

Application No: 18/00608/FULL Full Application

Site: Builders Yard, Station Road, Sway, SO41 6BA

Proposal: 3no new dwellings; demolition of existing buildings

Applicant: Mr & Mr Etheridge

Case Officer: Carly Cochrane

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
CP12 New Residential Development
CP15 Existing Employment Sites
DP1 General Development Principles
DP6 Design Principles
DP9 Residential Density in the Defined Villages
DP15 Infrastructure Provision and Developer Contributions

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 5 - Delivering a sufficient supply of homes
Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend refusal. Sway notes that most of the reasons for the previous application's refusal remain relevant.

- The shared access still relies on the availability of a passing place (not part of the curtilage) and is far too tight.
- The drawn sweep circles for turning vehicles are not realistic.
- Overdevelopment; the site might be feasible for one 100m² (less unaffordable) dwelling, but certainly not three dwellings and certainly not as affordable dwellings.
- Surface water disposal from this awkward backland site is not detailed.
- This application appears to contravene DP1 a) b) d) and e); CP7; CP8; DP6 a) and e); CP9; CP12; DP9; DP10; DP15 and DP16.
- The scheme does not align with the NFNPA Design Guide SPD.
- It is in contravention of the Sway Village Design Statement SPD guidelines on p.18 (points 1, 3, 5); and p.22 (points 1 and 2).
- There appears to be no detailed landscaping, particularly to the front of the site.

8. CONSULTEES

- 8.1 Tree Officer: No objection, subject to conditions
- 8.2 Environmental Protection (NFDC): No objection subject to condition
- 8.3 Highway Authority (HCC): No objection, subject to condition
- 8.5 Ecologist: No objection, subject to condition

9. REPRESENTATIONS

- 9.1 Six letters of representation have been received, raising objection to the proposal. The comments made are summarised as follows:
- Site access is too narrow for construction vehicles, and no suitable turning circle. Concern with regard to damage to private property and blocking in vehicles at adjacent properties and businesses.
 - Concern with regard to additional congestion of Station Road as a result of the development.
 - Concern with regard to future maintenance of road.
 - Concern with regard to overlooking and loss of privacy upon properties along Westbeams Road, and upon flats above the chemists.
 - Concern with regard to loss of light and overbearing impact.
 - Proposal considered to be an overdevelopment of the plot, and the density is greater than the surrounding area. Consider that as this is the third submission, the site is clearly not

suitable for such development. Concern that properties have been shoe-horned in, with little consideration to amenity space, adequate parking and vehicle movements.

- Concern with regard impact on and harm to local wildlife (hedgehogs) that use the site.
- Unclear as to right of way between the site and doctors surgery.
- Impact upon potential future development at the adjacent Hatch Motors site is unknown.

10. RELEVANT HISTORY

- 10.1 3.no new dwellings; associated parking; demolition of existing storage building (18/00056) Withdrawn 12 June 2018
- 10.2 3.no new dwellings; associated parking; demolition of existing storage building (17/01019) Withdrawn 12 January 2018

11. ASSESSMENT

- 11.1 The application site is located to the eastern side of Station Road, within the Defined Village boundaries, and comprises a large garage-style building, which was most recently occupied by ArtSway. ArtSway have now moved premises (to the rear of Forest Heath House, adjacent to the application site), and as such, the site is not currently being used. The site is accessed via a single width tarmac entrance, which runs parallel to and serves the staff and overflow parking at the doctor's surgery. The site backs onto properties at Westbeams Road, and the Hatch Motors site is to the south. There are a number of Tree Preservation Orders upon trees along the boundary with properties at Westbeams Road, and a wooded area to the north east of the site.
- 11.2 By way of background, pre-application advice was sought in September 2017, and two previous applications of the same development description have been withdrawn to allow amendments and to overcome procedural issues, respectively.
- 11.3 This application seeks planning permission for three new dwellings in the form of one four-bedroom, two storey detached dwellinghouse, and a pair of three-bedroom, two storey semi-detached dwellings, detailed as follows:
- Detached dwelling: Laid out in an 'L' shape, and measuring a maximum of approximately 10.6 metres in width, 10.8 metres in depth, 4.8 metres in height to the eaves and 7.8 metres in height to the ridge. The roof would comprise a half hip, and the projecting front section (facing towards Station Road) would be pitched with a timber clad gable end. The floorspace of this

unit would measure approximately 170m², to include an integral single garage.

