

Application Number: 17/10861 Full Planning Permission

Site: Land at POPLAR LANE, (Adjacent GODWINS MEDE)
BRANSGORE BH23 8JE

Development: 7 houses; 6 garages; carport; parking; landscaping; access

Applicant: AJ Developments Ltd

Target Date: 24/08/2017

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| RECOMMENDATION: Grant Subject to Conditions |
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| Case Officer: Richard Natt |
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1 REASON FOR COMMITTEE CONSIDERATION

Contrary Councillor and Parish Council View

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
Adjacent to New Forest National Park Authority
Adjacent to Site of Importance for Nature Conservation

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 3. Housing
- 5. Travel
- 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)
CS10: The spatial strategy
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

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Housing Design, Density and Character
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards
SPD - Design of Waste Management Facilities in New Development

6 RELEVANT PLANNING HISTORY

43 dwellings - outline (04792)Granted with conditions on the 23rd July 1976

7 PARISH / TOWN COUNCIL COMMENTS

Bransgore Parish Council: The Parish Council recommend refusal of this application: The development as proposed is contrary to Policy CS2 as the location of the 2 storey dwellings at the frontage of the site does not reflect the character of the area. The properties near to this site are predominantly single storey dwellings. The design and layout proposed does not reflect or enhance the local distinctiveness of the area and is contrary to Policy CS3. A more sympathetic design and layout should reflect the fact that adjacent properties are mainly single storey. The Parish Council would prefer to see a single access point serving the site in the interests of road safety and to reflect the character of the surrounding area. This would also avoid the need to cover over the surface water drain on this side of Poplar Lane. The Parish Council is concerned that insufficient consideration has been given to the discharge of surface water from the woodland and land adjacent to the site. This should be re-assessed to avoid any future flooding. The area of woodland adjacent to the site has recently been designated as a SINC by Hampshire County Council and the Ecological Survey should include this area in the ecological appraisal.

8 COUNCILLOR COMMENTS

Cllr M Steele: Objection. This application contradicts Policy CS2 and CS3 as it does not contribute to reflect the character of the area. The application shows 2 storey houses against the road frontage, which is out of character with the street scene. The Ecologist has clearly asked that mitigation is in place and it cannot be demonstrated that the development is in accordance with the NPPF and CS3/DM2. Appropriate evidence and plans for mitigation/compensation should be made available. The Parish Council have raised concerns regarding surface water. This matter should be fairly raised and considered to not flood any neighbouring properties or contribute to cause the road to flood.

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer: No objection subject to condition
- 9.2 Ecologist: No objection subject to condition
- 9.3 Tree Officer: No objection subject to condition

- 9.4 Environmental Health (historic land use): No objection subject to condition. The site is currently 'wasteland' and it is unknown how it has been used previously including potential dumping of waste or other potential contaminating material. A desktop study and preliminary risk assessment is required in the first instance to identify any potential source-pathway-receptor linkages to ensure the site is safe and suitable for the proposed sensitive use (i.e residential with gardens).
- 9.5 Land Drainage: No objection subject to condition
- 9.6 Hampshire County Council Lead Local Authority: comments will be updated at Committee.

10 REPRESENTATIONS RECEIVED

- 10.1 11 letters of objection concerned that the proposed development is out of keeping and contextually inappropriate. Impact on the national park. Concerns over the cramped form of development and scale and height of the dwelling given the character of the area is bungalows, impact on residential amenity such as loss of privacy and light. The proposals will not enhance local distinctiveness or bio diversity. The site floods regularly. Impact on public highway safety. The proposed development would not ensure sufficient space for the trees and woodland to be protected in the long term. Impact on protected Oak tree. Lack of car parking.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus £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 £87,938.40.

