

Application Number: 18/10240 Reserved Matters

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

Development: Development of 8 dwellings comprised; 1 pair of semi detached houses; 6 detached houses; 3 detached garages, 1 car port and 1 four bay car port, landscaping, parking (Details of appearance & landscaping, development granted by Outline Permission 17/11414)

Applicant: AJ Developments Ltd

Target Date: 18/04/2018

RECOMMENDATION: Grant Subject to Conditions
--

Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Historic Land Use
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 - Parking Standards

SPD - Mitigation Strategy for European Sites

Memorandum of Understanding - River Avon Specialist Area of Conservation

Phosphate Neutral Development - Interim Mitigation

6 RELEVANT PLANNING HISTORY

6.1 7 dwellings, 6 garages, car port, parking, landscaping (17/10861) Granted with conditions on the 27th September 2017

6.2 8 dwellings, parking - outline application with details only of access, layout and scale (1711414) Granted with conditions on the 10th January 2018

7 PARISH / TOWN COUNCIL COMMENTS

Bransgore Parish Council

Recommend refusal and would not support a delegated decision: The proposed amendments would have an adverse effect on the neighbouring single storey bungalows.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Waste Management (NFDC) - Comment Only

10 REPRESENTATIONS RECEIVED

3 letters of objection concerned about the increase in ridge height of the dwellings fronting Poplar Lane, which would be overbearing to the bungalows across the road. Concerns in relation to the construction period of the development within a quiet lane. Problems with high water table and waterlogged site.

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 £94,891.97.

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 former 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 works are currently being undertaken to develop the site for housing following the grant of planning permission for 7 houses and garages (17/10861).
- 14.2 Members will recall approving an outline application in January 2018 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. The outline application (17/11414) approved the layout, scale and mean of access.
- 14.3 This current reserved matters application only considers the external appearance and landscaping for the site. Essentially the proposed dwellings are designed nearly identical to the previously approved full permission. The only change relates to the design of the pair of semi-detached houses on plots 5 and 6, which replace the single detached dwelling (provisionally approved plot 5). The proposed pair of semi-detached houses would broadly follow the previous design and would be of a traditional building form and appearance of 'rural cottages'. It is considered that the proposed design of the plots 5 and 6 would blend with the rest of the development and be contextually appropriate.
- 14.4 There is some confusion over the heights of plots 1, 2 and 3 and therefore this needs to be explained. The current application has reduced the height of the proposed dwellings on plots 1, 2 and 3 by some 300mm compared to the previous full permission.
- 14.5 However, when full planning permission was approved for the 7 houses, a street scene drawing was included which indicated that the height of plots 1, 2 and 3 would be lower in the street because they would be lowered or 'sunk' deeper into the existing ground level. Unfortunately during the initial construction works on the site, it became clear that due to the high water table, 'sinking the buildings' further into the existing ground level to reduce the height of the dwellings in the street was not achievable. Accordingly, although the proposed dwellings have not been made taller (in fact they have been reduced in height), because of the inability to 'sink' the buildings into the ground any further, the proposed dwellings will appear approximately 0.6 metres higher compared to the previously approved street scene drawing.
- 14.6 It is considered that this marginal discrepancy would not have any significant or detrimental impact on the street scene. Planning permission has already been granted on the site for two storey dwellings to front onto the road. These minor changes which would result in the dwellings appearing slightly taller when viewed from the road would be acceptable. The proposed development would not materially impact on the adjoining neighbouring property compared to the previous permission.

- 14.7 In terms of the submitted landscaping scheme, the plan shows that a new native hedgerow would be planted adjacent to Poplar Lane with a post and rail fence sited behind to help establish the hedgerow. New Trees would be provided throughout the site, including along Poplar Lane, and both side boundaries to Blackbird Way and Godwins Mede.
- 14.8 The Council has recently been advised by Natural England and the Environment Agency that existing measures to off-set the amount of phosphorous entering the River Avon as set out in the Hampshire Avon Nutrient Management Plan will not be sufficient to ensure that adverse effects on the integrity of the River Avon Special Area of Conservation do not occur. Accordingly, new residential development within the catchment of the Hampshire Avon needs to be "phosphate neutral". In order to address this matter the Council in conjunction with Natural England, the Environment Agency and adjoining local authorities proposes to develop appropriate phosphorous controls and mitigation measures to achieve phosphorous neutrality. A Memorandum of Understanding has been signed by the aforementioned parties and it is proposed that this matter is dealt with by condition which would prevent occupation of this development until implementation of the necessary mitigation or offsetting has been secured.
- 14.9 In conclusion, outline planning permission has been granted for 8 dwellings on this site and this current application is only for the appearance and landscaping. The overall appearance of the dwellings follows the design previously approved and the landscaping has been designed to reflect the semi-rural nature of the area. It is therefore recommended for approval.
- 14.10 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.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	985.3	0	985.3	985.3	£80/sqm	£94,891.97 *
Subtotal:	£94,891.97					
Relief:	£0.00					
Total Payable:	£94,891.97					

