

Application No: 18/00372/FULL Full Application

Site: Inchcolm, North Road, Brockenhurst, SO42 7RQ

Proposal: 3No. new dwellings; alterations to existing access; demolition of existing dwelling

Applicant: Mr S Tizzard, Bisterne Developments Ltd

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
 CP2 The Natural Environment
 CP8 Local Distinctiveness
 DP15 Infrastructure Provision and Developer Contributions
 CP12 New Residential Development
 DP9 Residential Density in the Defined Villages
 CP19 Access

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 5 - Delivering a sufficient supply of homes
 Sec 15 - Conserving and enhancing the natural environment
 Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- Concern that the proposal does not adequately address the reasons for the previous refusal.
- In particular the proposal would lead to over development.
- Overlooking and loss of amenity to neighbouring properties and the Conservation Area.
- Proposed access arrangements would also be unsatisfactory.

8. CONSULTEES

8.1 Tree Officer: No objections subject to conditions.

8.2 Highway Authority (HCC): No objections subject to conditions.

8.3 Ecologist: No objections raised subject to conditions.

8.4 Natural England: No objections subject to appropriate mitigation.

9. REPRESENTATIONS

9.1 Four letters of objection received:

- Whilst the reduction in the number of proposed units is an improvement, the three units proposed would be large resulting in a dense and overcrowded development.
- The old school house has not been accurately plotted on the plans and it would therefore not be feasible to fully assess the impact upon this property, particularly in terms of its private amenity space and the fact that it lies on lower ground.
- The submitted plans do not show the two recently completed adjacent properties on the site of September Cottage.
- The previous reason for refusal relating to size, scale and cramped layout has not been fully addressed.
- The proposed visibility splay would necessitate the loss of hedgerow which provides security and privacy to the adjacent property.
- The two windows proposed to Plot 1 would overlook the conservatory, garden and kitchen window of St Mary's Cottage.
- The first floor windows on the front elevation of Plot 2 will overlook the rear garden area of St Mary's Cottage.
- Neighbours' offers to meet up with the developers have not been taken up.
- Proposal will lead to increased traffic along North Road.
- Proposed dwellings would cause noise nuisance to neighbouring properties.

10. RELEVANT HISTORY

- 10.1 Outline application for 3 new dwellings; demolition of existing dwelling; access to be considered (01011) refused on 8 January 2018
- 10.2 Outline application for 4 new dwellings and demolition of existing dwelling with access to be considered (revised design to application 17/00274) refused on 20 September 2017
- 10.3 Outline application for 4 new dwelling; Access to be considered (17/00274) withdrawn 31 May 2017
- 10.4 2 no dwellings (demolition of existing dwelling) (16/00486) Land adjoining September Cottage, North Road; Approved on 21 September 2016
- 10.5 Six new dwellings; one garage; alterations to access; demolition of existing dwelling (Inchcolm) (08/93076) Inchcolm and September Cottage, North Road; Withdrawn on 11 August 2008

11. ASSESSMENT

- 11.1 Inchcolm is a detached 1.5 storey dwelling located within the defined settlement boundary of Brockenhurst. The Brockenhurst Conservation Area runs along the south and west boundaries of the site and the site also lies close to Grade II listed buildings, the Rose and Crown Public House to the south, and a pair of semi-detached cottages across the road to the west. Brockenhurst College lies to the north, whilst the rest of site is adjoined by residential properties (including a site which has recently been developed with two detached dwellings following the granting of consent 16/00486). Protected trees lie along the north and east boundaries.

Proposal

- 11.2 Consent is sought to replace the existing single dwelling with three detached properties on the site. Unit one would be sited approximately in the same location as the existing dwelling with a new access road serving the two additional units to the rear running along the north west boundary. All three units would comprise two storeys, although the proposed rear dwellings would occupy a slightly larger footprint. Whilst this is an application for outline consent, details of floor plans and elevational treatment have been provided.

