

Application No: 19/00547/FULL Full Application

Site: 13 Chestnut Road, Brockenhurst, SO42 7RF

Proposal: New dwelling; creation of new vehicular and pedestrian access; 3No. new parking spaces; 1.8 metre high close boarded fence; demolition of existing outbuilding

Applicant: Mr Perry

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

- DP34 Residential character of the Defined Villages
- SP55 Access
- SP17 Local distinctiveness
- SP38 Infrastructure provision and developer contributions
- SP19 New residential development in the National Park
- SP5 Nature conservation sites of international importance
- SP6 The natural environment
- SP21 The size of new dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

- Design Guide SPD
- Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- Detrimental impact upon the street scene along Chestnut Road which is characterised mainly by bungalows.
- Too great a density of development contrary to Policy DP9.
- A recent similar development in Chestnut Road was refused.
- Neighbours have concerns over the impact upon the sewerage system and noise and disturbance from the cattle grid.
- Loss of hedgerow would have an urbanising impact.
- Most of the residents in the road have objected to the proposal.

8. CONSULTTEES

8.1 Highway Authority (HCC): No objections based upon submitted amended plans.

8.2 Ecologist: No objections subject to conditions.

9. REPRESENTATIONS

9.1 13 representations received (one comment only and 12 objections):

- Would set a precedent for similar forms of development taking place.
- Inappropriate form of high-density development to the detriment of the character of the area.
- Insufficient infrastructure (including drainage) to support this level of development.
- The plot has been designed for one house.
- Proposed cattle grid will cause noise nuisance to neighbouring properties.
- Proposals would not be beneficial to property values along Chestnut Road.
- Inappropriate plot size.
- Proposal would exacerbate parking problems in the locality.
- Proposals could lead to remove existing hedgerows.
- Proposal would not be in keeping with established building lines.
- Rainwater goods and windows should be white rather than grey to ensure the proposal would be in keeping with neighbouring properties.

10. RELEVANT HISTORY

10.1 Addition of 1 bay window, porch, bedroom and bathroom and new garage (90/44033) approved on 8 February 1990

11. ASSESSMENT

- 11.1 This application relates to a modest, detached bungalow located within built up, residential surroundings within the defined village boundary of Brockenhurst. The property lies on flat ground on the corner of a residential cul-de-sac with an enclosed rear garden to the east. Both the east and south boundaries of the site are adjoined by detached bungalows. Buildings in the immediate locality are characterised by low roof lines and off-road parking with turning space to the front. The majority of the boundary of the application site is enclosed by an established evergreen hedgerow where it adjoins Chestnut Road.
- 11.2 Consent is now sought to erect a detached single storey dwelling and associated vehicular access within the rear garden area of the existing property, replacing the existing detached outbuilding that currently serves Number 13. The proposed dwelling would occupy an external footprint of just over 90 square metres. Off road parking for three cars is proposed to the front and a 1.8 metre high fence would be erected along the boundary between the new dwelling and the existing property. The majority of the road frontage would remain enclosed by hedgerow, however, a cattle grid is proposed on the main entrance and a dropped kerb would be installed.
- 11.3 Because the site lies within the defined settlement boundary of Brockenhurst, the general principle of introducing new residential development is acceptable under Policy SP19 of the New Forest National Park Local Plan. The main issues to assess would therefore be:
- The impact upon the prevailing character and street scene of the locality;
 - Any potential implications for the amenities of the occupants of neighbouring properties;
 - The impact the development would have upon the safety and convenience of users of the adjoining highway; and
 - The impact the development would have upon the ecology of the New Forest National Park (having regard to designated sites and protected species).
- 11.4 Policy DP34 of the New Forest National Park Local Plan 2016-2036 (August 2019) seeks to ensure new development respects the development densities and built heritage of defined villages and would be informed by the character of the local area. The policy also recognises that the need to make effective and efficient use of land should not compromise the character of the local area. Whilst it is the case that the resultant plot size would be more modest than others in the immediate locality, it is not considered to be the case that the proposals would undermine the objectives of Policy DP34. The character of development along Chestnut Road is relatively suburban and does not comprise any significant uniformity in terms of plot sizes and layouts, building footprints, orientation or building line. The low roof line of the

proposed dwelling would reflect the character of other buildings in the immediate locality (which includes a number of 1.5 storey dwellings) and the retention of the established boundary hedgerow would mitigate any harmful impact upon the street scene.

