominent trees along its boundary. The most important of these are 6 Oak trees situated along the eastern boundary; which are considered a constraint to the development. The remaining trees on site have limited public amenity or would not be suitable for inclusion within a TPO due to their small size and poor quality. The Tree Protection Plan illustrates the footprint of the proposed new dwellings and how these will be situated next to the protected trees. The location and proximity to these trees is acceptable and outside the Root Protection Areas. The tree protection plan illustrates and specifies suitable fencing and ground protection to be installed prior to any development taking place. This has been specified in accordance with BS5837: 2012 and will ensure no root or ground disturbance. No objection subject to tree protection conditions.
- 9.5 Ecologist - As the re-design of the proposal allows for some slightly greater certainty as to the capacity for delivering mitigation, compensation and enhancement measures through vegetation management and provision of artificial features within the new buildings the Council may be minded that the presence of protected species can be shown due regard through conditioning further survey work and details of mitigation/compensation. However based on the information submitted it is likely that a Protected Species licence will be required from Natural England as a place of rest of a bat is being destroyed, the case officer should therefore consider the tests of the Habitats and Species Regulations. Currently it cannot be definitively confirmed that sufficient mitigation and compensation is proposed as part of the application to demonstrate that the conservation status of the protected species will be conserved. It is recommended that the applicant is asked to provide this prior to determination (see advice in Circular 06/2005 regarding the conditioning of protected species details).

9.6 New Forest National Park Authority – Consider the proposal to be a significant improvement on the previous submission. No objections raised on grounds of impacts upon the National Park or its purposes provided that the scheme could be delivered with appropriate detailing and landscaping.

9.7 Southern Gas Networks - No objections, but give informatives.

9.8 Southern Water - comments will be reported.

10 REPRESENTATIONS RECEIVED

10.1 Twenty nine letters have been received, which are supportive of the proposal as the existing buildings are considered an eyesore, have previously been used for nuisance causing purposes, the development would constitute a visual enhancement and it would contribute to local housing shortfall. Some of these supportive letters do, however raise concerns over:

- Site drainage
- Future use of the paddock area
- Ensuring only one point of access is approved to the two dwellings from the existing access road;

10.2 One objection points out that the land to the south floods, so drainage from the site subject to this application must be directed north. Clarification is also sought by the objector that the application is for two dwellings and not three.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission and the dwellings built, the Council will receive £2,304 in each of the following six years from the dwellings' completion, and as a result, a total of £13,824 in government grant under the New Homes Bonus will be received.

From 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 £59,203.08. 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 the form of development proposed and has submitted the requisite documents and plans in respect of this application. The applicant was requested to provide additional information in respect of biodiversity measures, site drainage and revised plans to reflect the rural nature of the locality, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

14 ASSESSMENT

- 14.1 The proposal relates to vacant buildings (originally constructed as agricultural buildings), extensive hardstandings and associated grass/scrub land just off Silver Street, Hordle. The existing buildings appear to be of post war, portal frame construction, clad in concrete panels, with corrugated roofing. The footprint of the existing structure is approximately 576 square metres. The existing building is located at the centre of an area of land, (identified as being within the applicant's control), opposite Broadmead Trees Farmhouse and is within an area of open countryside defined as Green Belt. There are a number of dwellings in the locality, to the south and east of the proposal site, of various types and sizes, all beyond any defined built-up area, which appear to have developed incrementally following establishment of a community around the Broadmead area in the early twentieth century.
- 14.2 The proposal would involve the demolition of the existing structure and the erection of 2 no. five bedroom detached dwellings, with associated garage, access, parking, turning, garden curtilage arrangements and a paddock area. The footprint of the proposed dwellings would be sited mostly within the footprint of the existing structure. One dwelling would be of full two storey height and the other one and a half storeys, with a

combined volume less than the existing structure on the site. The proposed materials would be rosemary tiles, red facing brick, hung clay tiles and timber cladding and the designs have evolved through discussion with the Planning Authority to take the form of a large farmhouse and associated barn. Both dwellings would be accessed from the existing main access point into the site, itself accessed via a private road from Silver Street.