Background

- 11.3 In terms of background, this application has been submitted in order to overcome the concerns which led to the previous submission being refused (17/01011). This earlier application (which also followed a withdrawn scheme) was turned down for the

following reasons:

(1) The proposed development would, by virtue of its size and scale, result in a cramped layout which would be at odds with the prevailing pattern of development in the wider area. Furthermore the suburban form of the proposed buildings, their layout and lack of rural composition and detailing would be harmful to both the character of the site and the setting of the Brockenhurst Conservation Area. The proposal would therefore be contrary to Policies DP1, DP9 and CP8 of the New Forest National Park Core Strategy along with requirements of the Design Guide Supplementary Planning Document.

(2) Insufficient survey work has been carried out to enable the Authority to rule out a harmful impact upon protected species, particularly in light of the initial survey findings accompanying the application and the physical characteristics of the house and its plot. The proposed development would therefore be contrary to Policy CP2 of the New Forest National Park Core Strategy, Section 11 of the National Planning Policy Framework and also the requirements of the EC Habitats Directive.

Consideration of Issues

- 11.4 Following on from the above, the two main areas of concern were highlighted as being the overall amount of development across the site and also design / scale (the need to bring about a more rural design and composition of buildings) along with any implications for the ecological value of the site (particularly with regards to protected species and the standard of ecological survey work undertaken).
- 11.5 In order to address concerns over cramped layout, the total building footprint has been reduced by 30 square metres, although this would not include the attached carports which are now proposed. The width of all three units (including plot 1 which fronts North Road) has been reduced. This has achieved a more modest scale and a steeper roof pitch. The design of the two rear units has also been simplified and the tile hanging (previously considered to be a suburban feature) has been removed. More traditional gabled elements are now proposed on the two rear units and the inclusion of single storey car ports would break down the scale of the flank walls achieving a greater degree of articulation. Whilst the plans originally accompanying this latest application showed a taller ridge line than the earlier schemes, amended plans have now been provided ensuring the overall height would be no greater than previously proposed. The overall number of units on site has also been reduced from the earlier withdrawn scheme.
- 11.6 Having regard to the changes identified above, along with the fact that the proposed development would be of a similar character and scale to the development on the adjacent site to the south east

(now completed), it is considered that the scheme satisfactorily overcomes the previous concerns relating to scale and character. The proposal would therefore be in accordance with the requirements of Policies CP8 and DP9 of the New Forest National Park Core Strategy.

- 11.7 It is noted that concerns have been raised by neighbouring properties in relation to harmful loss of amenity. However the reduced scale of the development along with the proposed upper floor room layouts would ensure there would not be an unacceptably harmful impact in terms overlooking, visual intrusion or loss of light. Based upon the current configuration and bulky roofline of Inchcolm, it is considered that the overall impact towards St Mary's Cottage would be reduced, particularly as the existing building directly abuts this boundary. Plot 1 would be lower in height and set further back from the boundary. The upper floor windows serving Plot 2 would only enable oblique views towards the rear garden area of St Mary's Cottage, whilst the only upper floor window to Plot 1 facing this property would serve a bathroom and could reasonably be obscurely glazed. Whilst the submitted block plan accompanying the original application did not show the recently built properties on the site of September Cottage, their footprints have been clearly shown on the site plan and a street scene has also been provided showing the proposal alongside the development at September Cottage.
- 11.8 All three units would be well distanced from the boundaries with neighbours (the majority of which are well screened). With regards to the removal of hedgerows to the front of the site this largely screens the front parking area of St Mary's Cottage rather than the private rear garden and the private rear garden area would not be directly affected by the removal of vegetation. In any event the Oak tree which lies to the front of St Mary's Cottage (within the control of this property) would be retained. The introduction of two additional dwellings onto the site would not give rise to an unacceptable noise nuisance having regard to the relatively built up context along with vehicular activity already associated with the college and public house opposite. The previously refused scheme was not turned down on the grounds of harmful loss of amenity to neighbours and the current scheme similarly is not considered to give rise to any harmful impact.
- 11.9 In order to address previous concerns raised in relation to ecology and protected species, a Phase 2 Bat Survey Report has been carried out. The earlier Phase 1 Survey submitted with the predecessor application found no evidence of bats, although the building was identified as having high potential for bats due to roosting provisions and access points. Three Phase 2 surveys were therefore undertaken between April and June 2018. Maximum counts of four common pipistrelle bats were recorded as emerging from the building on 1 June 2018. A mitigation, compensation and enhancement strategy has therefore been submitted and this

