

Application Number: 17/10039 Full Planning Permission

Site: 2 & 4 KEYHAVEN ROAD, MILFORD-ON-SEA SO41 0QY

Development: Development of 8 dwellings comprised: 4 detached houses; 2 pairs of semi-detached houses; 2 carports; 3 single garages; 1 double garage; road; parking; landscaping; demolition of existing buildings

Applicant: Renaissance Retirement Limited

Target Date: 11/05/2017

Extension Date: 28/06/2017

RECOMMENDATION: The the Service Manager Planning and Building Control be AUTHORISED TO GRANT PERMISSION

Case Officer: Ian Rayner

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policy

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up area
Milford on Sea Conservation Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**Core Strategy****Objectives**

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

Policies

- CS1: Sustainable development principles
CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS6: Flood risk
CS15: Affordable housing contribution requirements from developments
CS24: Transport considerations
CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

DM10: Residential accommodation for older people

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Housing Design, Density and Character

SPG - Milford-on-Sea - A Conservation Area Appraisal

SPG - Milford-on-Sea Village Design Statement

SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

6.1 1 house; 1 terrace of 3 houses (at 2 Keyhaven Road); associated garages & parking (10/95915) - refused 13/9/10 - appeal dismissed

6.2 Development of 12 dwellings comprised (3 affordable): 4 detached houses; 4 pairs of semi-detached houses; carport; 5 single garages; 1 double garage; road; parking; landscaping; demolition of existing buildings (16/10895) - withdrawn - 30/9/16

7 PARISH / TOWN COUNCIL COMMENTS

Milford-on-Sea Parish Council:- Recommend permission but would accept a delegated decision

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Hampshire County Council Highway Engineer:- no objection subject to conditions on parking, turning and cycle storage

9.2 Natural England:- No objection subject to conditions

9.3 Tree Officer:- No objection subject to tree protection condition

9.4 Ecologist:- No objection subject to condition

9.5 Environmental Health (contaminated land):- No objection subject to standard contaminated land conditions

9.6 Conservation Officer:- No objection subject to conditions

10 REPRESENTATIONS RECEIVED

- 10.1 3 letters of objection from local residents:- Plot 1 would be too high and too close to 6 Keyhaven Road to the detriment of this neighbouring property; concerns about retention of wall and potential damage to adjacent property; concerns about impact of heavy traffic during construction; concerns about impact on bats; units 1-4 would overlook Riverside resulting in a loss of privacy and an overbearing visual impact; development would compromise the future development potential of Riverside.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive a New Homes Bonus amounting to £8568 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £55,384.06.

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 application proposals have been the subject of discussions and negotiations both before the application was submitted and during the course of the application, allowing a number of concerns to be addressed and thereby enable a positive recommendation to be made.

14 ASSESSMENT

- 14.1 The application site is a relatively large parcel of land which extends southwards of Keyhaven Road. The northern half of the site is occupied by a vacant light industrial unit at 4 Keyhaven Road. A driveway with access onto Keyhaven Road runs to the west side of this unit and this leads firstly to a small yard area to the south side of the industrial unit and then on to 2 Keyhaven Road which is a bungalow set by itself in a backland position. A narrow driveway then carries on past the front of 2 Keyhaven Road leading to what was once a parking / circulation area, but which is now an area of rough grassland and scrubby vegetation. This southernmost part of the site abuts residential dwellings in Grebe Close. The northern parts of the site are set adjacent to a number of other residential properties. There is an existing footpath link through the site (though not a formal public right of way), which links Keyhaven Road to the Danestream Valley to the south-west of the site.
- 14.2 The submitted application follows a 12 dwelling redevelopment proposal that was withdrawn last year. This application seeks to demolish both the existing dwelling at 2 Keyhaven Road and the industrial unit at 4 Keyhaven Road, as well as all associated structures. In their place, it is proposed to redevelop the site with 8 2-storey dwellings. These would be comprised of 4 detached dwellings and 4 semi-detached dwellings. A number of different garages / car ports are also proposed. A new access road would be provided to the west side of the site. The application proposes to retain the rear wall of the existing light industrial unit on the site's boundary with 8 Keyhaven Road.
- 14.3 The existing industrial unit that would be demolished has a floorspace of 622 square metres. The loss of this unit would be contrary to Core Strategy Policy CS17, which seeks to keep all existing employment sites. The applicants recognise that their development would be contrary to this policy. However, they point out that the building has been vacant since November 2012 since when it has failed to attract an alternative user. The applicants point out that the property was previously marketed back in 2010 before the previous occupant vacated the premises, but there were no expressions of interest in a continued commercial / industrial use at that time. There has been no recent marketing of the premises. However, an appraisal of the building has been carried out by Savills UK Ltd who have concluded that the building is in an extremely dilapidated state, with significant repairs necessary to enable the building to be brought back into a useable condition. In the light of the building's condition, Savills have gone on to conclude that there would be no