- 14.3 The principle issues to consider, having regard to relevant development plan policies, the National Planning Policy Framework and all other material considerations are as follows:
- i. Is the development appropriate in the Green Belt by definition?
 - ii. What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?
 - iii. Would there be any other non-Green Belt harm?
 - iv. Are there any considerations which weigh in favour of the development?
 - v. Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?
 - vi. Are there 'very special circumstances' to justify allowing inappropriate development in the Green Belt?
- 14.4 (i) Is the development appropriate in the Green Belt by definition?**
- 14.4.1 The application site is located within the Green Belt and therefore the proposal must be assessed against Green Belt policies. The National Planning Policy Framework (NPPF) suggests that the construction of new buildings in the Green Belt is inappropriate other than for specific exceptions. One of these exceptions is the partial or complete redevelopment of previously developed sites (brownfield land), which would not have a greater impact on the openness of the Green Belt. The outcome of the pre-application enquiry was that if the proposed buildings have no greater volume and are located similarly to the existing building and hardstandings, it may be a credible argument to say that they would have no greater impact on the openness of the Green Belt. However, even if it is concluded that the proposal would have no greater impact on the openness of the Green Belt, the proposal must still be deemed inappropriate development, as (notwithstanding its most recent unlawful usage) the building is an agricultural building which cannot be considered as brownfield land. The NPPF makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
- 14.5 (ii) What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?**
- 14.5.1 The proposed development would undoubtedly change the appearance of this land with the provision of new buildings, accesses, garden curtilages and landscaping.

14.5.2 Existing development on the site is comprised mainly of a large, former agricultural building indicated by the dashed line on the proposed site plan. The existing buildings are of poor visual appearance and the site is generally untidy having most recently been used for unauthorised purposes. In dismissing an appeal in 1998 under ref. APP/B1740/A/97/297252/P2, the inspector noted that ‘the buildings at issue in this appeal are part of the main block belonging to the former tree nursery, a horticultural use, with its offices. The main block, about 18m wide and 28m long, has a high concrete frame clad with cement tile and asbestos. The building is clearly large in scale in these rural surroundings; it is prominent when seen from Silver Street and it dominates the adjoining bridleway. It is a conspicuous intrusion in the countryside’.

14.5.3 A volumetric calculation has been submitted which demonstrates that the existing structure equates to 3,410 cubic metres in volume and that the cumulative volume of the proposed dwellings is 2,000 cubic metres. This equates to a significant reduction in built form over the site. Given the reduced volume, existing screening by trees to the south and east and a substantial level of proposed new tree and hedgerow planting, it is felt that the proposal would have no greater impact on the openness of the Green Belt, conversely it would enhance the openness of the Green Belt. The proposal will not impact significantly upon the openness of the Green Belt, which weighs in its favour.

14.6 (iii) Would there be any other non-Green Belt harm?

14.6.1 a) New dwellings in the countryside - Policy DM20 of the Local Plan Part 2 restricts development of new dwellings in the countryside. However, this proposal has arisen following recent changes to the GPDO (Class Q), which allows the change of use of agricultural buildings to residential use without a requirement for planning permission. While a change of use is not proposed here, the ethos of Class Q is adhered to as two dwellings would be provided, of smaller scale and better visual appearance than the existing building and which would not harm the character of the area or setting of the National Park. The proposed siting does not encroach into open parts of the site, it adheres to the footprint of the existing building and concrete apron, with a backdrop of mature trees to the south and east, which assist with its integration into the landscape. The site is not elevated and is not prominent within the landscape, being set well back from Silver Street, particularly as a building of greater mass and limited visual merit would be demolished and replaced with dwellings of good design and materials. Consequently dwellings of the quality proposed may be supported, as a departure to the provisions of Policy DM20, subject to conditions to remove permitted development rights to extend the dwellings or erect further outbuildings. The proposal complies with the design related provisions of Policy CS2.