includes measures to time works between mid-March and mid-November, incorporation of replacement bat features onto Plot 3 (bat access tiles and gaps in felt roofing), ensuring the presence of a licensed bat worker on site when bat roost features are removed or significant demolition takes place, communication with contractors, ensuring security lighting would be low level and installation of bat boxes. Based upon this additional information, it is considered that the proposal would not lead to direct harm to the favourable status of protected species subject to appropriate mitigation being implemented. Whilst some impact would inevitably occur as a result of the removal of the existing building, the fact that the scheme would now fall within policy (as set out above) would ensure the public benefit would justify the development. In addition to this, the applicant has indicated a willingness to make the required contributions towards the mitigation of additional impacts upon both the Solent and Forest Special Protection Areas. The development would therefore be in accordance with Policies CP1 and CP2 of the New Forest National Park Core Strategy.

- 11.10 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. 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.

Conclusion

- 11.11 The amended scheme satisfactorily addresses previous concerns raised in relation to the scale and impact of the development, the impact upon the setting of the conservation area and ecology. The proposal in its amended form would have a similar layout and character to the recently completed properties on the site of September Cottage. Having regard to the removal of the existing property of Inchcolm, the proposal would (subject to appropriate landscaping) enhance the street scene along North Road and would not unacceptably compromise the amenities of neighbouring residential properties. It is therefore recommended that planning consent should be granted subject to the provision of mitigation towards the New Forest and Solent Special Protection Areas.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 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 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 Treecall Consulting Ltd Arboricultural Method Statement, Impact Assessment and Tree Protection Plan (ref – DS/78817/AL) dated 16th November 2017 while in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 Prior to the commencement of works (including site clearance and demolition) 3 working days' notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting as set out in Point 3 of the Phasing of Arboricultural Operations within submitted Treecall Arboricultural Impact Assessment & Method Statement ref (DS/78817/AL) dated 21/11/2017 and Tree Protection Plan ref (Plan TC 1) dated 16/11/2017.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

- 4 A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

The spaces shall be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests of highway safety and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), section 4 of the National Planning Policy Framework and the Development Standards SPD.

- 5 The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 6 Notwithstanding the provisions of the Town & Country Planning General Development Order nothing over 600mm in height shall be placed or permitted to remain on the land shaded blue on the approved site plan (8743/500).

Reason: In the interest of highway safety and to comply with Policy CP19 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 7 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England 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 shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwellings remains of a size which is appropriate to their location within the countryside and to comply with Policies DP10 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 No windows/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest

National Park Authority.

a) Typical joinery details including window/doors, eaves, verge, bargeboards.

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

10 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park 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 safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

11 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 12 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 13 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the Mitigation, compensation and enhancement strategy on Pages 9 - 12 of the Phase 2 Bat Survey Report (3 June 2018, ABR Ecology). The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 14 Prior to the commencement of development ecological mitigation for the Solent and/or New Forest Special Protection Areas, Special Areas of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's adopted Development Standards (SPD) and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD, Development Standards SPD and the SRMP.

- 15 The first floor windows on the north west elevation of Plot 2 and the north west and south east elevations of Plot 1 hereby approved shall at all times be obscurely glazed and non-opening (other than the fan light).

