

Application Number: 18/10342 Full Planning Permission

Site: Land of 27 & 29 & Rear of 29A WAINSFORD ROAD,
PENNINGTON, LYMINGTON SO41 8GE

Development: 7 Dwellings comprising 2 pairs of semi-detached houses; 3 detached houses; detached garage; cycle stores; bin parking & landscaping; new rear garden and parking to 29a; demolition of 2 dwellings at No 27 and 29 Wainsford Road

Applicant: Robert A Govier Building & Roofing Ltd

Target Date: 10/05/2018

Extension Date: 13/09/2018

RECOMMENDATION: Grant Subject to Conditions

Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

The land owner is an employee of New Forest District Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
Adjacent to New Forest National Park
Tree Preservation Order

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

Policies

- CS1: Sustainable development principles
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
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

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 - Mitigation Strategy for European Sites
SPD - Parking Standards
SPD - Housing Design, Density and Character
SPD - Lymington Local Distinctiveness

6 RELEVANT PLANNING HISTORY

None of direct relevance

7 PARISH / TOWN COUNCIL COMMENTS

Lymington and Pennington Town Council: no comment. As the applicant is a member of Lymington and Pennington Town Council, it has been deemed that, in view of such close connection, it would not be appropriate for the Council to receive this application for consideration.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Hampshire County Council Highway Engineer: no objection subject to condition

9.2 Tree Officer: No objection subject to condition

9.3 Ecologist: no objection subject to condition to secure all the measures set out in the Ecology report.

9.4 Natural England: No objection.

10 REPRESENTATIONS RECEIVED

10.1 9 letters of objection stating that the proposed development is out of character with the area. The proposed development is too intensive and cramped. Lack of amenity space. Loss of greenery, trees and vegetation. While some form of development may be acceptable, the number of houses needs to be reduced. Impact on the living conditions of the adjoining neighbouring properties by way of loss of outlook, visual intrusion, light and noise pollution and overlooking. Loss of hedgerow and loss of green infrastructure. Concerns over the failure to meet test of housing needs. Impact on habitat/ ecology. Impact on the long term retention of the protected trees. Concerns in relation to public highway safety for both vehicles and pedestrians. Poor pedestrian access. Lack of parking. The internal access arrangement is too tight. No parking for

delivery/ visitors. Proposed cycle provision falls short of the Councils SPD. A number of houses are smaller than the minimum gross internal area stipulated in the national DCLG Technical Housing Standards. The headroom of the first floor rooms are restricted and it is highly likely that the ridge heights would need to be increased to ensure sufficient head height is provided. Impact on trees, in particular the daylight and amenity of Plots 4 and 5. Concerns over the space for refuse vehicles.

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 £39,330.14

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

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraph 38 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.

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Pre application advice was sought by the applicant, however in response, Officers raised concerns over the extent and intensity of development and impact on the character of the area and living conditions of the neighbouring properties. Officers advised that the site has potential, but the level of development would need to be reduced and be of a more sympathetic design.

The planning application submitted did not address these concerns and Officers met the applicant and agent to explain the issues. Following a meeting and discussions, the applicant has now revised the design and layout of the site, and reduced the size, scale and number of dwellings. The planning application has now gone through its re-consultation stage and Officers consider that a number of the previous concerns have been addressed and the overall proposal is more sympathetic to the character of the area with an improved relationship with neighbouring properties.

14 ASSESSMENT

- 14.1 The application site extends to some 0.278 hectares in size and is a relatively large area of land comprising two detached dwellings and garaging at Nos 27 and 29 Wainsford Road in Pennington. The application site also includes a detached bungalow known as No 29A, although this property would be retained. The site lies close to Pennington Village and opposite the site is the grounds of St Marys Church. The developable area of the site lies to the rear of a detached bungalow at No 29A, which fronts onto Wainsford Road and a single narrow access serves this property together with Nos 27 and 29. No 29 is an attractive large detached two storey dwelling which is set within a backland position from Wainsford Road and has a slightly more spacious plot than the detached bungalow at No 27.
- 14.2 This full planning application proposes to demolish Nos 27 and 29 and associated outbuildings and to construct 7 two storey dwellings, comprising two pairs of semi-detached dwellings and three detached dwellings. The proposal would result in the net increase of 5 dwellings. The application also proposes a detached garage, bin store, parking and landscaping. The application seeks to retain the existing bungalow at No 29A, but the existing 1.8 metre high timber fence in front of No 29A adjacent to Wainsford Road would be removed and two new car parking spaces created to serve that property. A new rear garden area would also be provided to this property. The existing access into the site would be utilised and it is proposed to create an internal access road and turning area to serve the proposed 7 houses. The proposed internal access road would essentially create a short cul de sac with the proposed dwellings fronting onto the road. Visually the proposed dwellings would all rise to two storey, although most of their first floor accommodation would be created within the roof.
- 14.3 The main issues in this case are the effect on the character and appearance of the area, the effect on trees, the effect on the living conditions of the adjoining neighbouring properties, public highway safety matters and the effect on ecology.
- 14.4 In assessing the effect on the character of the area, the site lies within

