

Application Number: 18/10607 Full Planning Permission

Site: ARGYLE HOUSE, 2 LOWER ASHLEY ROAD, ASHLEY,
NEW MILTON BH25 5AD

Development: 8 dwellings comprised of 1 block of 6 flats; 1 pair of
semi-detached bungalows; associated parking and landscaping;
demolition of existing

Applicant: Brownsea Build Ltd

Target Date: 27/06/2018

Extension Date: 14/09/2018

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Jim Bennett

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policies CS17 and CS21, which seek to protect existing employment sites.

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Local Plan Part 1 (Core Strategy) 2012:

CS1: Sustainable development principles
CS2: Design quality
CS10: The spatial strategy
CS17: Employment and economic development
CS25: Developers contributions

Local Plan Part 2 Sites and Development Plan Management Document

DM3: Mitigation of impacts on European nature conservation sites

National Planning Policy Framework

Achieving sustainable development Delivering a wide choice of high quality homes
(chapter 6)
Requiring Good design (chapter 7)

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

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

6 RELEVANT PLANNING HISTORY

- 6.1 18/10100 - 8 dwellings comprised of 1 block of 6 flats, two detached houses, parking, landscaping, demolition of existing - withdrawn April 2018
- 6.2 08/92106 - 1 three-storey building comprising of 2 commercial units (B1/A1/A2 uses); 3 flats; 2 houses; associated parking; access - refused December 2008 due to concerns over: overdevelopment, excessive height and massing, loss of privacy, limited amenity space and inadequate provision on site for the parking of vehicles and cycles.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: object but would allow a delegated decision

- (1) Contrary to Core Strategy policy CS17 due loss of employment site
- (2) Lack of amenity space for the flats
- (3) Lack of on-site parking, potentially causing displaced parking issues
- (4) Rear sited bungalows will negatively affect Molyneux Road residents
- (5) Bulk, mass and scale
- (6) Negative effect to the amenities of 4 Lower Ashley Road.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Environmental Health Section (Contaminated Land): no objections subject to conditions.
- 9.2 Hampshire County Council Highway Engineer: No objection subject to the NFDC Parking Standards being adhered to.
- 9.3 Natural England: no objections
- 9.4 Southern Gas Networks: no objections, but give informatives.
- 9.5 NFDC Waste Management: bin stores are located at the rear of the buildings, some distance from Lower Ashley Road. Waste collections would be from Lower Ashley Road as the access track is unsuitable for refuse vehicle access, therefore the bin store should be closer to the main road. No objections if a private contractor is collecting, but problems may arise if the residents do not want this.
- 9.6 Senior Valuer: New Forest District Council's Housing Services is keen to acquire additional housing stock for social and affordable rent to alleviate the chronic shortage of affordable housing in the District. Housing Services have instructed the Council's in house Estates team to seek out potential residential sites and to be built or newly built units. Imperial Homes, who have an interest in this site, approached the Council to ascertain if it was interested in purchasing the complete development of

6 flats and a pair of semi-detached bungalows

The District Council's Housing Services and Estates Team consider that a proposed re-development of this site with small residential units, in what is predominantly a residential area, whether for open market sale or social rent, is to be supported as there is strong demand for this type of property, which is coupled with a supply shortage.

There is no obligation on Imperial Homes to sell the completed units to the Council. However the Council's Cabinet has recently increased the Housing Capital Programme to enable it to be in a position to purchase additional newly built residential units direct from housebuilders should they become available.

10 REPRESENTATIONS RECEIVED

Three representations have been received which object to the proposal on the following grounds:

- Inadequate off-street parking provision
- Increased traffic generation
- Loss of highway safety
- The block of 6 flats will be both overbearing and cause loss of privacy.
- The semi-detached bungalows will cause loss of privacy due to the roof windows overlooking neighbouring property.
- The building is too heavily massed, as most dwellings at the top part of Lower Ashley Road are single storey.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus £9,792 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 £8,008.00.

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.

In this case the design of the proposal has been amended and evolved following withdrawal of the initial application and negotiations between the case officer and the agent, resulting in a scheme which is considered to be acceptable as amended.