- Semi-detached dwellings: Would measure approximately 5 metres in width, 10 metres in depth, 4.8 in height to the eaves and 7.8 metres in height to the ridge (to match the detached unit). Roofs would be pitched, with the gable ends upon the respective side elevations, and small dormer windows upon the front elevations.

The proposed dwellings would be constructed using brick, with slate tiled roof and uPVC fenestration. Each dwelling would include two parking spaces (with an additional space in the garage for the detached unit), and turning space would also be provided.

- 11.4 With regard to national policy, the revised National Planning Policy Framework (2018) includes a new section on 'Making effective use of land'. Paragraph 118 of the NPPF states that planning decisions should *"...give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs...[and]...promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained"*. The NPPF requires planning decisions to avoid homes being built at low densities and to ensure that development makes optimal uses of the potential of each site. This is particularly pertinent in areas, such as the National Park, where there is a shortage of land for meeting identified housing needs.
- 11.5 Policy CP12 of the Core Strategy seeks to focus the majority of new development within the National Park to the defined villages, on the basis that it is in these locations that residents have access to local services and transport links. Policy CP9 seeks to support small-scale development proposals within the defined villages to meet local needs, and Policy DP9 seeks to ensure that development densities within the villages are informed by consideration of its character of the local area, without compromising its character. As such, the principle of small-scale housing development, on a brownfield site within a defined village location is supported by both national and local policy. Concern has been raised by both the Parish Council and local residents that the proposal represents overdevelopment of the site, particularly in relation to the density of the proposed development.
- 11.6 It is calculated that the proposed development density would be equivalent to approximately 34 dwellings per hectare, which is not considered to be high, given the defined village location and the proposed layout is considered to be appropriate, given the constraints of the site. As such, the proposal is considered to be compliant with policies CP12, CP9 and DP9 of the Core Strategy.

- 11.7 To clarify, this scheme does not propose the provision of affordable units. The scheme is for three open market dwellings, and due to this number, the Authority cannot require the provision of on-site affordable housing, or any financial contributions towards off site provision. However, 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 sites 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 Authority's Mitigation Strategy or mitigation to at least an equivalent effect. Contributions are therefore sought on this basis.
- 11.8 There is a single TPO within the site, which includes a single and group of oak trees, and there is also a separate TPO which grows into the site from an adjoining property. The submitted Tree Protection Plan illustrates that the proposed development would not encroach into the root protection areas of these trees. The Tree Officer considered that the relationship between the existing trees and proposed development would be sustainable, and whilst it is anticipated that future containment pruning may be required, this should not be so excessive as to harm the integrity of the TPO specimens.
- 11.9 Concern has been raised with regard to the access into the site, scope for vehicle manoeuvrability once in the site, parking provision and additional pressure on parking along Station Road as a result of the proposed development. In terms of parking provision, the Authority's Development Standards SPD requires the provision of two spaces for each two to three bedroom dwelling, and three spaces for each four or more bedroom dwellings. As such, there should be seven parking spaces provided. The integral garage within the detached dwelling meets the minimum size for a garage, and therefore the proposal is compliant with the Development Standards SPD. With regard to the access and turning areas, Hampshire Highways have been consulted, and consider that the existing access would be acceptable to serve the proposed development as there would only be a low number of vehicle movements. Overall, Hampshire Highways did not consider that the development would result in any adverse impact upon the highway network or upon highway safety.
- 11.10 Whilst (at the time of writing) the Local Plan (2016-2036) review is at examination stage, Policy SP21 introduces a size restriction on all new dwellings within the National Park. This sets out that, in

order to ensure the dwelling stock is, as a whole, balanced, new dwellings shall be limited to a total internal habitable floor area of 100m², and that when granting permission for such dwellings, permitted development rights shall be removed. The semi-detached pair of dwellings then, at 90m² each, will comply with emerging local policy. The detached unit is significantly larger, at 170m². It has been requested by the Authority that this unit be reduced in scale, however Policy SP21 is not yet adopted, and the applicant contends that a smaller unit would render the site unviable, although no such viability study has been submitted to demonstrate this.

