

Application Number: 17/11352 Full Planning Permission

Site: LAND ADJACENT BROADMEAD TREES FARM, BROADMEAD,
SWAY, HORDLE, SO41 6DH

Development: 2 Houses; detached garage; stable; paddocks; access; parking; 2
sewage treatment plants; 2 rainwater harvesting tanks; demolition
of existing buildings and removal of hardstanding

Applicant: Appletree Developments (Poole) Ltd

Target Date: 01/12/2017

Extension Date: 15/12/2017

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Jim Bennett

1 REASON FOR COMMITTEE CONSIDERATION

The application constitutes a departure from the provisions of the Development Plan.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt
Countryside
TPO No: NFDC/TPO 0031/15

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS10: The Spatial Strategy
CS15: Affordable housing contribution requirements from developments
CS17: Employment and economic development
CS25: Developers contributions

Local Plan Part 2: Sites and Development Management Plan Document

DM2: Nature conservation, biodiversity and geodiversity
DM3: Habitat Mitigation
DM20: Residential development in the countryside
DM22: Employment development in the countryside

National Planning Policy Framework - Achieving Sustainable Development

NPPF Ch. 4 - Promoting sustainable transport
NPPF Ch. 6 - Delivering a wide choice of high quality homes

NPPF Ch. 7 - Requiring good design
NPPF Ch. 9 - Protecting Green Belt land

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

Residential Design Guide for Rural Areas
Mitigation Strategy for European Sites

6 RELEVANT PLANNING HISTORY

- 6.1 The site and building are currently vacant, but there is quite an extensive planning history for the site, including several enforcement files opened to investigate the use of the barn for purposes not related to agriculture, the most recent being EN/12/0165 for, which was closed on 6th January 2014 following cessation of the unauthorised use. Several planning applications have also been submitted and refused between 1997 and 2007 for use of the buildings for B8 (storage and distribution) purposes.
- 6.2 A planning application for 3 no. dwellings under ref. 15/10932 was withdrawn in August 2015 due to concerns raised by the Council over the number, dispersed nature and design of the proposed dwellings.
- 6.3 Prior approval was refused in August 2014 under ref. 14/10872 for change of use of building to residential dwellings.
- 6.4 Planning permission was granted for two detached houses; a detached garage and demolition of existing buildings, under ref. 16/11151 in December 2016.
- 6.5 The applicant sought the Planning Authority's view on a revised proposal for two dwellings, stable and garage, similar to the development now proposed in October 2014, under ref. ENQ/17/20825/SSRC.

7 PARISH / TOWN COUNCIL COMMENTS

Hordle Parish Council - recommend refusal but would accept the decision of the planning officers under their delegated powers. The Parish Council support the concerns of the Highway Officer, Rights of Way Officer and Tree Officer and would be unable to support this application until all these concerns have been addressed satisfactorily.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer: the site is located off Silver Street and access via Hordle Bridleway 744. There is currently no recorded public vehicular rights for the bridleway, but it is used by residents and customers for a local bed and breakfast. Confirmation that

the land owner has permission to allow vehicular access to the site should be submitted before planning permission is granted. Parking provision for both cars and cycles has been provided in the form of garages for both properties. Local parking standards indicates the required quantum to be 3 car parking spaces and 2 cycle spaces. Whilst one dwelling meets this criteria, the western dwelling only shows provision of two car parking spaces. However it is possible to keep at least one other vehicle within the curtilage of the site, and is therefore deemed sufficient. Details of refuse storage and collection should be submitted. If local refuse collection vehicles are to enter the site, then tracking drawings showing that a large refuse vehicle is able to access and egress the site in forward gear should be submitted. Until the above has been submitted, the Highways Authority is unable to provide a positive recommendation.

- 9.2 Waste Management (NFDC): no bin stores required. Waste will be collected at curtilage as normal.
- 9.3 Hampshire County Council Rights of Way: the proposed vehicular access to the development site is along Hordle Bridleway 744, there are no recorded public vehicular rights over this path. Full details of any established private vehicular rights over the public right of way should be provided. The proposals will increase vehicular use of the public right of way, which will have an adverse impact on the amenity value, highway safety, and the surface of the route. Hampshire County Council, as Highway Authority, has a duty to maintain the right of way to a standard commensurate with its expected normal public use. In the interests of the amenity of the public and highway safety we must therefore object to this application. Improvements to the surface of the right of way to cope with increased vehicular movements could be secured to mitigate the significant impact of the development.
- 9.4 Environmental Health (Contaminated Land): no objection in principle to the proposed development as submitted, subject to standard planning conditions
- 9.5 Tree Officer – is concerned about the relationship of the detached garage to protected trees but feels that his can be dealt with by condition.
- 9.6 Ecologist - no objection subject to condition to secure the proposed biodiversity mitigation and compensation measures.
- 9.7 Southern Gas Networks - no objections, but give informatives.