* 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

Reserved matters of external and appearance, specified in condition a of outline permission reference number 17/11414 dated 10th January 2018.

Proposed Conditions:

1. The development permitted shall be carried out in accordance with the following approved plans: 8827/600; 8827/601 rev A; 8827/602 rev A; 8827/603 rev A; 8827/604; 8827/605; 8827/606; 8827/607; 8827/608, 3432 003 P1; Planting Schedule rev 2.

Reason: To ensure satisfactory provision of the development.

2. The buildings hereby approved shall only be constructed from the materials set out below unless otherwise agreed by the Local Planning Authority:

Plot 1

Bricks: Kassandra Multi with Anglesey weathered Buff Cant detail and window arches

Roof: Terracotta ridge tiles and chimney pots

Roof tiles: Marley single Camber Heather Blend

Plot 2

Bricks: Kassandra Multi with Kassandra Multi Cant detail and Anglesey weathered Buff Cant detail and Buff arches

Timber cladding: Siberian Larch

Roof: Terracotta ridge tiles and chimney pots

Roof tiles: Marley single Camber Farmhouse brown

Plot 3

Bricks: Kassandra Multi with Anglesey weathered Buff Cant detail and window arches

Roof: Black ridge and chimney pots

Roof tiles: Marley single Camber Grey Sandfaced

Plot 4

Bricks:Kassendra Multi throughout
Roof: Terracotta ridge tiles and chimney pots
Dormers: Timber clad Siberian Larch
Roof tiles:Marley singe Camber Heather Sandfaced

Plots 5-6

Bricks: Kassendra Multi throughout
Roof: Black ridge and chimney pots
Dormers: Lead Cheeks
Roof tiles: Gemini forticrete - slate grey

Plot 7

Bricks: Kassendra Multi throughout
Roof: Terracotta ridge tiles and chimney pots
Timber clad: Siberian Larch
Roof tiles: Mixed Russet Gemini Forticrete

Plot 8

Bricks: Kassendra Multi throughout
Roof: Terracotta ridge tiles and chimney pots
Roof tiles: Mixed Russet Gemini Forticrete

All exposed rafter feet to be white painted finish
Windows for all properties to be white U.P.V.C. with sliding sash effect.
Stone cills to be light buff colour with etched finish.
Plot 2 front elevation 1st floor window cills in lead
Plot 7 front and rear elevation 1st floor cills in lead

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.

3. The development hereby approved shall be constructed in accordance with the slab levels in relationship to the existing ground levels as set out on drawing Plan reference number 003 P1 unless otherwise agreed 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).

4. The landscaping scheme shall be fully implemented in accordance with the submitted Landscape plan, details and specification set out on Plan by Sarah Abbott Gardens Revision 2 and planting specification by the end of the planting and seeding season following the occupation of the buildings or the completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the

development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to any variation.

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).

5. The development shall not be occupied until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority secured. Such proposals must:

- (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (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 monitoring of any such proposals which form part of the proposed mitigation measures.
- (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 River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

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 advance of the publication of the Council's Phosphorous Mitigation Strategy, the development hereby permitted shall be deemed to provide mitigation to "at least an equivalent effect" if it provides for a reduction of the Total Phosphorous Load generated by the development permitted for each year (or part thereof) from the year of occupation to 2025 at a rate of 0.083 kg of phosphorous per dwelling per annum.

Further Information:

Richard Natt

Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

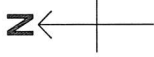
Tel: 023 8028 5000
www.newforest.gov.uk

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

**Planning Development
Control Committee**
June 2018

Item No: 3j
Land adj. Godwins Mede
Poplar Lane
Bransgore
18/10240
SZ1997

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



Mast

Harrow Wood
Farm