- 11.11 The proposed units are not dissimilar in scale and design to other new residential development across the National Park. There is an attempt at keeping the ridgeline and eaves heights to a minimum through the use of dormer windows, and the half hip upon the detached unit reduces the impression of bulk. Detailing such as timber clad gable ends and dormers, and decorative brick courses, aid in 'breaking up' the massing of the detached unit. The semi-detached pair are simple in their design, with a porch overhang spanning the two properties to break up the front elevation. There is no set character or appearance of the area, with variety in property styles, scales and materials. As such, the design is considered appropriate and it is not considered that the proposal would result in any significant adverse impact upon the character or appearance of the area.
- 11.12 Concern has been raised with regard to the impact upon neighbouring amenity, particularly with regard to loss of privacy and overlooking. The plans submitted illustrate that there would be back to back distances of between 32 metres and 38 metres. This is considered a significant distance, however it is considered that the proposed dwellings would introduce opportunities for overlooking into the gardens of properties to the rear at Westbeams Road, particularly those of 'Kyrie', 'Tramar' and 'Gayton'. However, these properties are already overlooked to a degree by their respective neighbours to the sides. All trees and vegetation along the boundaries would be retained, and as such it is considered reasonable to suggest that the occupiers of these properties at Westbeams Road are more likely to experience an increased perception of being overlooked, rather than any material loss of privacy. The proposed dwellings are located to the south west of properties at Westbeams Road, however by virtue of the back to back distances, it is not considered that the proposed dwellings would result in any significantly harmful loss of light or overshadowing impact. Finally, and again by virtue of the distances between properties, it is not considered that the proposed new dwellings would result in any harmful overbearing impact.
- 11.13 With regard to the amenity of any future occupiers of the units, other than the limited overlooking between units, which should be

expected and accepted, it is not considered that any existing properties would result in adverse amenity impacts. It is noted that the adjoining Hatch Motors site has submitted proposals for a mixed use development, however at this time there is no permission in place.

11.14 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

11.15 It is therefore recommended that the application be approved.

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 Development shall only be carried out in accordance with

Drawing nos: 5505 PL 01 Rev C, 5505 PL 02 Rev D, 5505 PL 04 Rev E, 5505 PL 05 Rev E, 5505 PL 06 Rev B, 5505 PL 07 Rev A, 5505 PL 08 Rev A, 5505 PL 09 Rev A.

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.

3 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).

- 4 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, C or D 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 dwelling remains of a size which is appropriate to its 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).

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no 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, the New Forest National Park 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 DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 No first floor windows other than those hereby approved shall be inserted into the buildings unless express planning permission has first been granted.

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).

- 7 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).

- 8 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 Arboricultural Report dated 20/03/2018 and 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).

- 9 Prior to the commencement of works (including site clearance and demolition and building 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 protection measures and confirm that they have been installed as illustrated and specified within the Arboricultural Report dated 20/03/2018 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).

- 10 No development shall take place until a scheme of landscaping of the site has been 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 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.

- 12 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.

- 13 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report approved as part of this planning application.

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).

