

**Application Number: 18/10311** Full Planning Permission

**Site:** Land at AVERY LODGE, LONG LANE, MARCHWOOD SO40 4WR

**Development:** House; associated parking

**Applicant:** Mr Grier

**Target Date:** 03/05/2018

**Extension Date:** 13/07/2018

**RECOMMENDATION: Grant Subject to Conditions**

**Case Officer: Vivienne Baxter**

**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary Parish Council view

**2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS**

Built up area

**3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

**Core Strategy**

**Objectives**

1. Special qualities, local distinctiveness and a high quality living environment
3. Housing
6. Towns, villages and built environment quality

**Policies**

- CS1: Sustainable development principles  
CS2: Design quality  
CS15: Affordable housing contribution requirements from developments  
CS25: Developers contributions

**Local Plan Part 2 Sites and Development Management Development Plan Document**

- NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development  
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  
Achieving Sustainable Development  
NPPF Ch. 6 - Delivering a wide choice of high quality homes  
NPPF Ch. 7 - Requiring good design  
Section 197 Trees  
Town and Country Planning Act 1990

**5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS**

SPD - Mitigation Strategy for European Sites  
SPD - Parking Standards

**6 RELEVANT PLANNING HISTORY**

None

**7 PARISH / TOWN COUNCIL COMMENTS**

**Marchwood Parish Council:** recommend refusal and would not accept a delegated decision - loss of light, roof height out of proportion and scale too large.

**8 COUNCILLOR COMMENTS**

None received

**9 CONSULTEE COMMENTS**

- 9.1 Hampshire County Council Highway Engineer: comment only
- 9.2 Southern Gas Networks: offer advice
- 9.3 Tree Officer: no objection subject to conditions
- 9.4 Fulcrum Pipelines Ltd: offer advice

**10 REPRESENTATIONS RECEIVED**

Objections have been received from 6 local residents concerned with the following issues:

- over development
- loss of light
- solely brick elevation not in keeping
- proposed dwelling is close to the boundary
- impact on wellbeing of neighbours at 37, 38 and 39 Poplar Drive
- chimneys will affect amenity
- applicant will sell up once development granted
- won't help the housing crisis
- over bearing impact of new dwelling resulting in a sense of enclosure
- balcony would be intrusive
- noise and disturbance from car park adjacent to garden
- garden grabbing
- would be an eyesore due to the size
- additional traffic generation
- potential overlooking if roof lights are added to rear roof slope

**11 CRIME & DISORDER IMPLICATIONS**

None

## **12 LOCAL FINANCE CONSIDERATIONS**

If this development is granted permission, the Council will receive a New Homes Bonus of £1224 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 £10,401.23.

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.

The plans have been amended to address a concern in respect of overlooking and additional information provided in order to assess the impact on the existing dwelling more fully.