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus £2,448 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 £6,688.

Tables setting out all contributions are at the end of this report.

13 WORKING WITH THE APPLICANT/AGENT

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

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case the applicant sought the Council's pre-application advice on the form of development proposed and has submitted the requisite documents and plans in respect of this application. The applicant was requested to provide additional information in respect of access rights, contamination and tree impacts, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

14 ASSESSMENT

- 14.1 The proposal relates to vacant buildings (originally constructed as agricultural buildings), extensive hardstandings and associated

grass/scrub land just off Silver Street, Hordle. The existing buildings appear to be of post war, portal frame construction, clad in concrete panels, with corrugated roofing. The footprint of the existing structure is approximately 576 square metres. The existing building is located at the centre of an area of land, (identified as being within the applicant's control), opposite Broadmead Trees Farmhouse and is within an area of open countryside defined as Green Belt. There are a number of dwellings in the locality, to the south and east of the proposal site of various types and sizes, all beyond any defined built-up area, which appear to have developed incrementally following establishment of a community around the Broadmead area in the early twentieth century. All are accessed via the same point of access from Silver Street.

14.2 The proposal would involve demolition of the existing structure and erection of 2 no. five bedroom detached dwellings, with associated garage, stable, access, parking, turning, garden curtilage arrangements and a paddock area. The footprint of the proposed dwellings would be sited mostly within the footprint of the existing structure, although slightly altered from the previous approval in order to achieve better rear garden curtilage arrangements for Plot 1. The garage has also been re-located and the stable building is new to the scheme. One dwelling would be full two storey height, the other at one and a half storeys, with a combined volume less than the existing structure on the site. The proposed materials would be red clay and slate tiles, red facing brick and timber feather edged boarding. Both dwellings would be accessed from the existing main access point into the site, itself accessed via a private road from Silver Street.

14.3 The principle issues to consider, having regard to relevant development plan policies, the National Planning Policy Framework and all other material considerations are as follows:

- i. Is the development appropriate in the Green Belt by definition?
- ii. What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?
- iii. Would there be any other non-Green Belt harm?
- iv. Are there any considerations which weigh in favour of the development?
- v. Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?
- vi. Are there 'very special circumstances' to justify allowing inappropriate development in the Green Belt?

14.3.1 **(i) Is the development appropriate in the Green Belt by definition?**

The application site is located within the Green Belt and therefore the proposal must be assessed against Green Belt policies. The National Planning Policy Framework (NPPF) suggests that the construction of new buildings in the Green Belt is inappropriate other than for specific exceptions. One of these exceptions is the partial or complete redevelopment of previously developed sites (brownfield land), which would not have a greater impact on the openness of the Green Belt. The

previous application accepted that if the proposed buildings have no greater volume and are located similarly to the existing building and hardstandings, then it may be a credible argument to say that they would have no greater impact on the openness of the Green Belt. While the footprints of the proposed dwellings have changed, they have not changed markedly, still overlap the footprint of the existing building and are under the volume of the existing building. However, even if it is concluded that the proposal would have no greater impact on the openness of the Green Belt, the proposal must still be deemed inappropriate development, as (notwithstanding its most recent unlawful usage) the building is an agricultural building which cannot be considered as brownfield land. The NPPF makes it clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

14.3.2 (ii) What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?

The proposed development would undoubtedly change the appearance of this land with the provision of new buildings, accesses, garden curtilages and landscaping.

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

A volumetric calculation has been submitted which demonstrates that the existing structure equates to 3,743 cubic metres in volume and that the cumulative volume of the proposed dwellings is 2,647 cubic metres. This equates to a significant reduction in built form over the site. Given the reduced volume, existing screening by trees to the south and east and a substantial level of proposed new tree and hedgerow planting, as demonstrated by the landscape plan, it is felt that the proposal would have no greater impact on the openness of the Green Belt. Conversely it would enhance the openness of the Green Belt. The proposal would not impact significantly upon the openness of the Green Belt, which weighs in its favour.