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

14 ASSESSMENT

- 14.1 The application site extends to approximately 0.33 hectares in size and is a roughly square shaped area of open land situated along the eastern side of Poplar Lane. The site has a width of around 63 metres and a depth ranging from 50-70 metres. In the past, the site contained a mixture of trees set behind a hedgerow running parallel to Poplar Lane, but the land has now been cleared and currently contains scrub, gorse, logs and the occasional scattered tree. There are no buildings or structures and the vegetation has been cut to near ground level within the site. The site slightly rises from Poplar Lane on the west to the woodland on the east.
- 14.2 It is not entirely clear what the land was previously used for, but it is understood to have formed part of a nursery which included land to the north that now forms the housing development in Blackbird Way and Cuckoo Hill Way. The site lies within the built up area with the eastern boundary immediately abutting the New Forest National Park which comprises mature woodland. A large part of the woodland is now designated as a Site of Importance for Nature Conservation (SINC), but it should be noted that the SINC does not directly bound the application site.
- 14.3 This full application proposes seven detached two storey houses, car port, four detached single garages, two new accesses and landscaping. The proposed layout of the site comprises three houses to front onto Poplar Lane with the remaining four houses sited to the rear served from a new access onto Poplar Lane. One of the frontage dwellings would have its own individual access, however, the remaining six dwellings would be served by a single new access. The new internal access would

be centrally located within the site, and the proposed dwellings to the rear would be sited at right angles to the road. Visually the proposed dwellings would all rise to two storeys, although the dwellings to the rear would be marginally lower in height and have their first floor accommodation contained within the roof space.

- 14.4 The main issues in this case are the effect on the character and appearance of the area, the effect on the living conditions of the adjoining neighbouring properties, public highway safety matters, ecology, drainage/ flooding, and the effect on the New Forest National Park
- 14.5 In assessing the effect on the character and appearance of the area, the site lies within the built up area. Other than a Tree Preservation Order to the north east of the site, there are no policy designations on the site. However, the site does fall within a sensitive location and there are a number of constraints surrounding the site which include close proximity to the New Forest National Park and woodland, the semi rural character of Poplar Lane and the non designated heritage asset to the south, a dwelling known as Godwins Mede.
- 14.6 Poplar Lane is an attractive semi rural lane which serves a mixture of residential properties of varying styles, designs, materials and ages. The more immediate area is characterised by bungalows. Poplar Lane is narrow with no pavements, and a number of residential properties have direct accesses onto the lane. For the most part, dwellings front onto the lane, but there are some more suburban cul de sac developments that are situated off Poplar lane. Low boundary walls, hedgerows and trees tend to define the road frontage with the occasional large tree. The key features of Poplar Lane are the low density semi-rural character, the trees and dense woodland character in the background.
- 14.7 Immediately across the road are low density detached bungalows, some of which have accommodation in the roof space by way of dormer windows and roof lights. These properties are set well back from the road and their frontages are typically laid to gravel for parking, set behind low walls. Heading in both directions along Poplar Lane, there are two storey dwellings, chalet style bungalows and bungalows. There are a few more traditional two storey dwellings situated along Poplar Lane including two thatched cottages which make a positive contribution to the character of the area. Immediately to the south of the site lies an attractive thatched Cottage known as Godwins Mede. This property is a very narrow two storey dwelling which is sited at right angles to the lane and its rear elevation runs along the sites southern boundary. Although the building is not listed, it appears to have heritage value considered as a non designated Heritage Asset.
- 14.8 To the north of the site, Blackbird Way, is a small cul de sac development of detached bungalows and two storey houses. A run of five detached modest bungalows, have rear gardens backing onto the site, in what is a relatively low density development. Beyond the bungalows are large two storey dwellings which lie in the far corner of Blackbird Way backing onto the woodland to the north, and these dwellings are much more tightly grouped together. Further north, in Cuckoo Hill Way, which is served off Poplar Lane, is a higher density development of terraced two storey dwellings, chalet style bungalows and bungalows.