the built up area. Other than a Tree Preservation Order to the south and south east of the site, there are no policy designations on the site. The site lies within Character Area 8 - Pennington Village of the Lymington Local Distinctiveness Document. The section which covers this area states that the rural workers cottages and former agricultural buildings scattered along the southern edge of Pennington Common (Wainsford Road), all the way down North Street to Pennington Cross, which still define the significant character of the village today, despite the many alterations and infill developments that have occurred in recent years. It is further explained within the document that Wainsford Road would appear to have lost its green, post war, to Conifer Crescent but the offset alignment of the older buildings is still evident in the distinctive grey slate roofs that can be seen here. Moreover the illustrative map within the document highlight the nearby buildings as 'important buildings ' which comprise the cluster of rural cottages set at an angle from the road. It also states that Conifer Crescent probably replaced a triangular green that would have fronted these cottages.

- 14.5 The character of the area is residential and comprises a mixture of property types, styles, and ages including bungalows, terraces and dwellings. The application site forms part of a wider area of land to the south of Wainsford Road, which has a number of distinctive features. A key feature of the area is the older rural cottages that are sited at right angles to Wainsford Road, which are set within relatively green garden settings with limited on plot parking. These properties make a significant contribution to the character of the area and are reflected as important buildings in the Lymington Local Distinctiveness Document. This also includes the dwelling to north west of the site, at No 33 Wainsford Road, which is a very attractive cottage set in a spacious open green setting bounded by trees and vegetation and this property is considered to be a heritage asset.
- 14.6 It is noticeable that there has been some infilling within this area, in which dwellings are sited either close to Wainsford Road or within a backland position. This has resulted in an area which is quite sporadic with no particular pattern of development. What is important is the green and spatial setting within which the dwellings lie. Hedgerows, trees and vegetation tend to define the boundaries of the site and this all contributes to the semi-rural feel of the area. In particular, both dwellings that form the application site have the largest garden areas and the space between the buildings and greenery create a relatively low density and tranquil feel.
- 14.7 The two detached dwellings on the application site are of no architectural merit, however, their spacious, green and tree'd garden areas contribute positively to the character of the area. Indeed, the large open garden area of No 29 with its vegetation, trees and greenery creates a sylvan backland feel to the context of the area.
- 14.8 The character to the south west of the site, in Conifer Crescent, is considerably different to the context of the application site and its immediate area. Conifer Crescent is a symmetrical arrangement of 6 pairs of semi-detached houses situated around a cul de sac. These dwellings were designed as a more comprehensive and fairly uniform development arranged around a single road. A recently constructed additional detached dwelling has been built within part of the gardens

at 5 Conifer Crescent, and the side boundary to this property forms the rear boundary of the application site.