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

- a) New dwellings in the countryside: Policy DM20 of the Local Plan Part 2 restricts development of new dwellings in the countryside. However, this proposal has arisen following recent changes to the GPDO, which allows the change of use of agricultural buildings to residential use without a requirement for planning permission. While a change of use is not proposed here, the ethos of the GPDO is adhered to as two dwellings would be provided, of smaller scale and better visual appearance than the existing building, which would not

harm the character of the area or setting of the National Park. The proposed siting does not encroach into open parts of the site, it adheres to the footprint of the existing building and concrete apron, with a backdrop of mature trees to the south and east, which assist with its integration into the landscape. The site is not elevated and the proposed buildings would be less prominent within the landscape than the existing structure, being set well back from Silver Street, of lesser mass and of acceptable design and materials. Consequently dwellings of the quality proposed may be supported, as a departure from the provisions of Policy DM20, subject to conditions to remove permitted development rights to extend the dwellings or erect further outbuildings. The proposal complies with the design related provisions of Policy CS2.

- b) Ecology Impacts: the Ecologist raises no objection to the proposal subject to a condition to ensure the proposed biodiversity mitigation and compensation measures are provided. In terms of the species protection provisions of the Habitats Directive, as implemented by the conservation (Natural Habitats Etc.) Regulations 1994 and the three "derogation tests", the comments of the Ecologist confirm that the favourable conservation status of protected species may be maintained, subject to condition. The Local Planning Authority is satisfied that there is an overriding public interest in approving the application, as evidenced by the previous responses of notified parties, who were overwhelmingly in support of the proposal on the basis of enhancement of residential and visual amenity. There is no satisfactory alternative to the form of development proposed, considering the need to adhere to the footprint of the original building and desire to remove an unsightly structure from the site. Subject to provision of the biodiversity compensation and enhancement measures, the proposal would not cause any harm to ecological interests in accordance with Policies CS3 and DM2.
- c) Tree Impacts: trees protected by Tree Preservation Order are situated along the eastern boundary and provide an important buffer between the site and main access to Broadmead, while contributing to the wider landscape and are important to the character of the area. The potential tree impacts of the development have been addressed by a Tree Survey and Plan submitted with the application. The Tree Officer has raised concerns in relation to the proximity of the garage to two protected trees however, he has confirmed that this can be dealt with by condition.
- d) Highway/ PROW Impacts: the Highway Engineer and Rights of Way Officer raise concerns over the proposed access arrangements, over a right of way. The applicant confirms they have an existing right of vehicular access to the site via this route that also serves approximately 20 other dwellings. While access across a right of way is unfortunate, officers consider the intensity and type of vehicle movements to the site posed by the proposed development would be a benefit to the applicant's fall-back position, where tractors and other agricultural traffic to and from the existing site will be a considerable benefit to highway safety. In addition, planning permission has already been granted for two dwellings on this site which would also make use of the same access over the PROW. When this previous application was considered the PROW Team at Hampshire County Council were consulted and no comments were

received. The Waste Management Section advise that refuse vehicles are not required to enter the site, so refuse vehicle tracking within the site is not required.

- e) Site Drainage: given the amount of land available to the applicant, a comprehensive approach to dealing with water on site could be achieved, meeting the requirements of Policies CS2 and CS4, which state that all new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever feasible. A condition is proposed requiring the applicant to incorporate sustainable drainage techniques into the site drainage strategy.
- f) Residential Amenity Impacts: the site is set sufficiently distant from any residential properties to avoid any adverse effect on residential amenities by reason of visual intrusion, overlooking or shading, considered under the amenity related provisions of Policy CS2. Overall, there is an opportunity to improve residential amenities given the problems associated with previous uses of the site and considering removal of the existing buildings and clutter from the site would be to the betterment of visual amenity.

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

Consideration 1

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

Consideration 2

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

Consideration 3

The proposal would not cause any other Green Belt harm, subject to conditions to cover highway issues, site drainage and biodiversity measures, which weighs in favour of the proposal.

Consideration 4

The level of housing need in the District is sufficiently above the level of housing supply to know that a five year supply of housing land is currently unavailable. This situation will be addressed through the emerging local plan, but until the new Local Plan is adopted, paragraph 14 of the NPPF advises that planning permission for housing development should normally be granted unless any planning harm identified would "*significantly and demonstrably outweigh the benefits*". This is known as the 'tilted balance' in favour of sustainable development. In this case, it is considered that the adverse impacts of development set out above do not significantly and demonstrably outweigh the benefits and therefore the tilted balance in favour of granting permission is a material consideration in assessing this application.