## 14 ASSESSMENT

- 14.1 The site lies within the built up area of Marchwood opposite the Southampton Football Club Training Ground and is formed from the south eastern side of the garden to Avery Lodge. Beyond the south eastern boundary is an estate of houses which back onto Long Lane and to the north of the site is an access track to the rear of properties on Tavells Lane. There are three Tree Preservation Orders to the front boundary of the site although one has not yet been replaced following its removal 4 years ago.
- 14.2 The proposal entails the demolition of the existing garage, other outbuildings and a small side extension to Avery Lodge and their replacement with a detached dwelling comprising dining room, bathroom, kitchen, living room and ensuite bedroom at ground floor level with two further ensuite bedrooms at first floor level. The existing access would be utilised for both existing and proposed dwellings with each property to have three parking spaces at the front of the site. It is noted that those proposed for the existing dwelling are outside of the site area.
- 14.3 In visual terms, the proposed dwelling has been designed to reflect the character of the host dwelling which is double fronted with a front balcony over the porch. Although the window proportions are slightly different, the overall scale is comparable in terms of the eaves and ridge heights. To the rear of the host dwelling is a two storey projection, the footprint of which would be reflected in the proposed scheme at ground floor level only. In view of the set back of the proposed dwelling from the road and positioning of the adjacent house at 37, Poplar Drive, this single storey rear projection would have a limited impact on the street scene of Long Lane. From Poplar Drive, the flank elevation of the existing house is visible over the hedge. This view would alter through the provision of the new dwelling although given the similar materials proposed and the distance from the end of Poplar Drive along a private access (23m), it is not considered that the proposal would adversely affect visual amenity. However, it is considered appropriate to ensure the hedge is retained and/or replaced to maintain a green outlook along this access.
- 14.4 With regard to residential amenity, the two dwellings would be approximately 2m apart with fencing between the two ranging from 1.2m high to the front and 1.8m at the side of the dwellings and into the rear garden area; this would minimise any loss of amenity to the host dwelling which has two ground floor (dining room) side windows. The proposed dwelling has been designed so as to minimise overlooking to adjacent properties and the proposed French Windows at first floor level to the front elevation would be covered by a Juliet balcony to ensure minimal impact on the amenities of the occupants of 37, Poplar Drive.
- 14.5 There have been concerns relating to the potential loss of light to neighbouring properties. However, the proposed dwelling is to the north west of no.37 Poplar Drive and unlikely to result in a significant loss of light to this property. No.38 is to the east of the proposed dwelling and again, given the recessed nature of the single storey rear projection and the orientation, it is not considered that the proposal would result in a significant loss of light to this property either. It is accepted that the proposal would have an impact on the outlook from both these properties but the extent of this impact is not considered to be such that warrants refusal of the scheme.

#### 14.6 Other material considerations

14.6.1 The LPA is not currently able to demonstrate a 5 year supply of housing land when assessed against its most recent calculation of Objectively Assessed Need. Relevant policies for the supply of housing are therefore out of date. In accordance with the advice at paragraph 14 of the NPPF, permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted. In this case, the presumption in favour of sustainable development does not apply because the development requires an appropriate assessment in compliance with the Birds or Habitats Directive, and there is therefore a specific policy in the NPPF (paragraph 119) which indicates that development should be restricted.

14.6.2 Members will be updated at the meeting in terms of habitat mitigation.

14.6.3 With regard to affordable housing, Government Guidance issued in 2014 advises that contributions should not be sought from developments of 10 units or less. While the need for affordable housing in this District is pressing, this in itself does not give rise to the sort of circumstances that can be considered exceptional. On this basis, no affordable housing or tariff style contributions would be sought from this proposal, in accordance with National Planning Practice Guidance but contrary to the provisions of Policy CS15 of the Core Strategy.

14.7 In Conclusion, the proposal would provide an additional dwelling which would fit in with the host dwelling and its adjoining neighbours without adversely affecting light or privacy to neighbouring properties. Subject to an appropriate landscaping scheme, the visual amenities of the area would also be maintained and approval is recommended.

#### 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	0		
Financial Contribution	0		
<b>Habitats Mitigation</b>			
Financial Contribution	£4,706		

## CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	128	20	108	108	£80/sqm	£10,401.23 *
Subtotal:	£10,401.23					
Relief:	£0.00					
Total Payable:	£10,401.23					

\* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

*Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)*

Where:

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

*R = the levy rate as set in the Charging Schedule*

*I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2018 this value is 1.2*

## 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: Design, Access and Planning Statement, Arboricultural assessment & method statement, SBA.3526-7-1 rev.B.

Reason: To ensure satisfactory provision of the development.

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

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

4. The 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 arboricultural statement/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 and in accordance with policy CS2 of the New Forest District council Core Strategy.

5. Before the commencement of the development, a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting to include a replacement for the previously removed TPO (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

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

6. 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.

**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.

The plans have been amended to address a concern in respect of overlooking and additional information provided in order to assess the impact on the existing dwelling more fully.

2. In discharging condition No.6 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>

**Further Information:**

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# New Forest DISTRICT COUNCIL

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## Planning Development Control Committee

July 2018

Item No: 3e

Land at Avery Lodge  
Long Lane  
Marchwood  
18/10311

Scale 1:1250

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