demand from potential new employment uses, noting also the poor access and loading facilities, and the constraints arising from the site's proximity to residential dwellings. Therefore, they feel further marketing of the site will not result in a new employment use coming forward.

- 14.4 Having regard to the case put forward by the applicants it is felt that the loss of this existing employment site would, on balance, be justified. The building has been empty for 5 years which is a long period of vacancy. The building has been marketed previously without success and its poor physical condition and poor access are likely to be a deterrent to a future employment user coming forward. Furthermore, the building is within the Milford-on-Sea Conservation Area and is a negative feature within the Conservation Area. From an environmental perspective, there would therefore be significant advantages in redeveloping the site. A redevelopment for employment purposes is not a likely prospect given the site's access constraints and the character of the surrounding area. A redevelopment for residential purposes would therefore in both economic and environmental terms be the most viable and appropriate use of this site. Accordingly, the principle of redeveloping this site for residential purposes is considered justified.
- 14.5 The northern half of the site, closest to Keyhaven Road, is within the Milford-on-Sea Conservation Area. The context of this part of the Conservation Area is one of historic houses, mainly from the mid to late 19th Century, interspersed with later infill and replacement developments. This is an area with a tight urban grain with small to medium sized terraces sitting at the back edge of the pavement. It is felt the proposed development, notably Units 1-4, would respond positively to this historic context. The layout of the development would create a linear lane with buildings defining the street. Such lanes running south from Keyhaven Road and the High Street are a typical contextual feature, and therefore the proposal would, in this respect, be a positive response to local distinctiveness.
- 14.6 The southern half of the site, which is outside of the Conservation Area, has a quiet and low-key backland character. The appeal inspector who considered the 2010 redevelopment application described this area as a "quiet backwater" with a "quite rustic charm". This area, which feels green and spacious, has a strong visual relationship to the Danestream Valley. It is felt the group of dwellings and associated buildings at the back of the site would adequately respond to this context. There would be appropriate gaps between buildings, and while there would be an intensification of use and built form, the dwellings at the southern end of the site would define an attractive open square comprised of a well designed parking courtyard and an attractive green space on which one of the site's main trees would be strong landscape feature. With this informal green square being a key feature of the design, the development at the southern end of the site would relate appropriately to its more verdant surroundings.
- 14.7 All of the dwellings would be of a traditional appearance, being well proportioned, and responding well to the traditional character and form of other dwellings in the local area. It is felt the scale of the dwellings would be sympathetic. Most dwellings would be 2-storeys high, but there would be some variation in scale, with individual units (e.g. units 1 and 3) having lower than full 2-storey eaves heights, meaning that these units and the development as a whole would not appear too dominant relative

to adjacent buildings. Unit 8 at the back of the site would be a much lower building, which would help to ensure the group of dwellings at the back of the site are not too dominant as a group, and therefore in keeping with the more low-key and verdant character at the back of the site. The dwellings would display appropriate variety, giving a degree of informality to the design. At the same time, the dwellings would combine to form a cohesive and harmonious group.