14.6.2 b) Ecology Impacts - The Ecologist notes that as the re-design of the proposal gives slightly greater certainty as to the capacity for delivering mitigation, compensation and enhancement measures through vegetation management and provision of artificial features within the new buildings, the Council may be minded that the presence of protected species can be shown due regard through conditioning further survey work and details of mitigation/compensation. In terms

of the species protection provisions of the Habitats Directive, as implemented by the conservation (Natural Habitats Etc.) Regulations 1994 and the three "derogation tests", the comments of the Ecologist confirm that the favourable conservation status of protected species may be maintained, subject to clarification from the applicant of biodiversity compensation and enhancement measures. The Local Planning Authority is satisfied that there is an overriding public interest in approving the application, as evidenced by the responses of notified parties, who are overwhelmingly in support of the proposal on the basis of enhancement of residential and visual amenity. There is no satisfactory alternative to the form of development proposed, considering the need to adhere to the footprint of the original building and desire to remove an unsightly structure from the site. Subject to clarification from the applicant of biodiversity compensation and enhancement measures, the proposal is unlikely to cause any harm to ecological interests in accordance with Policies CS3 and DM2.

- 14.6.3 c) Tree Impacts - Trees protected by Tree Preservation Order are situated along the eastern boundary and provide an important buffer between the site and main access to Broadmead, while contributing to the wider landscape and are important to the character of the area. The potential tree impacts of the development have been addressed by a Tree Survey and Plan submitted with the application. Having reviewed these documents, the Tree Officer is satisfied that the arboricultural impacts of the development are acceptable, subject to conditions to clarify several points with regard to protection of retained trees and landscaping.
- 14.6.4 d) Highway Impacts - The Highway Engineer raise no concerns over the proposed access arrangements, subject to conditions.
- 14.6.5 e) Site Drainage - Concerns have been raised in some representations over the potential for the proposal to exacerbate existing flooding problems in the locality. Given the amount of land available to the applicant, a comprehensive approach to dealing with water on site could be achieved, meeting the requirements of Policies CS2 and CS4, which state that all new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever feasible. A condition is proposed requiring the applicant to incorporate sustainable drainage techniques into the site drainage strategy.
- 14.6.6 f) Residential Amenity Impacts - The site is set sufficiently distant from any residential properties to avoid any adverse effect on residential amenities by reason of visual intrusion, overlooking or shading, considered under the amenity related provisions of Policy CS2. Overall, there is an opportunity to improve residential amenities given the problems associated with previous uses of the site and considering removal of the existing buildings and clutter from the site would be to the betterment of visual amenity. This view is supported by the significant level of support for the proposal from the local community. With regard to the points raised by notified parties not addressed above the future use and allocation of the paddock area for use other than as a paddock will be a matter for determination on its own merits. Under the current proposal it may only be used as a paddock for use by the occupier's of Plots 1 and/or 2 or by a third party. Only one point of access is approved to the two dwellings from the existing access road, as indicated on the approved site plan. The impacts of the

proposal comply with the amenity related provisions of Policy CS2 of the Core Strategy.

14.7 (iv) Are there any considerations which weigh in favour of the development?

14.7.1 Consideration 1 - The proposal is for two dwellings of more limited massing and of higher quality appearance than the structure they would replace, which would enhance the openness of the Green Belt, which weighs in favour of the proposal

14.7.2 Consideration 2: Community benefits would arise from the development as the site to which the application relates has been subject to nuisance uses in the past. A significant level of local support has been received from residents of Broadmead for the proposal and it is considered that the proposal would be of benefit to the community, which weighs in favour of the proposal.

14.7.3 Consideration 3 - the proposal would not cause any other Green Belt harm, subject to conditions and clarification from the applicant of site drainage and biodiversity measures, which weighs in favour of the proposal.

14.8 (v) Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?

14.8.1 As set out above, the proposed development amounts to inappropriate development in the Green Belt, which by definition is harmful to the Green Belt. Substantial weight attaches to any harm to the Green Belt. The proposal would not result in any loss of openness of the Green Belt, harm to the character of the area and some community benefit would be derived through implementation of the development.