- 14.9 The proposed development seeks to create a traditional rural form of development in which the dwellings would both front onto Poplar Lane and be sited to the rear served off a short internal access road. Visually the proposed dwellings have been designed with traditional forms, proportions and detailing including chimneys, porches and ridge tiles to reflect the semi rural character of the area. Other than the creation of two new accesses onto Poplar Lane, a new hedgerow would be provided adjacent to Poplar Lane, which would effectively replace the hedgerow that was unfortunately removed. Equally, the existing grass verge and ditch which lies outside the application site would be retained. The frontage dwellings would be set back from the lane with space for new trees in their front gardens. In addition, the proposed layout has also been arranged so that the car parking to serve the dwellings is largely hidden behind the buildings, rather than being exposed to view from the lane.
- 14.10 It is considered that the proposed design approach would be contextually appropriate, designed to a high standard and sympathetic with the semi-rural character of the area. The re-instatement of the hedgerow along the majority of Poplar Lane is a positive contribution. The overall density of the development equates to some 21 dph which is considered to be low and comparable to the area. Each dwelling would have a good sized plot with reasonable garden areas, which would not appear either overdeveloped or cramped. Plots 5 and 6 would sit on the more spacious plots with their large side and rear garden areas which would be appropriate given their close proximity to the woodland edge.
- 14.11 The proposed development would be sited a reasonable distance away from Godwins Mede to the south. By creating a good degree of separation with large rear gardens backing onto this property, the proposed development would not dominate or adversely impact on the setting of this non designated Heritage Asset and would allow views to be maintained of the property from Poplar Lane.
- 14.12 It is accepted that the more immediate character comprises low rise bungalows and the proposal would create a development of two storey dwellings rising to around 8.2 metres, with the dwellings to the rear being of a slightly lower scale in which the first floor accommodation is contained within the roof. However, Poplar Lane is very mixed and there are examples of both chalet style bungalows and two storey houses and the proposal has been designed to create very traditional cottage style houses. The distance from the front elevation of frontage houses to the road edge measures from 6.5 metres to 8.5 metres. The three frontage dwellings would have wide plots and would be set back a reasonable distance from the lane and would not appear imposing or out of keeping in their setting. By creating a more traditional rural development, this will help blend in with the woodland backdrop to the rear and be appropriate to the rural edge. Overall the proposed layout would create a spacious form of development of a high quality design retaining the key features such as trees and reinstating the hedgerow which would make a positive contribution to the street scene.. Although a full detailed landscaping condition can be imposed, a further condition removing 'permitted development' rights can be imposed for no fences, boundary walls, hardstanding or new accesses to be created or installed between the front elevations of plots 1, 2 and 3 which front Poplar Lane. This would prohibit the hedgerow along the front of the site being replaced with hardstanding, walls, fences or openings, which would be acceptable.

- 14.13 Moreover, it is considered that the development's impact on the National Park would be very limited and the proposal would not harm the landscape importance and qualities of the National Park. Built development already bounds the south and west boundary of the National Park, including Harrow Wood Farm Caravan Park. The increase in traffic generation would be modest, and any traffic generated would be into Bransgore and not through the local forest roads.
- 14.14 In terms of ecological matters, the site is located 0.5K to the south of Poors Common SSSI and 50m from the Harrow Wood SINC. It should be noted that the nearby Harrow Wood SINC which was proposed in November 2016 has now been accepted, however this is separated from the application site by intervening land. The east boundary lies adjacent to mature broadleaved woodland. No designated sites are present within the site. The land is unmanaged although it is understood that the previous use of the site was for ornamental planting/ garden nursery. The submitted Ecological report states that the site has been assessed as holding low ecological value however, it is located immediately adjacent to an area of high ecological value broadleaved woodland. A mitigation plan has been outlined in the ecological report which proposes a number of detailed approaches to mitigation/compensation which seek to minimise the direct impact and also provide longer term compensation, such as the delivery of features include hibernacula, sowing of wild flower, erection of bird boxes, planting of native trees, bee bricks, enhanced receptor areas and hedgerow planting.
- 14.15 It should be noted that following the submission of additional information and liaison with biological records, including the issues relating to the nearby Site of Importance for Nature Conservation, the Councils Ecologist initial concerns have been addressed. The survey work carried out is appropriate, in which a low number of slow worms and grass snake were recorded. The Councils Ecologist considers that the proposed development would not represent a change in material circumstances for the SINC, however, the loss of on site habitat, has been carefully considered and would require the mitigation and compensation secured through a suitably worded planning condition. The Ecologist considers that while the issue of protected species are capable of being managed in such a way that the status of populations is largely maintained, the offset is relatively restricted and could be further improved and this can all be incorporated within the landscaping.
- 14.16 Concerning tree matters, there is a single Tree Preservation Order within the site which consists of a group of 4 Pine trees located on the north east boundary of the site. The adjacent site of Godwins Mede is subject to a Tree Preservation Order and protects 3 Oak trees. There is a further Tree Preservation Order which protects trees to the east of the site within woodland. The Tree Officer does not raise any objections and considers that the proposed layout takes into account existing trees on the site and the relationship between new dwellings and these trees is acceptable. The Tree Protection Plan specifies and illustrates the tree protection fencing to be installed prior to the commencement of the development and if this plan is adhered to it will provide a sufficient level of protection. The proposed layout would also enable space for new tree planting.

