

**Application Number:** 17/11414 Outline Planning Permission

**Site:** LAND ADJACENT GODWINS MEDE, POPLAR LANE,  
BRANSGORE BH23 8JE

**Development:** 8 dwellings comprised 1 pair of semi-detached houses; 6 detached houses; parking (Outline application with details only of access, layout and scale)

**Applicant:** AJ Developments

**Target Date:** 08/12/2017

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| <p><b>RECOMMENDATION:</b> Grant Subject to Conditions</p> |
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| <p><b>Case Officer:</b> Richard Natt</p> |
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**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to 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**

7 dwellings, 6 garages, car port, parking, landscaping (17/10861) Granted with conditions on the 27th September 2017

#### **7 PARISH / TOWN COUNCIL COMMENTS**

Bransgore Parish Council: The Parish Council remains concerned about the impact of this development on the character and identity of the area and is not sympathetic to the street scene contrary to Policy CS2. This proposal to increase the density from that approved by the local planning authority for 7 dwellings is an unacceptable intensification and will adversely affect the nearby properties. Concern relating to car parking should also be taken into account.

#### **8 COUNCILLOR COMMENTS**

None

#### **9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Engineer: No objection subject to condition
- 9.2 Ecologist: The increase in units is likely to result in an increase in pressure on the sensitive woodland edge by nature of the cramped layout and subdivision of the plot. There is a preference for the previous layout and would not support the proposal in this form.
- 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 - see comments under planning application reference 17/10861
- 9.6 Hampshire County Council Lead Local Flood Authority: See comments on planning application reference 10861

## **10 REPRESENTATIONS RECEIVED**

Five letters of objection concerned that the proposed development is not contextually appropriate in this location and the proposal to increase the number to 8 would increase the density and result in further implications for Poplar lane. The proposal would lead to a more cramped form of development and would intensify development adjacent to the woodland, in which there are protected Oak Trees. Impact on parking/ lack of parking. Impact on public highway safety Impact on the living conditions of the adjoining neighbouring properties. If 8 dwellings are approved, what is stopping the applicant proposing 9. Concern over contamination.

## **11 CRIME & DISORDER IMPLICATIONS**

No relevant considerations

## **12 LOCAL FINANCE CONSIDERATIONS**

If this development is granted permission, the Council will receive New Homes Bonus £9792 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 land within 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 current application follows a recent planning permission granted on this site for 7 dwellings, 6 garages and car port under planning reference 17/10861. No works have commenced to implement that permission. This application has been made in outline and proposes 8 dwellings comprised of 1 pair of semi-detached houses, 6 detached houses and parking. The outline application relates to details of access, scale and layout. The application is accompanied by a site layout plan, a front elevation plan and floor plans of plots 5 and 6 and details of the car port. In terms of the scale of the buildings, apart from plot 5, the other dwellings would be the same height as that approved under 17/10861.
- 14.4 The current application is essentially to create an additional dwelling on the site. which would be achieved through creating a pair of semi-detached houses instead of a detached dwelling on plot 5 which is sited to the south west corner behind the frontage dwellings. In comparison to the previous permission, the additional dwelling on the site would increase the level of hardstanding to the rear of the site and would decrease the level of greenery and front gardens. The car port would increase in size from the 3 bays previously approved to 4 bays. The proposed pair of semi-detached dwellings would have smaller rear garden areas compared to the previously approved dwelling.