14.8 Overall, therefore, the proposed development would be sympathetic to its Conservation Area context and its wider landscape setting. As such, the development would be a contextually appropriate development that would respond positively to local distinctiveness.

14.9 The chalet bungalow design of Plot 8, and the position of first floor windows to this dwelling would ensure that the development does not have any material adverse impact on the privacy and amenities of neighbouring dwellings in Grebe Close. While the attached garage to Plot 8 and a long car port structure would be set fairly close to the rear garden boundary of 33 Grebe Close, it is felt, on balance, that these structures would be sufficiently low (with roofs sloping away from the boundary) as not to affect the light and outlook of this neighbouring property unduly, noting also that they would be set to the north-east side of this property.

14.10 Units 1-4 at the front of the site would have either front or side elevations that would look out towards the neighbouring residential property "Riverside" which is a mainly single-storey property that lies to the west side of the site. These 4 dwellings would be set slightly closer to Riverside than the existing building to be demolished and they would also be slightly taller. Notwithstanding this, it is felt all of these dwellings would be set sufficiently away from the boundary with Riverside as not to adversely affect this property's reasonable light and outlook, even taking into account differences in ground levels. There is more potential, however, for the privacy of 'Riverside' to be affected through overlooking from first floor windows. Plot 3 has the most potential to cause overlooking, and to address this concern, the 2 first floor windows to this dwelling have been designed to serve en-suites, which means they could be reasonably glazed with obscure glass, thereby ensuring that there would be no undue overlooking. Plot 4 also has an en-suite and a second bedroom window facing Riverside, and these too could be reasonably required to have obscure glazing to maintain the privacy of Riverside. Plot 1 is sufficiently far away from Riverside and at a sufficiently oblique angle as not to overlook this property to an unreasonable degree. Plot 2 has main windows serving bedrooms facing Riverside at a distance of about 10 metres from that property's boundary, and about 15-16 metre away from a bedroom window in the side of that neighbouring dwelling. Taking into account the existing context, it is felt, on balance, that this degree of separation would be adequate, and would ensure that the privacy of Riverside would not be harmed to an unacceptable degree.

14.11 To the east side of the site the rear garden of 8 Keyhaven Road would be unacceptably overlooked were it not for the fact that the application proposes to retain the high wall of the existing building on this boundary. The retention of this wall, however, should ensure that the garden of 8 Keyhaven Road is not unduly overlooked. While the retention of a high wall to the new dwellings would mean that they would have fairly enclosed rear gardens, it is not felt the degree of enclosure would be

oppressive.

- 14.12 Unit 1 would be set very close to 6 Keyhaven Road, but no more so than the existing building. Although the dwelling's ridge line would be marginally higher than the existing building, it would not be as deep, and therefore the impact on the outlook of 6 Keyhaven Road would, on balance, be acceptable. Overlooking from windows would also, on balance, be acceptable noting the scope to use obscure glazing on the nearest obscure glazed window.
- 14.13 The level of on-site car parking would be marginally in excess of the Council's recommended parking guidelines as set out in its Parking Supplementary Planning Document. This level of car parking is considered acceptable, both from a highway safety and sustainability perspective. The Highway Authority are satisfied with the proposed access arrangements, and therefore it is not felt the proposal would have any adverse impact on highway safety.
- 14.14 The applicants have submitted an appropriate ecological survey, which establishes that bats are unlikely to be affected by the proposed development. Although there are reptiles (slow worms) on the site, the Ecologist is satisfied that with appropriate mitigation, the development is one that could take place without detriment to this species or to ecological interests more generally.
- 14.15 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 were to be granted for the proposed development, a condition would be required 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. In this case, the full habitat mitigation contribution that would be required would be £20,150.
- 14.16 In light of recent changes to national planning policy, it is considered inappropriate to secure a contribution towards affordable housing in respect of schemes of 10 residential units or fewer. In essence, national planning guidance would now outweigh the Council's own policies on this particular issue.
- 14.17 One small corner of the site where the footpath link leads down into the Danestream Valley is outside of the built-up area boundary and is within the Green Belt. However, no development is proposed in this area, and therefore the openness and status of the Green Belt would not be affected. The same small corner is also at risk of flooding, but because no development is proposed in this area, the development does not give rise to any flood risk implications.
- 14.18 The proposed development would secure the retention of the 2 most significant trees on the site, including a lime tree protected by a Tree Preservation Order.