- 14.9 The land to the south of the site, in Maple Court and Howards Mead, also differs significantly to the character of the application site and comprises a large three storey block of flats with areas of open land including a childrens play area and rows of high density terraced housing. For the most part, given the extent of vegetation and trees, the building is not clearly visible from within the application site.
- 14.10 In assessing this proposal, it is considered that the proposed development would clearly result in a considerable change in the character of the area. This should not mean that any redevelopment of the site should be resited, however, it is considered that any proposed development should be well integrated into the local character and local distinctiveness. This includes its fairly low density character and the qualities of the area which include the generally open green landscape with important trees. It should also be noted the existing two dwellings are of no architectural merit and the loss of these buildings would be acceptable, subject to an acceptable redevelopment scheme.
- 14.11 The proposed development seeks to create a traditional form of housing development, which will comprise a collection of low rise dwellings situated around a single internal access road. By utilising the existing access into the site, no further entrances are required. The proposed layout has been designed to retain the Protected trees on the southern boundary of the site. Dwellings are orientated to reflect the immediate context of the area which is characterised by low rise cottage style properties running at right angles to Wainsford Road. By positioning some of the proposed buildings at right angles allows views into the site, as well as picking up on the orientation of existing cottage style buildings in the area.
- 14.12 It is considered that the proposed design approach would be contextually appropriate, designed to a fairly high standard and sympathetic with the low density character of the area. The overall density of the development equates to around 25 dwellings per hectare, which is considered to be comparable to the area. The proposed dwellings would sit in fairly spacious plots, some of which would have rear garden areas in excess of 15 metres long. Each dwelling would have a good sized plot with reasonable garden areas, which would not appear either overdeveloped or cramped.
- 14.13 Visually the proposed dwellings have been designed as simple building forms, rising to between 6.2 metres and 7.6 metres. It is considered that their simple and modest form, scale and size, would help enable the development to appear less intrusive to the rear of Wainsford Road. It is felt that if sympathetic materials are used on the buildings, including good quality bricks and roofing materials, such as clay tiles and slate, this would help ensure that the proposed development reflects the high standard of design within this context. Equally, the hard and soft landscaping, including retaining some of the hedgerows/ vegetation and trees, together with the provision of new hedgerows and tree planting to sit amongst the housing would enhance the development. The final details can be dealt with by condition.

- 14.14 There are other positive benefits and visual improvements. Currently an unattractive 1.8 metre high timber fence is sited immediately adjacent to Wainsford Road and No 29A. In addition, the property at No 29A has no rear garden area. The proposal would remove this fence, provide car parking to the front of the site and create a rear garden area for that property. This is considered to be an improvement.
- 14.15 There are some important trees on the site, which are protected by a Tree Preservation Order. This includes an Oak tree, to the south of proposed dwelling on plot 4, and a Sycamore and Horse Chestnut which are situated towards the southern boundary of the site. Notwithstanding the trees which are covered by a Tree Preservation Order, the site has a dense range of trees, shrubs and hedges within the site's interior and along its curtilage. A large number of these trees are overgrown cypresses that have no arboricultural merit but do provide an effective screen between the site and adjacent blocks of flats.
- 14.16 The Tree Officer does not raise any objections to the relationship of the proposed dwelling on plot 3 to the Oak tree, but is concerned that the two protected trees situated on the southern boundary would result in shading over both plots 4 and 5, and in particular their rear garden areas. However, on balance, the Tree Officer feels that these trees have been previously reduced in both height and lateral crown spread and it is not expected that future containment pruning would be so excessive as to refuse permission on tree grounds. Moreover, the Tree Officer accepts the loss of other trees, which are not worthy of protection and these could be replaced.
- 14.17 In terms of the impact on public highway safety, the proposal is to utilise the existing access onto Wainsford Road and to provide an internal access within the site including a turning area for refuse and fire vehicles. Parking is generally provided on plot, either to the side or in front of the dwellings. The Highway Authority are satisfied with the access into the site, on the basis that there is space for two cars to pass at the site entrance. The internal access provides sufficient space for refuse vehicles and for vehicles used in association with the dwellings. In terms of car parking, the proposed development would accord with the number of parking spaces set out in the Councils adopted car parking standards. While representations have been made that there is no space for visitors or delivery vehicles, this is not a requirement of the SPD. Nevertheless, a significant part of the internal access road is 6 metres wide which would allow for some informal car parking within the site.
- 14.18 With regard to residential amenity, there are a number of properties that would be affected by the proposed development. The proposed dwelling on plot 1 would be sited adjacent to No 25 Wainsford Road. Given that the proposed dwelling would 'straddle' the side elevation of No 25, it is not considered to result in any unacceptable loss of light or outlook. The proposed first floor window on the side elevation, which would face No 25 serves a landing/ stairway and it would not be

unreasonable to impose a condition to mitigate against any overlooking.