14 ASSESSMENT

14.1 The Site and Proposal

- 14.1.1 The site is within the built up area of Ashley between the local shopping parade and residential properties to the south east and church opposite. The site currently comprises a two storey brick built builders depot and office, occupied by South Street Builders, with a flat roof attached to a large store with corrugated pitched roof and an open yard area for the storage of building materials. There are two smaller garage type buildings within the site adjoining the western/rear boundary with no. 1 Molyneux Road. Along Lower Ashley Road, the buildings are predominantly single storey with the exception of the site itself, shopping parade and church opposite.
- 14.1.2 It is proposed to demolish all buildings on the site and to erect a total of 8 dwellings. The proposal is split into two elements, with a block of 6 no. flats to the front of the site and 2 no. semi-detached bungalows to the rear. The main building would be two storeys in height and finished in a mix of white render, engineering brick and timber cladding with slate effect roof, well within the footprint of the large structure currently on the site. Nine car parking spaces would be provided to the front and middle of the site, interspersed with landscaping. Access to 5 no. car parking spaces would be shared with the access running along the rear of the shop units and another 4 no. parking spaces would be provided on the site frontage with Lower Ashley Road.

14.2 Design and Character Considerations

14.2.1 Policy CS2 of the Core Strategy and the Local Distinctiveness

Document, stipulate that new development will be required to be well designed to respect the character, identity and context of the area's towns. The site is occupied by buildings and paraphernalia of limited visual merit and it may be the case that an appropriately designed scheme could be delivered on this site. The applicant has taken on board advice offered by the Planning Authority in considering the previous scheme, in relation to design, siting and layout concerns and a balance has been struck between providing an acceptable setting for the development with scope for landscaping and the requirement to meet full parking standards. The applicant has adopted much of what has been asked for by the Council.

14.2.2 The application is accompanied by a Design and Access Statement and full plans, which have assisted determination of the proposal. The site is occupied by buildings and yard areas of limited visual merit, within a predominantly residential area. While dwellings to the south are of single storey design, the buildings to the north (within the shopping parade) are of two storey construction, as demonstrated by the submitted street scene elevation. The existing building on site is a two storey, flat roofed structure and the proposed flatted development is, in fact, of reduced massing and scale when compared with the existing structure, incorporating a subservient roofing form to the south to assist with the transition from two storey to the north to single storey to the south. Officers consider an acceptable transition could be achieved with the form of roofing proposed, together with a building that follows the established building line along Lower Ashley Road.

14.2.3 With regard to the bungalows to the rear of the site, care has been taken to ensure that their scale and massing is subservient to the frontage building. The submitted elevations and layout plans demonstrate bungalows of quite modest footprints and proportions would be provided, with a reasonable level of space about the buildings that would be acceptable in terms of their character impacts. Subject to securing final landscaping arrangements, building details and materials, which may be secured by condition, the design would result in a development which makes efficient use of available land and complies with the character provisions of Policy CS2 and the New Milton Local Distinctiveness Document.

14.3 Loss of employment site

14.3.1 Policy CS17 sets out the strategy for employment and economic development. Key to this strategy is the retention of existing employment sites for continued employment use. While the occupier has intimated their intention to re-locate and it is recognised that there are problems associated with the juxtaposition of the current use to adjoining land uses, the site itself would be lost to employment use. Core Strategy Policies CS17 and CS21 set out the strategy for the economy. Key to this strategy is the retention of existing employment sites for continued employment use. The proposal would result in the loss of buildings and land in employment use and, in the absence of overriding circumstances, would be contrary to policy. In light of this the applicant was requested to

provide justification for the proposal, which is summarised in italics below.