- 14.19 The development is specifically intended to provide additional housing for the elderly. This would weigh to a small degree in favour of the proposed development, noting that there is a clearly identified need to provide additional residential accommodation specifically for older people.
- 14.20 Overall, the proposed development would not be consistent with local and national planning policies. The loss of the existing employment site would be contrary to Core Strategy policy CS17, but would be justified nonetheless by virtue of both a lack of economic harm and significant environmental benefits. It is felt the development would be well designed and sympathetic to the character and appearance of the Milford-on-Sea Conservation Area. While the development would have some impact on a number of neighbouring dwellings, it is not felt these impacts would be unacceptably harmful. The development could also be implemented without detriment to highway safety or other environmental and amenity interests. As such, the application is recommended for permission.
- 14.21 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	£20,150		

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	1291	626.8	664.2	664.2	£80/sqm	£55,384.06 *

Subtotal:	£55,384.06
Relief:	£0.00

Total Payable:	£55,384.06
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* 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)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2017 this value is 1.1

15. RECOMMENDATION

That the Service Manager Planning and Building Control be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) the receipt of no new material objections to the further publicity [advertising the application as a departure] by 28th July 2017; and
- ii) the imposition of the conditions set out below.

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans: 5484-03-AC-109 rev 1, 5484-03-AC-01 rev 1, 5484-03-AC-03 rev 1 (version of plan received 5/6/17), 5484-03-AC-103 rev 4, 5484-03-AC-104 rev 3, 5484-03-AC-105 rev 2, 5484-03-AC-107 rev 3, 5484-03-AC-108 rev 4, 5484-03-AC-110 rev 2, 5484-03-AC-101 rev 4, 5484-03-AC-02 rev 5.

Reason: To ensure satisfactory provision of the development.

3. 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.

- 4. No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken in connection with the construction of the development hereby approved during the bird overwintering period (i.e. 1st October to 31st March inclusive).

Reason: To safeguard the ecological interest of the nearby Hurst Castle and Lymington River Estuary Site of Special Scientific Interest (SSSI), Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area for Conservation (SAC) in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM2 of the Local Plan Part 2: Sites and Development Management.

- 5. Before the commencement of development a Construction Environmental Management Programme (CEMP), detailing the measures that are to be put in place to minimise any adverse impact on nearby designated sites shall be submitted to and approved by the Local Planning Authority. Development shall only proceed in accordance with the approved details.

Reason: To safeguard the ecological interest of the nearby Hurst Castle and Lymington River Estuary Site of Special Scientific Interest (SSSI), Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area for Conservation (SAC) in accordance with Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM2 of the Local Plan Part 2: Sites and Development Management.

- 6. No development, demolition or site clearance shall take place until the following information has been submitted to and approved by the Local Planning Authority:-

- a) An Arboricultural Method Statement for all activity within the

- identified Root Protection Areas in accordance with BS5837: 2012;
- b) A Tree Protection Plan in accordance with BS5837: 2012;
- c) Details of all service routes, including the position of soakaways;
- d) The location of the site compound and mixing areas;

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 CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. 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 no 8 to 10 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 11 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 DM5 of the Local Plan For the New Forest District outside the National Park. (Part 2: Sites and Development Management).

8. 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 DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

9. 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 DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

10. 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 DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

11. 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 8, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 9, 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 10.