- 14.17 With regard to residential amenity there are several neighbouring residential properties that would be affected by the proposal. Concerning Godwins Mede, this property lies to the south and has its rear elevation immediately backing onto the application site. The rear elevation at Godwins Mede has several ground and first floor windows that face onto the site and its main garden area mainly lies to the south of the building. Accordingly, the main garden area to Godwins Mede will be shielded from the proposed development by the existing building. The proposed dwellings on plots 3, 4 and 5 are sited a reasonable distance away from Godwins Mede. No windows are proposed on the side elevation of plot 3. The first floor rear rooflights proposed on plot 4 would be more than 18 metres away from Godwins Mede. The proposed first floor rooflights on plot 5 would be angled away from Godwins Mede and would be approximately 14 metres from the boundary. Given the distances involved and the fact that the proposed windows would be rooflights, it is considered that the proposed development would not have an adverse impact on the living conditions of Godwins Mede.
- 14.18 In relation to the neighbouring properties at Blackbird Way, it is noted that these properties have short rear garden areas backing onto the north boundary of the application site. The proposed dwelling on plot 1 would have its detached garage in line with the existing outbuilding between No 12 and 14 Blackbird Way. The proposed dwelling on plot 1 would have its side elevation facing the rear of No 14 and there is a distance of just under 14 metres between the properties. It is accepted that the proposed dwelling on plot 1 will have an impact on the outlook of No 14 however given the separation of 14 metres and the shallow depth of the side elevation (5.5 metres) of the proposed dwelling, it is not considered to be detrimental. No first floor windows are proposed on the side elevation facing No 14, which would maintain a reasonable level of privacy.
- 14.19 The proposed dwellings on plots 6 and 7 would be sited with their rear elevations facing onto Nos 10, 11 and 12 Blackbird Way. It is noted that there is a rear conservatory at No 11. The distance between the proposed first floor window of plot 7 to the rear conservatory of No 11 measures 21 metres and 13 metres to the rear boundary. The proposed first floor rear window to No 9 and 10 Blackbird Way measures 10 metres to the rear boundary, but the building is orientated to face onto the existing outbuilding. In terms of the neighbouring properties opposite the site in Poplar Lane, the proposed three dwellings at plots 1, 2 and 3 would face onto the lane which would be acceptable. The distances between the dwellings would be in excess of 22 metres. Overall it is not considered that the proposed development would have an adverse impact on there neighbouring properties.
- 14.20 In relation to public highway safety matters, the Highway Authority does not raise any objections to the proposal. It is considered that the proposed accesses are appropriate to serve the proposed development with adequate visibility splays available. While no tracking information has been submitted, the design of the proposed access should allow larger vehicles to access and egress the site appropriately and in a forward gear. Construction of the access will require the applicant to enter into a S278 agreement with the Highway Authority. No works can commence within the highway boundary until the agreement is complete or the applicant has secured the appropriate licence.

- 14.21 The proposed development would accord with the Council's document 'Parking Standards Supplementary Planning Document' adopted in October 2012. Five of the proposed dwellings would have at least three car parking spaces each which includes the garages, and the smaller 2 three bedroom dwellings would have two spaces, which would broadly accord with the recommended car parking guidance.
- 14.22 Concerns have been raised in relation to flooding and surface water drainage on the site. In particular, there is a surface water discharge from the adjacent woodland into the site and the open ditch in front of the site in Poplar Lane. In response to the concerns raised, the applicants have provided a survey plan showing the existing drains on the site, details of the surface water ditch and how this will be dealt with and managed as part of the proposed development. It is claimed that approximately 10 years ago an open ditch was excavated across the site from the east to west. The purpose of the ditch was to release a build up of water occurring within the wooded area adjacent to the eastern boundary of the application site. The open ditch was connected into an existing open ditch which runs across the frontage of the site adjacent to Poplar Lane. In order to accommodate the proposed development, the proposal is to pipe the open ditch which runs from the eastern boundary over the ditchline adjacent to Poplar Lane. The pipeline will be sized to match the ditch profile to ensure the flow characteristic are maintained. The piping of the ditch will maintain connectivity from the eastern boundary to the existing ditch adjacent to Poplar Lane so that surface water can still leave the wooded area. The comments from Hampshire County Council Ordinary Watercourse Consent Team are sought and their comments will be updated at Committee in relation to the culvert of the existing open ditch. However, based upon the details submitted, there have been no records of the site from flooding and given that the site falls within a low flood zone, it is considered that a suitably worded planning condition can be imposed for the full surface water drainage, to include the final technical and engineering details of the open ditch to be submitted for approval.
- 14.23 In the 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.
- 14.24 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard.
- 14.25 In conclusion the site lies within the built up area where the principle of residential development is acceptable, and while there are a number of constraints within and adjacent to the site, the technical issues have been addressed and it is considered that the proposed development