- 14.5 The main issues in this case are whether the increase in the number of dwellings on this site from 7 to 8 would lead to an unacceptable impact on the character and appearance of the area, the living conditions of the adjoining neighbouring properties, public highway safety or ecological matters.
- 14.6 In assessing the effect on the character and appearance of the area, it is considered unfortunate that this current application now seeks to add a further dwelling. The previously approved layout provided a spacious form of development with plenty of greenery and good sized garden areas. It was also felt important to create a more spacious plot immediately adjacent to the woodland area.
- 14.7 However, while the proposed changes are unfortunate, the extent of changes to the layout of the site are relatively minor. Front garden areas would still be provided to plots 5 and 6, which would maintain some greenery in front of the dwellings and the extent of the front garden area lost to plot 7 is relatively small. Although the garden areas to plots 5 and 6 are smaller, both properties would incorporate rear garden areas at least 13 metres deep. The footprint of the proposed building on plots 5 and 6 would be similar in size to the approved dwelling and an illustrative drawing has been provided showing a traditional design which would be appropriate.
- 14.8 While the Ecologist and the representations received have raised concerns that the proposal would increase the density of the development adjacent to the woodland edge, the building would broadly be the same size and on the same footprint as the previously approved dwelling. The main difference is that plot 6 would have a smaller garden area adjacent to the woodland edge. This is not ideal, however, the tree officer does not raise any objection on tree grounds and plot 6 would still maintain a 14 metre long garden area. In the absence of any evidence to demonstrate the harm, a reason for refusal on these grounds could not be substantiated on appeal.
- 14.9 It is not anticipated that the proposal would adversely impact on the living conditions of the adjoining neighbouring properties. Given the minor changes in the size of the building, it is not considered that the proposal would materially increase overlooking to Godwins Mede. The positioning of windows is a matter to be considered as part of the reserved matters application, however, the illustrative plan of plots 5 and 6 shows roof lights on the roof elevation facing Godwins Mede.
- 14.10 It should be noted that while concerns have been raised in relation to the relationship of the other previously approved plots, given that the only changes in this current application relate to plots 5 and 6, it would not be reasonable to re-consider these issues. In addition, the concerns in relation to drainage, flooding and contamination were dealt with in the previous application.
- 14.11 The proposed layout shows two car parking spaces to be provided for plots 5 and 6, which is considered to broadly comply with the Council's adopted car parking standards. The Highway Authority does not raise any objections to the proposal.

- 14.12 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.
- 14.13 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.
- 14.14 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.
- 14.15 In conclusion, given that planning permission for 7 houses has already been approved on this site, it is considered that the additional house would not result in an adverse impact on the character and appearance of the area or the living conditions of the adjoining neighbouring properties. While the proposed changes to the layout are unfortunate, a reason for refusal on these grounds could not be substantiated on appeal. The Highway Authority do not raise any objections to the increase in the number of dwellings or the level of parking provision.
- 14.16 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

|                             |                                |                                     |                   |
|-----------------------------|--------------------------------|-------------------------------------|-------------------|
| <b>Proposal:</b>            |                                |                                     |                   |
| <b>Type of Contribution</b> | <b>NFDC Policy Requirement</b> | <b>Developer Proposed Provision</b> | <b>Difference</b> |
| <b>Affordable Housing</b>   |                                |                                     |                   |
| No. of Affordable dwellings |                                |                                     |                   |
| Financial Contribution      |                                |                                     |                   |
| <b>Habitats Mitigation</b>  |                                |                                     |                   |
| Financial Contribution      |                                |                                     |                   |

## 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 | £96,240.28 * |
| <b>Subtotal:</b>      | £96,240.28                 |                            |                       |                              |         |              |
| <b>Relief:</b>        | £0.00                      |                            |                       |                              |         |              |
| <b>Total Payable:</b> | £96,240.28                 |                            |                       |                              |         |              |

\* 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 2018 this value is 1.2

## 15. RECOMMENDATION

### Grant Subject to Conditions

#### Proposed Conditions:

1. Approval of the details of the appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority before any of the development is commenced. The development shall only be carried out in accordance with the details which have been approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development permitted shall be carried out in accordance with the following approved plans: 8827/400 Rev E, 8827/400.

Reason: To ensure satisfactory provision of the development.

5. 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.

6. 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).

7. The development hereby permitted shall not be occupied until the spaces shown on plan 8827/400 Rev E for the parking and garaging of motor vehicles have been provided. The spaces shown on plan 8827/400 Rev E 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).



8. 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.

9. 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.

10. 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).

11. 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).

12. 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).

13. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 14 to 16 have been complied with.

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

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

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

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

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS5 of the Local Plan for the New Forest District outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, 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 15.

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

18. 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).

**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.

2. In discharging condition No.9 above, the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

**Further Information:**

Richard Natt

Telephone: 023 8028 5588



# New Forest DISTRICT COUNCIL

Tel: 023 8028 5000  
www.newforest.gov.uk

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

**Planning Development  
Control Committee**  
January 2018

**Item No: 3c**  
Land adj. Godwins Mede  
Poplar Lane  
Bransgore  
17/11414  
SZ1997

Scale 1:1250

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