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 DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

12. Development shall only proceed in accordance with the recommendations and mitigation measures set out in the Abbas Ecology Reptile and Water Vole Survey report dated September 2016.

Reason: To safeguard ecological interests and to comply with Policy CS3 of the Core Strategy for New Forest District outside the National Park and Policy DM3 of the Local Plan Part 2: Sites and Development Management.

13. The development hereby permitted shall not be occupied until the spaces / areas shown on the approved plans for the parking and turning of motor vehicles have been provided and these spaces / areas shall thereafter be retained and kept available for their intended purposes at all times.

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

14. No development shall start on site until plans and particulars showing details of the provision for cycle parking / storage within the site have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking / storage areas shall be provided before the development is first occupied and shall thereafter be permanently retained.

Reason : To ensure adequate cycle parking provision within the site, and to comply with policies CS1, CS2 and CS24 of the Core Strategy for New Forest District outside of the National Park.

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

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

16. Before development commences, samples and details of the external 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 development and to safeguard the character and appearance of the area (including the Milford-on-Sea Conservation Area) in accordance with policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

17. Before development commences, sample panels of brickwork (showing the bond, mortar and joint details) shall be made available on site for the inspection and approval of the Local Planning Authority. Development shall only take place in accordance with those details that have been approved.

Reason: To safeguard the character and appearance of the Milford-on-Sea Conservation Area in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

18. Before development commences, the following details shall be submitted to, and approved in writing by the Local Planning Authority.

- a) Large scale drawings (elevations and sections) to illustrate the detailed design of the windows, timber doors and porches.
- b) Large scale drawings (elevations and sections) to illustrate the detailed design of the chimneys, dormer windows, eaves, verges, window cills, window heads and elevational detailing.
- c) Large scale drawings (elevations and sections) to illustrate the detailed design of all new rooflights which shall be of a low profile metal conservation design.
- d) Precise details of the external finish, colour and profile of the new rainwater goods.

Development shall only take place in accordance with those details which have been approved.

Reason: To safeguard the character and appearance of the Milford-on-Sea Conservation Area in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

19. No flues, ducts and vents shall be placed on the front elevations of the new buildings.

Reason: To safeguard the character and appearance of the Milford-on-Sea Conservation Area in accordance with policy CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2: Sites and Development Management.

20. 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) the treatment of the boundaries of the site and all other means of enclosure;
- e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

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

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

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy).

22. The rear wall of the existing employment unit at 4 Keyhaven Road, which is shown on the approved plans as to be retained, shall not be removed or lowered below its existing height of 3.8 metres.

Reason: To safeguard the privacy and amenities of the neighbouring residential property at 8 Keyhaven Road and to comply with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension 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: In view of the relatively intensive nature of the development and the development's sensitive location within the Milford-on-Sea Conservation Area, relatively small-scale changes could unacceptably harm the high design quality that has been secured. Therefore, it is considered appropriate to maintain tight control over future developments to safeguard the character and appearance of the area / Conservation Area and to ensure compliance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park and Policy DM3 of the Local Plan Part 2: Sites and Development Management.

24. The first floor en-suite window on the north elevation of the approved dwelling on Plot 1, the first floor en-suite windows on the west elevation of the approved dwelling on Plot 3 and the first floor en-suite and bedroom windows on the west elevation of the approved dwelling on Plot 4 shall at all times be glazed with obscure glass.

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

Notes for inclusion on certificate:

1. With respect to condition 4, you are advised that the sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

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.

In this case the application proposals have been the subject of discussions and negotiations both before the application was submitted and during the course of the application, which has enabled a number of concerns to be addressed and thereby enable a positive recommendation to be made.

3. In discharging condition No. 3 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:

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Major Team

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee**
July 2017

Item No: 3b

2 & 4

**Keyhaven Road
Milford on Sea
17/10039
SZ2991**

Scale 1:1250

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