would be appropriate and sympathetic to the area. It is also considered that the proposed development would have an acceptable relationship to the neighbouring properties and there are no objections relating to public highway safety matters.

- 14.26 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. While 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.

CIL Summary Table

| Type | Proposed Floorspace (sq/m) | Existing Floorspace (sq/m) | Net Floorspace (sq/m) | Chargeable Floorspace (sq/m) | Rate | Total |
|--------------------|----------------------------------|----------------------------------|-----------------------------|------------------------------------|---------|--------------|
| Dwelling houses | 999.3 | | 999.3 | 999.3 | £80/sqm | £87,938.40 * |

| | |
|-------------------|------------|
| Subtotal: | £87,938.40 |
| Relief: | £0.00 |
| Total Payable: | £87,938.40 |

* 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

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: 8827/300 Rev B, 8827-301 Rev A, 8827/302 Rev A, 8827/303 Rev A, 8827/304 Rev A, 8827/305 Rev A, 8827/306 Rev A, 8827/307 Rev A, 8827/308, 8827/309 Rev A .

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

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

4. The development hereby permitted shall not be occupied until the spaces shown on plan 8827/300 Rev B for the parking and garaging of motor vehicles have been provided.
The spaces shown on plan 8827/300 Rev B for the parking and garaging or motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwellings hereby approved at all times.

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

5. 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 to include the new hedgerow adjacent to Poplar Lane and tree planting. (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure including existing and boundary treatment;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.
- (f) the details of external lighting

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).

6. All external works (hard and soft landscape) as set out and approved in condition 5 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 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).

7. 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. The submitted scheme shall also include full details of the piping or other engineered solution to the existing open ditch which runs east to west through the site.

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.

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. The trees 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 Arboricultural Impact Assessment & Arboricultural Method Statement (GHJ1776.1) and Tree Protection Plan (GH1676.1b) and within the recommendations as set out in BS5837:2012.

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

10. 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 11 to 13 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 14 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).

11. 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).

12. 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).

13. 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).

14. 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 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, 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 12.

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).

15. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period as stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. 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).

16. Prior to the commencement of development, including site clearance and reptile translocation, further details of biodiversity mitigation, compensation and enhancement shall be submitted to, and approved in writing by the Local Planning Authority. These shall include measures as outlined in the Phil Smith Ecology Report dated July 2017 together with the additional details to provide offset for losses of vegetation and wetland habitat. Moreover, prior to the commencement of development, including site clearance, a Construction Environmental Management Plan, to include the measures set out in the Phil Smith Ecology Report dated July 2017 shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the details and recommendations as approved in the strategy with any amendments agreed in writing. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

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

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

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no means of hardsurfacing otherwise approved by Classes F of Part 1 of Schedule 2 to the Order, or fence, wall or means of enclosure otherwise approved by Class A or means of access to Poplar Lane approved by Class B of Part 2 of Schedule 2 to the Order shall be created, constructed, carried out or erected between the front elevations of the hereby approved dwellings identified as plots 1, 2 and 3 and Poplar Lane without express planning permission first having been granted.

Reason: To safeguard the retention of the hedgerow, trees and greenery along Poplar Lane which is a locally distinctiveness feature which makes a positive contribution to the semi rural character of the area in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

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

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

Further Information:

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee
September 2017**

Item No: 3f
Land at Poplar Lane
Adj. Godwins Mede
Bransgore
17/10861

Scale 1:1250
N.B. If printing this plan from
the internet, it will not be to
scale.