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

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

With respect to 'any other harm', the site would be visually enclosed and the landscaping proposed is likely to lead to an enhanced landscape value for the site. The ecological value of the site and tree coverage would not be harmed by the proposals, subject to conditions. Precise details concerning parking provision, potential contamination and site drainage can be addressed by condition. The proposal is not considered to have any harmful impact on residential amenity. Your officers are not aware of any other matters raised in representations that would weigh against the scheme.

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

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

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

14.4 Contributions

14.4.1 The proposal is for a net gain of 2 no. dwellings, where contributions towards habitat mitigation would be required, in addition to any CIL liability. The proposed development has a CIL liability outlined in the table below.

14.4.2 In accordance with the Habitat Regulations 2010 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential development provided for in the Local Plan on both the New Forest and the Solent European Nature Conservation Sites. It has been concluded that likely significant adverse effects cannot be ruled out without appropriate mitigation projects being secured. In the event that planning permission is granted for the proposed development, a condition is recommended that would prevent the development from proceeding until the applicant has secured appropriate mitigation, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. CIL exemption dictates payment of the full habitat mitigation contribution (including management and monitoring).

14.4.3 No affordable housing or tariff style contributions are sought from this development, being a scheme of under ten dwellings.

Conclusion

- 14.5 The proposed development is inappropriate development within the Green Belt, although the very special circumstances to warrant a departure from Green Belt Policy have been demonstrated. Its design is considered to be acceptable and the environmental benefits of the scheme weigh in its favour. The proposed development could take place without detriment to the ecology, trees or amenities of the wider area, and without adversely affecting highway safety. Therefore, subject to conditions to ensure that the scheme's specific benefits are fully delivered, the application is recommended for permission.
- 14.6 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Section 106 Contributions Summary Table

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

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	869		793	76	£80/sqm	£6,688.00 *

Subtotal:	£6,688
Relief:	£0.00
Total Payable:	£6,688.00

* 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:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

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: AD-006 Rev C, TCP/S/01, AD-003 Rev E, AD-004 Rev C and BM101 Rev A.

Reason: To ensure satisfactory provision of the development.

3. The development shall only be implemented in accordance with the approved fenestration, facing and roofing materials being: powder coated aluminium windows (Willow), Wienerberger Terca Renaissance Multi brick and Terreal Rustique New Forest Mix5 tile for the house and Vandersanden Old Farmhouse 60 brick and Siga 39 natural slate tile for the barn building, unless the prior written approval of the Local Planning Authority is forthcoming.

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

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

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

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

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

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

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

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

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

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

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

8. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

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

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

10. This consent does not grant permission for the paddock area shown on drawing no. AD-006 Rev C to be used as anything other than a paddock area and does not grant consent for its use as extended garden curtilage associated with either Plot 1 or Plot 2 shown on the same plan.

Reason: To ensure the dwelling garden curtilages remain of a size which are appropriate to the location within the countryside and to comply with Policy CS3 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

11. All external works (hard and soft landscape) shall be carried out in accordance with the approved landscape plan ref. BM101 Rev A 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).

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination nos 13 and 14 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 DM4 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 DM4 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 and where remediation is necessary a remediation scheme must be prepared, 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.

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

15. The development, including demolition, shall be undertaken in accordance with the mitigation and enhancement measures outlined within the Preliminary Bat Roost Assessment, Emergence and Mitigation Plan prepared by Emma Pollard dated September 2017 proceed and shall be maintained in accordance with those details unless otherwise agreed with the Local Planning Authority.

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

Notes for inclusion on certificate:

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

In this case the applicant sought the Council's pre-application advice on the form of development proposed and has submitted the requisite documents and plans in respect of this application. The applicant was requested to provide additional information in respect of access rights, contamination and tree impacts, in light of the comments of consultees and notified parties, but otherwise the application was acceptable as submitted and no specific further actions were required.

2. New Forest District Council has adopted a Community Infrastructure Levy (CIL) charging schedule and any application now decided, including those granted at appeal, will be CIL Liable. CIL is applicable to all applications over 100sqm and those that create a new dwelling. Under Regulation 42A developments within the curtilage of the principal residence are likely to be exempt from CIL so CIL may not be payable provided the applicant submits the required exemption form prior to commencement of the development.
3. In discharging condition No. 8 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
4. An extract of Southern Gas Networks mains records of the proposed work area is available to view on the Council's website for your guidance. This plan only shows the pipes owned by SGN in their role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If they know of any other pipes in the area they will note them on the plans as a shaded area and/or a series of x's. The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days.