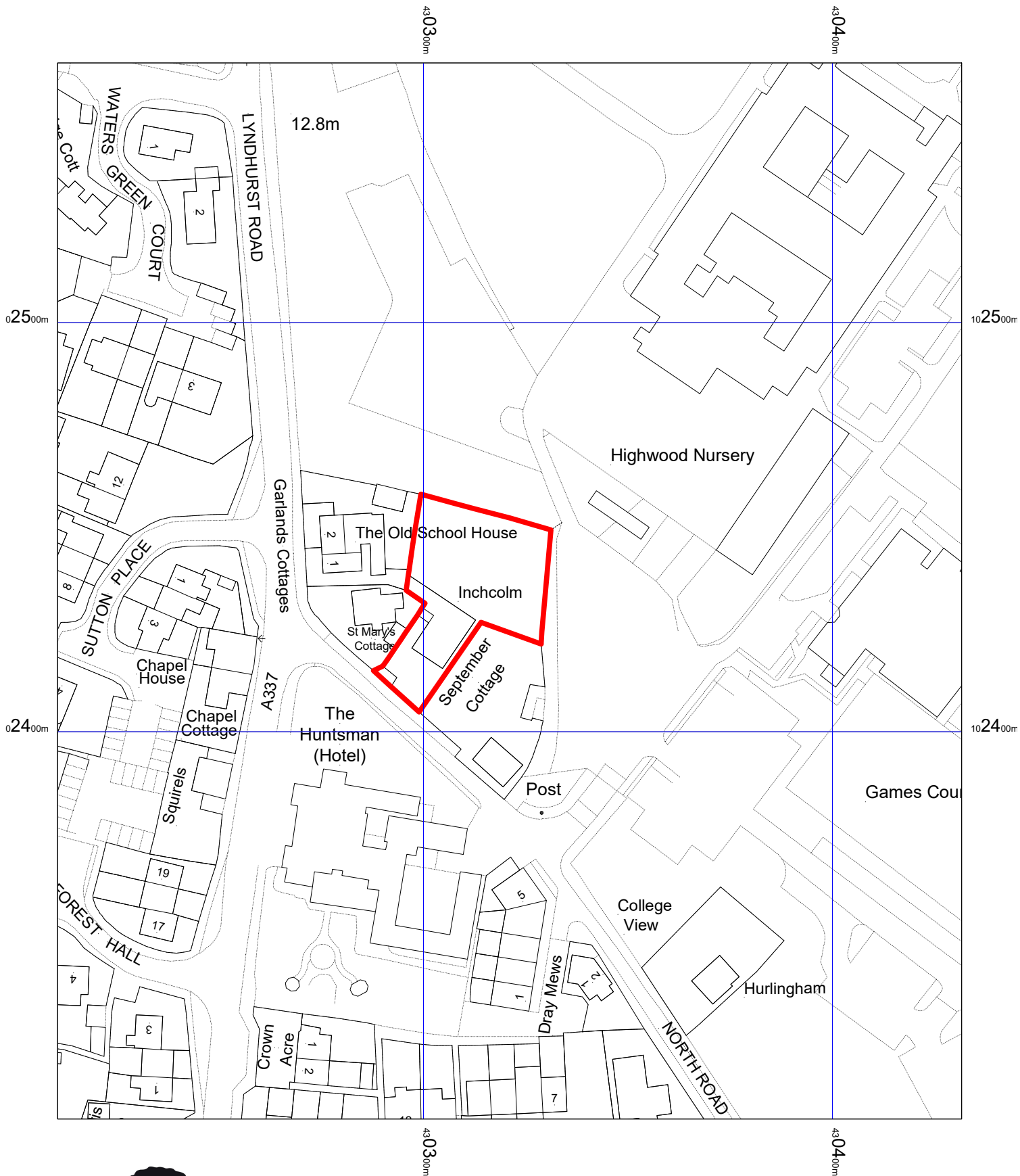
Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 16 The right hand first floor window on the south west elevation of Plot 3 hereby approved shall at all times be obscurely glazed and non-opening (other than the fan light).

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 17 Development shall only be carried out in accordance with drawing nos: 8743/500 Rev K, 8743/501 Rev D, 8743/502 Rev E, 8743/503 Rev E. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.



NEW FOREST
NATIONAL PARK

New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 31/07/2018

Ref: 18/00372/FULL

Scale: 1:1250

© Crown copyright and database rights 2018 Ordnance Survey 100014703