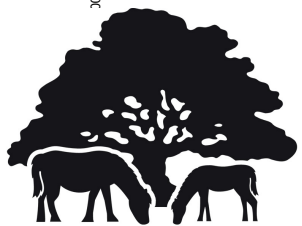
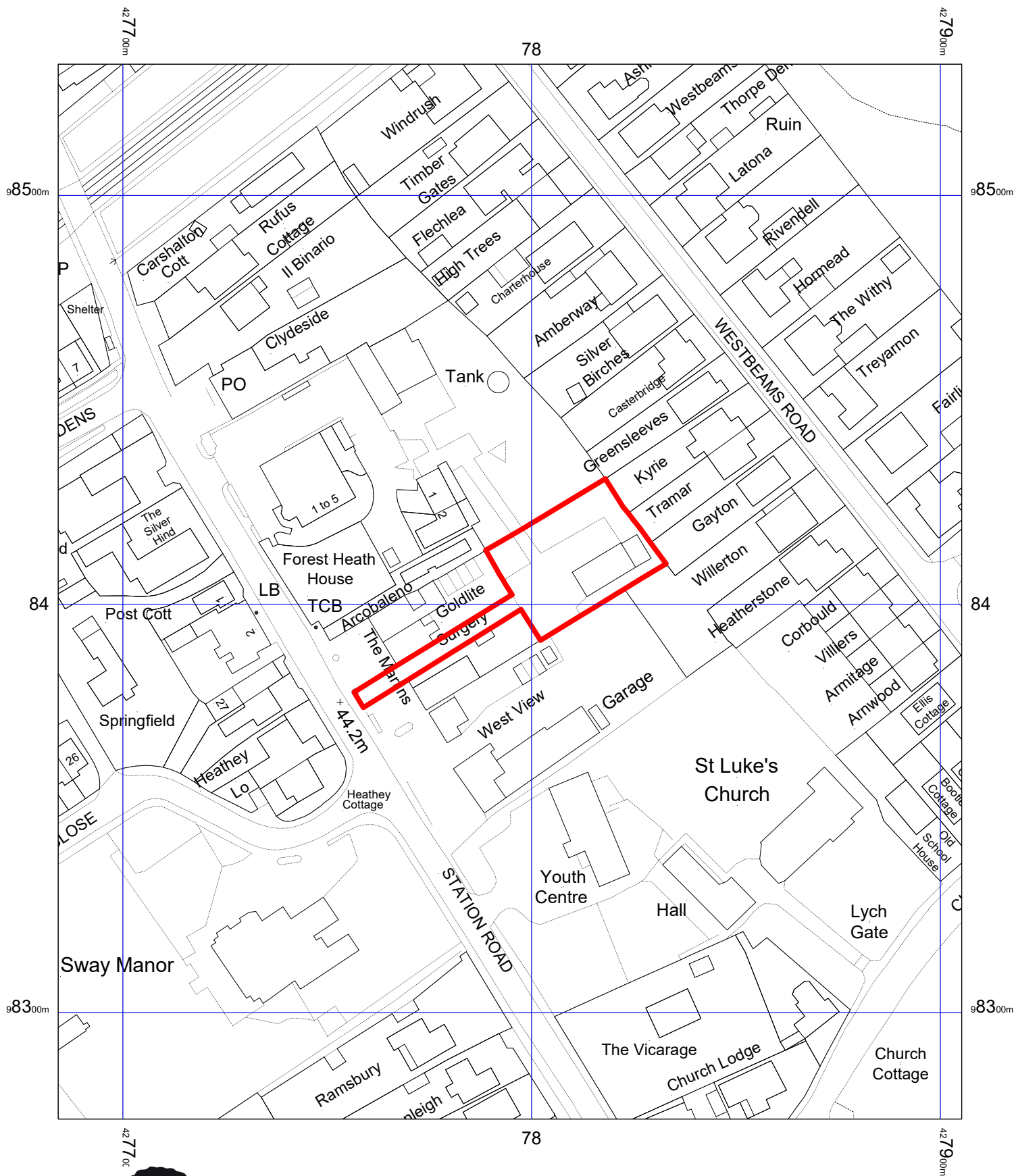
- 14 Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial 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 During any site clearance and foundation excavations, a suitably qualified contaminated land consultant shall carry out a watching

brief with regards to asbestos, hydrocarbons and any other ground contamination. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared 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.

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 water, 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.



NEW FOREST
NATIONAL PARK

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