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

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

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

Further Information:

Jim Bennett
Telephone: 023 8028 5588



New Forest
DISTRICT COUNCIL

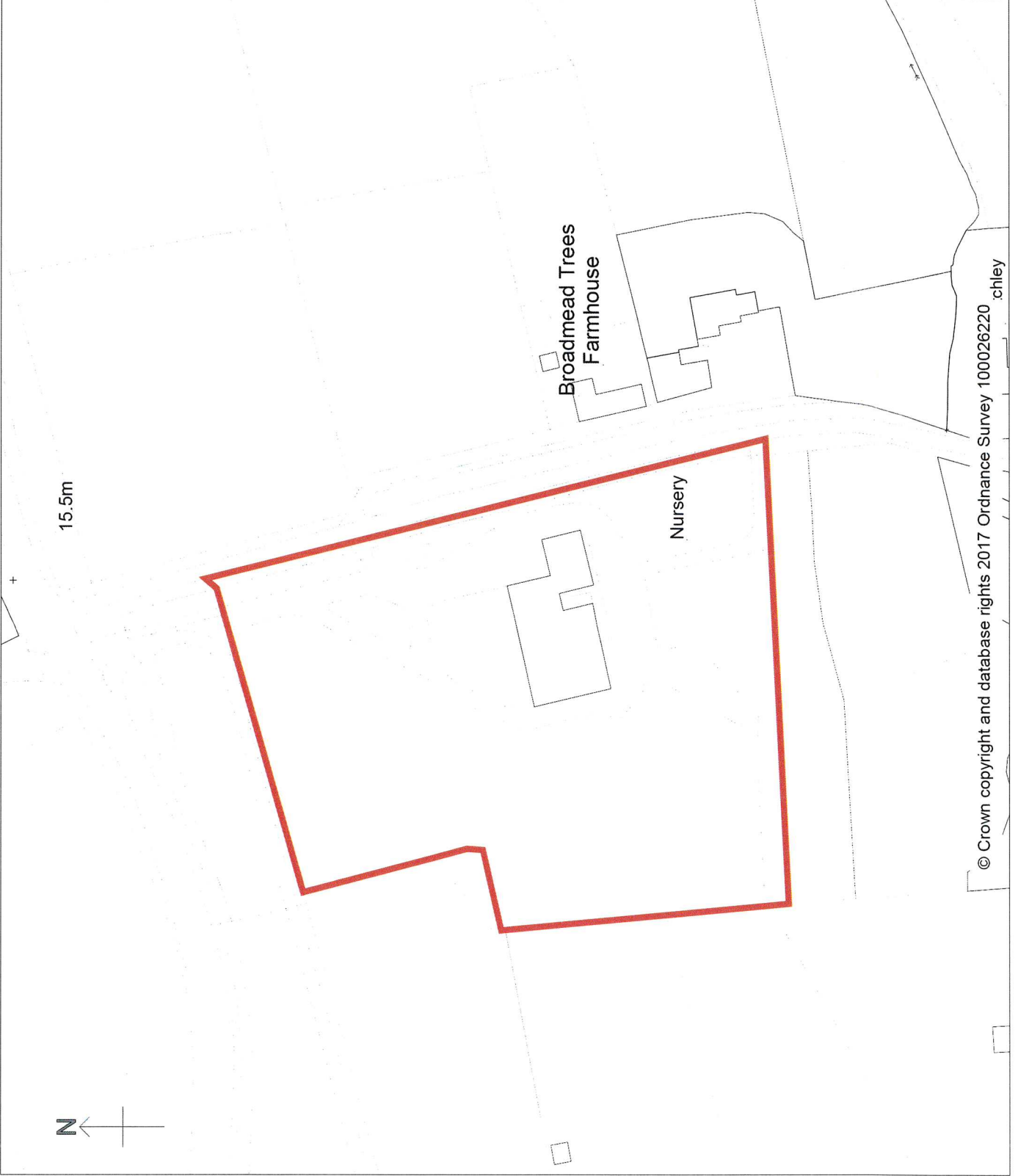
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Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee**
December 2017

Item No: 5j
Land adj.
Broadmead Trees Farm
Broadmead Sway
17/11352
SZ2995

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



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