- *Policy CS17 is out of date and it is important to recognise that this is not an allocated site for employment. The proposed redevelopment of the site meets the principles of Sustainable Development (Policy CS1); is well designed and appropriate to its townscape setting (Policy CS2); and is an appropriate form of development in an identified large town (Policies CS9 & CS10). Furthermore, the existing use of the site is unneighbourly and non-conforming, so in the absence of any demonstrable harm, it is outrightly and reasonably to be welcomed.*
- *The Core Strategy encourages redevelopment and intensification of existing employment uses and it is suggested that any intensification of the current use of this site would be a major concern for adjoining residents.*
- *The existing owner and users of the site have confirmed an intention to relocate within New Milton so there will actually be no loss of employment.*
- *The council does not have an identified 5 year housing supply and in such circumstances the NPPF places a strong presumption in favour of granting planning consent.*
- *The NPPF calls upon local planning authorities to “promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”. In this case, the proposed redevelopment of the site will ensure effective and efficient use of a central brownfield site in a manner which both safeguards and improves the amenities of local residents and significantly enhances the townscape/street scene.*
- *The NPPF states:- “Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework”.*

14.3.2 While your officers consider weight can still be attached to Policy CS17, the points raised to justify loss of this employment site are acknowledged. Bearing in mind the close relationship to adjoining dwellings, intensification of the existing use on the site could have a much more harmful impact on residential amenity than the proposed use. The current occupier of the building has expressed their intention to relocate within New Milton and it is not considered that the proposal would undermine key economic sectors or harm the vitality and viability of town centres. Conversely, the sustainable location of the proposal is likely to increase the level of footfall within the adjoining shopping parade by occupiers of the development. Furthermore the Local Planning

Authority 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 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, it is considered that the benefits of the proposed development would significantly and demonstrably outweigh the adverse impacts of the development. Consequently officers consider the proposed development may be supported, as a departure to the provisions of Policies CS17 and CS21.

14.4 Highway Impacts

- 14.4.1 The Highway Authority and local residents have raised concerns over the level of off street parking provision. The Highway Authority's concerns revolve around the fact that adopted parking guidelines require 14 unallocated spaces, where the proposal initially indicated provision of 9 spaces. In light of the concerns raised, the applicant was requested to provide an additional space to the rear of one of the bungalow plots, which would bring the total to 10 no. spaces. There is scope to provide an additional space on the frontage of the development, indeed the applicant's previous submission showed this. However, as explained in the Design and Character Section above, a balance needs to be struck between meeting adopted parking standards and enhancing the appearance of the development within the street scene, through incorporation of landscaping, rather than eroding the frontage setting of the building with a block of parked vehicles.
- 14.4.2 In support of the proposal, the applicant points out that the existing premises should be providing 10 spaces for a builders yard use, where currently only 5 are provided to the front of the site. Details have also been provided of typical traffic movements to the premises associated with the current builders yard use, which identifies that there is some overlap between peak levels of commercial traffic and school traffic in the morning, which would be diminished as a result of the development. Considering there is some public transport provision locally and the site's proximity to the local shopping frontage (The Parade) and the Nisa convenience store, the site's location would reduce the need for car borne movements. Consequently, officers are satisfied that the form of development proposed would be acceptable in terms of provision of 10 no. off-street parking spaces. Amended plans have been provided showing 10 no. off-street parking spaces and the comments of the Highway Authority are awaited on the amendments. Any approval will need to be subject to conditions to ensure that car parking is provided in accordance with the approved plans and that details of cycle parking are provided for the bungalows.

14.5 Residential Amenity Impacts

- 14.5.1 Policy CS2 requires the Planning Authority to consider the impact of development proposals upon the amenity of existing adjoining occupiers and upon the amenity of future occupiers of the new units. Overall, there is an opportunity to improve residential amenities given the juxtaposition of the existing employment use to the rear curtilages of adjoining dwellings to the south and west. However, comments have been received from neighbouring occupiers raising concerns over loss of

privacy and overbearing impacts.