14.8.2 With respect to 'any other harm', the site would be visually enclosed and the landscaping proposed is likely to lead to an enhanced landscape value for the site. The ecological value of the site and tree coverage would not be harmed by the proposals, subject to clarification. Precise details concerning site drainage can be addressed by condition. No highway concerns are raised and the proposal is not considered likely to have any harmful impact on residential amenity. Your officers are not aware of any other matters raised in representations that would weigh against the scheme.

14.8.3 In your officers' view the matters which weigh in favour of the development clearly outweigh the very limited harm to the Green Belt caused by the proposal.

14.9 (vi) Are there 'very special circumstances' to justify allowing inappropriate development in the Green Belt?

In light of the above, it is concluded that 'very special circumstances' do exist, in the form of benefits to the openness of the Green Belt and the local community, involving only very limited harm to the Green Belt, to warrant a departure from established and adopted Green Belt policies. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance

14.10 Contributions

14.10.1 The proposal is for a net gain of 2 no. dwellings, where contributions towards habitat mitigation would be required, in addition to any CIL liability. The proposed development has a CIL liability outlined in the table below. However, 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. CIL exemption dictates payment of the full habitat mitigation contribution (including management and monitoring).

14.10.2 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.

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.

14.11 Conclusion

- 14.11.1 The proposed development is inappropriate development within the Green Belt, although the very special circumstances to warrant a departure from Green Belt Policy have been demonstrated. Its design is considered to be of good quality and the environmental benefits of the scheme weigh in its favour. The proposed development could take place without detriment to the ecology, trees or amenities of the wider area, and without adversely affecting highway safety. Therefore, subject to conditions to ensure that the scheme's specific benefits are fully delivered, the application is recommended for permission.
- 14.11.2 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

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution	0	0	0
Habitats Mitigation			
Financial Contribution	£10,700	£10,700	0

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	710		710	710	£80/sqm	£59,203.08 *
Subtotal:	£59,203.08					
Relief:	£0.00					
Total Payable:	£59,203.08					

**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: LP01 and 13A and amended drawing numbers SP03M, 09E, 10E 11D, 12D

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 first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method.

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations.

The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. No development, demolition or site clearance shall take place until a plan showing: service routes, including the position of soakaways and the location of the site compound and mixing areas; are submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

6. The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Tree Protection Plan (ref TPP/27/05/15.01) and Arboricultural Method Statement/Tree Survey Schedule (ref TSS/AMS/27/05/15.01) and in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policy CS3 of the Core Strategy for the New Forest District outside the National Park.

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, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policy DM20 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

8. 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.

9. Before use of the development is commenced provision for the parking of cars, shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car parking provision for the approved development.

10. 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.

11. 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) any external lighting proposed;

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).

12. All external works (hard and soft landscape) shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter as built and subject to changes or additions (including signage) only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

13. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination nos 14 to 17 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 17 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

14. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

15. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

16. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

18. Prior to development, including demolition, a Bat Mitigation Compensation and Enhancement Plan, based on suitable ecological monitoring shall be submitted to and agreed in writing by the Local Planning Authority. Amongst other measures, the plan shall include a suitable roof void compensation and enhancement measure and opportunities for crevice dwelling species. Development shall proceed and be maintained in accordance with the details unless otherwise agreed.

Reason: To safeguard protected species in accordance with Policy CS3 of the Local Plan for the New Forest District outside 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).

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 the form of development proposed and has submitted the requisite documents and plans in respect of this application. The applicant was requested to provide additional information in respect of biodiversity measures, site drainage and revised plans to reflect the rural nature of the locality, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

2. An extract of Southern Gas Networks mains records of the proposed work area is available to view on the Council's website for your guidance. This plan only shows the pipes owned by SGN in their role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If they know of any other pipes in the area they will note them on the plans as a shaded area and/or a series of x's. The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days.

On the mains record you can see their low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes. A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to their pipes can be extremely dangerous for both your employees and the general public. The cost to repair pipelines following direct or consequential damage will be charged to your organisation.

3. In discharging condition No. 8 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

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New Forest District Council
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SO43 7PA

**Planning Development
Control Committee
December 2016**

Item No: 3d

Land opposite
Broadmead Trees Farmhouse
Broadmead Hordle
16/11151
SZ2896

Scale 1:3000

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