- 14.19 In terms of the neighbouring residential flats to the south west of the flats at Maple Court, the proposed dwelling on plot 3 would have first floor windows facing this neighbouring building. The distance from the proposed first floor window to the rear boundary measures around 12 metres and these windows would face onto the existing blank north facing gable end of Maple Court. Two first floor windows are also proposed on the side (south west) but given the degree of screening and the oblique angle views, it is not considered that the proposal would unacceptably impact on the privacy of the residents of Maple Court.
- 14.20 Concerning the neighbouring property at No 31, this property is a two storey end terrace with a fairly long rear garden area. On the side elevation of this property facing the application site, there is a bathroom window and on the rear elevation there is a conservatory. The existing two storey dwelling at No 29 is positioned immediately adjacent to the side boundary and rear garden area of No 31, which is considered to have a relatively poor relationship. Indeed rising to a full two storeys, the existing dwelling at No 29 is sited approximately 3 metres away from the side boundary of No 31. It is also noted that the existing property at No 29 has a number of first floor windows which currently overlook the rear of No 31.
- 14.21 In assessing the impact on this neighbouring property, the distance between the proposed dwellings on plots 6 and 7 and the side boundary of No 31 would measure around 7.5 metres. Moreover, the proposed dwellings are of a fairly low scale, in which their ridge heights rise to approximately 6.5 metres and 3.8 metres to the eaves. It is considered that the proposal to position the two dwellings on plots 6 and 7 further away from the common boundary with No 31 would be an improvement. Concerns have also been expressed from that neighbouring property that the proposed development would result in an unacceptable impact from noise and light pollution. In response, two car parking spaces and turning would be located to the front of No 31, however there is already an existing parking area in this location. Moreover, the proposed layout would entail two rear garden areas backing onto No 31, which would be further away from the existing building. Accordingly, by re-siting the proposed dwellings further away from the existing dwelling, it is considered that any impact in terms of noise or light pollution would be neutral.
- 14.22 In terms of overlooking, two first floor rooflights are proposed on the rear elevation of plot 6 and three first floor rooflights are proposed on the rear elevation of plot 7. The distance from the proposed rooflights to the side boundary at No 31 measures just over 8 metres. Given that the existing dwelling currently has windows facing the garden area and conservatory of No 31, and the proposal would position the windows further away from this neighbouring property, it is not considered that the proposal would materially impact on their privacy. Moreover, rooflights would be less intrusive compared to windows in the main elevations. Overall it is considered that the proposed dwellings on plots 6 and 7 would not unacceptably compromise the

privacy, light or outlook of No 31.

- 14.23 The proposed dwelling on plot 5 would be sited close to the rear boundary of No 33 Wainsford Road. Currently, the property at No 33 has a number of trees and no buildings on their rear boundary. The proposal would bring a two storey building within 2 metres to the rear boundary of No 33, however, the side elevation would be facing that neighbouring property. While it is considered that the proposed dwelling on plot 5 would have some impact on the outlook of No 33, given the scale of the proposed building and its side elevation would be orientated to face their garden, it is considered that the proposal would not materially impact on their light or outlook. No first floor windows are proposed on the side elevation facing No 33, which would maintain a reasonable level of privacy.
- 14.24 The proposed rear elevations of plots 4 and 5 would face into the garden area of No 5a Conifer Crescent. On the first floor rear elevation, four windows are proposed. Two windows serve a bathroom, one the landing and one a bedroom. The distance from the proposed first floor windows on the rear elevation to the side boundary of No 5a measures just over 15 metres. It is considered that a condition can be imposed for the two first floor bathroom windows to be fitted with obscure glass to maintain a reasonable level of privacy. The bedroom window would be sited around just over 14 metres from the side boundary and it is considered providing the other windows are glazed with obscure glass, the proposed bedroom window alone would not result in an unacceptable loss of privacy. On the first floor side elevation of plot 4, two dormer windows are proposed which would face onto Maple Court. Given the oblique angle views and the distance from these proposed windows would measure more than 14 metres, it is not considered that the proposal would materially impact on the privacy of these residents.
- 14.25 With regard to ecological matters, an Ecological Report accompanies the application. The report states that there was no evidence noted for hedgehogs, slow worms or bats using the site and the trees and shrubbery were inspected for nesting birds. However, the site at 27 Wainsford Road is considered to hold a confirmed bat roost and the site at 29 Wainsford Road was seen to have a low number of bats emerging from the property. A European Protected Species Licence must be obtained from Natural England and this must be obtained after planning permission has been granted but prior to any demolition works starting on either building. The Ecologist raises no objection to the proposals subject to condition.
- 14.26 Representations have been made that a number of houses are smaller than the minimum gross internal areas stipulated in the national DCLG Technical Housing Standards. In addition many of the bedrooms are significantly smaller than the standards required. In response, the issue of internal spaces to housing and bedroom sizes is a means of classification for assessment purposes only when designing new homes and seeking planning approval if a local authority has adopted the space standard in its local plan. Accordingly, whilst consideration must be given to these standards,

there are no planning policies in the local plan which relate to internal space standards and a reason for refusal on these grounds would not be sustainable on appeal.