- 14.5.2 In terms of privacy, overlooking from the upper floors of the development could be prevented by requiring cill levels of first floor rooflights to be at least 1.8m above the associated floor level. A condition could be applied to any approval to require rooflights to be installed with cills at 1.8m, along with a condition to removed permitted development rights to install new first floor windows/rooflights.
- 14.5.3 In respect of overbearing impact, although the flatted structure would be a large building, it is in fact smaller than the building it is intended to replace. The roof to the south of the flatted building is subservient to the main ridge and hipped away from the side of the nearest dwelling (no 4 Lower Ashley Road), which assists with the transition of roof form from two storey to the north to single storey to the south. Furthermore, the line of the building has been moved slightly away from the boundary with no. 4 Lower Ashley Road. With regard to the bungalows to the rear of the site, they would be 8m away from the rear curtilages of dwellings on Molyneux Road and a total of 16m from rear wall to rear wall. The proposed dwellings would appear as single storey in height, albeit with rooms in the roof, with low eaves and the development is not considered to have any significant overbearing impact upon existing neighbours.
- 14.5.4 While the semi -detached bungalows would have an adequate level of amenity space, the flats would have little communal amenity space. However, the site is physically constrained and it is not unusual for flatted developments to come forward without communal open space arrangements. It should also be noted that Ashley Recreation Ground is just 70m away to the west which offers convenient access to existing public open space.
- 14.5.5 There would be less than 15m between the proposed first floor windows in the north west elevation of the flats and the rear windows to the rear of the shopping parade to the north. Consequently obscure glazing should be introduced to first floor windows (including the stairwell) in the north west elevation to preserve the privacy of existing residents. It is noted that the first floor flats would retain non-obscurely glazed windows to the west and east. While the distance between the first floor flat windows and proposed bungalow windows is not ideal at 16m-17m separation, it is not unacceptable across a communal parking courtyard and it would be a matter for future occupiers to consider.
- 14.5.6 Consequently, the proposed development would have no significant adverse impacts upon the amenity of adjoining or future occupiers in terms of loss of privacy, overbearing impact or amenity space provision. Subject to conditions to ensure cill heights are at an acceptable level, obscure glazing is incorporated and removal of permitted development rights, the impacts of the proposal comply with the amenity related provisions of Policy CS2 of the Core Strategy.

14.6 Habitat and wildlife considerations

- 14.6.1 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, in view of that site's conservation objectives, Natural England have been consulted on this. 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. 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. Natural England raise no objections subject to the appropriate mitigation being carried out in accordance with the Council's scheme.

14.7 Other Matters

- 14.7.1 In response to the comments of the Waste Management Team and the location of bin stores to the rear of the buildings, some distance from Lower Ashley Road. The applicant confirms that waste would be collected by a private contractor.

14.8 Contributions

- 14.8.1 Since April 2015 the Council has imposed a charge on all new residential development to fund necessary infrastructure such as transport improvements and public open space. This is known as the Community Infrastructure Levy. The Levy is charged at a rate of £80 per square metre of new floorspace Index Linked using the All-In Tender Index Price published by the Build Cost Information Service (BCIS) and is collected on commencement of development.
- 14.8.2 In accordance with the Conservation of Habitats and Species Regulations 2017 an assessment has been carried out of the likely significant effects associated with the recreational impacts of the residential 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.
- 14.8.3 As a proposal for residential development not exceeding 10 no. units, the Council would not pursue an affordable housing contribution. However, it is noted that the Council's Valuation Section is in negotiation to purchase the completed development, subject to external valuation, with a view to making the 8 no. dwellings available under the Council's Housing portfolio.

14.9 Conclusion

- 14.9.1 The proposed development would assist in providing much needed housing and is considered to be of good quality, could take place without impacting the amenities of the wider area, and without significant adverse affects to highway safety. In addition, the proposals would enhance this site both in visual terms and by removing a non-conforming use in this area. While an employment site would be lost, the loss has been justified and the benefits of the proposal weigh in its favour. Therefore, subject to conditions to ensure that the scheme's specific benefits are fully delivered, the application is recommended for

permission.

14.9.2 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution	0	0	0
Habitats Mitigation			
Financial Contribution	£26,648		

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	91		91	91	£80/sqm	£8,008.00 *
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Subtotal:	£8,008.00
Relief:	£0.00
Total Payable:	£8,008.00

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

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

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:

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: 1262r1P/100 S, 1262r1P/101 S, 1262r1P/102 S, 1262r1P/103 S, 1262r1P/104 a, 1262r1P/105 S, 1262r1P/106 S, 1262r1P/107 S, 1262r1P/108, 1262r1P/109 S, S1262r1P/110 S and the Design and Access Statement by Pure Town Planning.

Reason: To ensure satisfactory provision of the development.
3. Before development commences, samples or exact details of the facing and roofing materials, including fenestration treatments and rainwater goods, 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 use of the development is commenced provision for parking of cars and cycles shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car and cycle parking provision for the approved development, in accordance with Policies CS2 and CS10 of the Core Strategy for the New Forest District outside the National Park.
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, location and tree pits);
- (c) areas for hard surfacing, the materials to be used and proposed land levels;
- (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 within one year of commencement of development and maintained thereafter as built and subject to changes or additions (including signage) 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. 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.

8. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:
- (a) A programme of and phasing of demolition (if any) and construction work;
 - (b) The provision of long term facilities for contractor parking;
 - (c) The arrangements for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;
 - (e) Access and egress for plant and machinery;
 - (f) Protection of pedestrian routes during construction;
 - (g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason: In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

9. 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.

10. 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. 12 to 15 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 no. 15 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).

11. 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).

12. Where contamination has been identified, 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 DM4 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

13. Where a remediation scheme has been approved in accordance with condition no. 13, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition no. 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition no. 13,

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 no. 14.

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. 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).

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any re-enactment of that Order) no rooflights or dormer windows shall be inserted into any roof of any part of the development hereby approved without express planning permission first having been granted.

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

17. All rooflights hereby approved shall be installed with an internal cill height at least 1.7m above the associated floor level.

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).

18. The first floor windows on the north west elevation of the approved flatted building shall at all times be glazed with obscure glass and shall be fixed at all times unless the parts that can be opened are more than 1.7m above the floor. The aforementioned windows should be fitted with obscure glass with a minimum obscurity of level 3 glazing and not an applied film.

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).

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.

In this case the design of the proposal has been amended and evolved following withdrawal of the initial application and negotiations between the case officer and the agent, resulting in a scheme which is considered to be acceptable as amended.

2. In discharging condition no. 8 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
3. New Forest District Council has adopted a Community Infrastructure Levy (CIL) charging schedule and any application now decided, including those granted at appeal, will be CIL Liable. CIL is applicable to all applications over 100sqm and those that create a new dwelling. Under Regulation 42A developments within the curtilage of the principal residence are likely to be exempt from CIL so CIL may not be payable provided the applicant submits the required exemption form prior to commencement of the development.
4. The County Highway Authority advise that it will be necessary for the kerb to be dropped across the frontage of the site to allow suitable access to the spaces. It should be noted that forming an altered access onto the highway, which will include works within the highway, will be required to be undertaken in accordance with standards laid down by, and under a license agreement with, the Highway Authority. Full details of how to apply can be found at:

<https://www.hants.gov.uk/transport/licencesandpermits/roadopening>.

The granting of planning permission is independent of the license application, and it is strongly recommended the applicant understands the criteria to be met in order for a license to be granted.

5. The application drawings/form does not state how surface water will be discharged of. There should be no increase in flow to any surface water system or watercourse. The reason for this is that most of the watercourses in the New Forest catchment flood out of bank during high rainfall which can cause property flooding. A predicted 30% increase in flow rate caused by climate change over the next 100 years is likely to cause more properties to flood. NFDC Building Control can advise on the disposal of surface water.

6. Southern Gas Networks (SGN) advise that an extract from their mains records for your proposed work area have been forwarded to the Council and are available to view on the Council's website. Any SGN assets are described in the map legend. On some occasions blank maps may be sent, due to proposed works being in a no gas area but within SGN's operational boundaries.

This mains record only shows the pipes owned by SGN in their role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If SGN know of any other pipes in the area they will note them on the plans as a shaded area and/or a series of x's. The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

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

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

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that SGN are able to gain access to their apparatus throughout the duration of your operations.

Further Information:

Jim Bennett

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New Forest DISTRICT COUNCIL

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Planning Development Control Committee

September 2018

Item No: 3c

Argyle House
2 Lower Ashley Road
Ashley New Milton
18/10607

Scale 1:1250

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