- 14.27 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.
- 14.28 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 applies.
- 14.29 In accordance with the Habitat Regulations 2017 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.
- 14.30 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect.
- 14.31 In conclusion the site lies within the built up area where the principle of residential development is acceptable, and while there are a number of constraints within and adjacent to the site, the technical issues have been addressed and it is considered that the proposed development would be appropriate and sympathetic to the area. It is also considered that the proposed development would have an acceptable relationship to the neighbouring properties and there are no objections relating to public highway safety matters.

- 14.32 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
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Dwelling houses	855.96	285.02	570.94	570.94	£80/ sqm	£54,985.91 *
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Subtotal:	£54,985.91
Relief:	£0.00
Total Payable:	£54,985.91

* 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:

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

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:

- 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: 401, A255_115, 500-02 Rev D, 500-01 Rev D, S255_116 Rev A, TPP.06.02.18 V1 Rev C, A255400 Rev B, A255_403 Rev A, A255_101 Rev A, A255_100 Rev A, A255_105 Rev A, A255_104 Rev A, A255_109 Rev A, A255_108 Rev A, A255_111 Rev A, A255_110 Rev A, A255_113 Rev A, A255_112 Rev A, A255_114 Rev B, A255_119, TPP.06.02.18 V1.

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. 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).

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

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (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 prevent inappropriate car parking to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. All external works (hard and soft landscape) shall be carried out in accordance with the approved plans and details as set out in condition 5 within one year of commencement of development and maintained thereafter as built and subject to changes or additions only if and as agreed

in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. The development hereby permitted shall not be occupied until the spaces shown on plan 401 for the parking and garaging of motor vehicles and cycles have been provided. The spaces shown on plan 401 for the parking and garaging of motor vehicles and cycles shall be retained and kept available for the parking and garaging of motor vehicles and cycles 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 first floor landing/ stairway window on the side (north east) elevation of the approved dwelling identified as Plot 1 shall be obscurely glazed and fixed shut at all times unless the parts that can be opened are more than 1.7m above the floor.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

11. The first floor bathroom and landing windows on the rear, south west, elevation of the approved dwellings on plots 4 and 5 shall at all times be glazed with obscure glass.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

12. 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 KJF Consultancy Ltd Tree report reference TR.27-29 WR.P.L dated 16th July 2018 and Tree Protection Plan reference TPP.06.02.18V1 Rev B while in accordance with the recommendations as set out in BS5837:2012. Prior to the commencement of any works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend a pre commencement site meeting to inspect all tree preservation measures as detailed in the KJF Consultancy Ltd Tree report and method statement reference TR.27-29 WR.P.L dated 16th July 2018. No development, demolition or site clearance shall take place until a plan showing a detailed cross section drawing of pile and beam foundation to be used as detailed within the Tree Report. The exact cellular confinement system brand to be used for the construction of areas as

shown within the tree report.

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).

13. 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: In view of the physical characteristics of the plot, protected trees and the spatial characteristics of the area the Local Planning Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

14. Before development commences, details of the means of disposal of foul water from the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CS2 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

15. The works hereby approved shall be undertaken in strict accordance with the recommendations and enhancement measures set out in the Phillip Smith Ecological Survey methodology and details dated 8th August 2018 unless otherwise first agreed in writing 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 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).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 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 planning application submitted did not address these concerns and Officers met the applicant and agent to explain the issues. Following a meeting and discussions, the applicant has now revised the design and layout of the site, and reduced the size, scale and number of dwellings. The planning application has now gone through its re-consultation stage and Officers consider that a number of the previous concerns have been addressed and the overall proposal is more sympathetic to the character of the area with an improved relationship with neighbouring properties.

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**
September 2018

Item No: 3a

Land r/o 27 & 29 & r/o 29A
Wainsford Road
Pennington Lymington
18/10342

Scale 1:1250

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