- 11.5 With regards to the additional design concerns raised, it is not agreed that the proposal would set a precedent for harmful infill development in the locality having regard to the fact that the application site is relatively unique in a corner plot with two road frontages (avoiding the need for any "back land" style layout). In any event, any future proposals for residential development in this location would be assessed on their own merits. Whilst concerns raised over the hedgerow are noted, there is nothing preventing this from being removed and in the event that consent is granted, it would be appropriate to impose a condition ensuring its retention. With regards to windows and rainwater goods, a grey finish is not considered unacceptable as this would achieve a less harsh, suburban appearance. Devaluation of property is not a material planning consideration and the fact that the application site was originally designed for one house would not necessarily rule out a form of residential infilling in future, subject to ensuring an appropriate character and form. It is therefore considered that the proposed development would not undermine the character of the local area and would meet the requirements of Policies SP17 and DP34 of the New Forest National Park Local Plan 2016- 2036 (August 2019).
- 11.6 There would be a distance of just over two metres between the eastern flank wall of the proposed dwelling and the immediate neighbour, and it would lie adjacent to the front driveway and parking area associated with the neighbouring property. This boundary is also well screened by an established evergreen hedgerow. The main windows serving Number 12 face south west towards their rear garden rather than the application site and, having regard to this (along with the low roofline of the proposed dwelling), it is considered that the development would not give rise to a harmful loss of amenity to the occupants of this property. The property would be well distanced from Number 13 and also the property to the south and overall the proposal would not give to a harmful loss of amenity to neighbouring residents.
- 11.7 Whilst concerns raised by neighbouring residents in relation to parking are noted, no specific objections have been raised by the Highways Authority in relation to this issue. Whilst the limited turning space may cause some inconvenience, in the absence of an objection from the Highways Authority, the Authority would not have sufficient grounds to refuse the application. Amended plans have been submitted to address Highway Officer concerns relating to visibility splays and subject to imposing conditions relating to the retention of these splays the Highway Officer has confirmed no objections to the development.

- 11.8 The Parish Council have made reference to a previous refusal in Chestnut Road. It is not clear which particular site they are making reference to. It is noted that permission was refused at Number 6 in 2017 (replacing the existing bungalow with two units). However, this scheme is not considered to be comparable with the current proposal at Number 13 which lies within a much larger site on a corner plot. Furthermore, the refused 2017 scheme incorporated a different form and design with bulkier roof lines, and, on this basis, it was considered to be a harmful development. In the case of the 2017 scheme the proposal was also refused due to the absence of any mitigation in relation to the New Forest SPA and in the case of the current application the applicant has indicated a willingness to provide the appropriate level of mitigation. The site of Number 13 occupies a significantly more lengthy frontage enabling much of the hedgerow to be retained and the current proposal is therefore not considered to amount to the same level of harm identified at Number 6.
- 11.9 The proposed development lies approximately 200 metres from the New Forest Special Protection Area and the Authority's Ecologist advises that there appears to be no direct impact arising from the development upon this designation as no changes are proposed to the boundary to Chestnut Road. Furthermore, the interests of the designated area are not present on the tarmac verge outside the property. Notwithstanding this, the issue of contractor parking and materials storage is of importance to ensure activities do not cause harm. It would therefore be appropriate to request this additional information on construction methods as part of a pre-commencement condition.
- 11.10 Natural England have recently advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's recent advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application and a condition is included to address the issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) are met.
- 11.10 The Authority's Ecologist also advises that strategic mitigation would be required for additional visitor pressure (the New Forest and Solent international sites), nutrient impacts arising for the new dwelling along with appropriate biodiversity enhancement. The applicant has already indicated a willingness to secure the appropriate mitigation in relation to these impacts. The Authority's Ecologist is satisfied that the impact could reasonably be mitigated subject to appropriate mitigation along with measures

for biodiversity enhancement. 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 Authority's Mitigation Strategy or mitigation to at least an equivalent effect. 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.

- 11.11 In conclusion, it is considered that the proposed development would not compromise the character of the area having regard to the relatively built up, residential context. The proposal would not lead to any significant precedent for further infill development in the immediate locality having regard to the specific characteristics and layout of the site. The proposed dwelling would not exceed the size limits imposed under Policy SP21 (subject to restricting any future accommodation within the roof). The proposal would not lead to a harmful loss of amenity to neighbouring residents and the Highways Authority are satisfied that highway safety would not be compromised subject to the retention of sufficient visibility splays. The modest scale of the development, the characteristics of the site and the distance from the open forest would ensure that any additional impacts upon designated sites could reasonably be mitigated and it is therefore recommended that planning permission should be granted.

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 development hereby permitted shall not be occupied until:
 - a) A water efficiency calculation in accordance with the

Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

The development shall be carried out in accordance with and subject to the above details.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy SP5 of the adopted New Forest National Park Local Plan (2016 - 2036).

- 3 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 development remains of a size and character which is appropriate to its location within the countryside and the street scene and to comply with Policies SP21 and SP17 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

- 4 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 submitted mitigation and enhancement measures shall include a Construction Method Statement to avoid pollution and disturbance of protected species) and measures of biodiversity enhancement to meet government and planning policies for net gains in biodiversity, thereby securing accordance with policy.

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 DP2 and SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

- 5 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 SP2 of the New Forest National Park Local Plan 2016 - 2036 (August 2019)

- 6 The boundary hedgerows shall be maintained completely in accordance with Drawing 279.04B to ensure the retention of sufficient visibility splays.

Reason: In the interest of highway safety and to comply with Policy SP55 of the New Forest National Park Local Plan (2016 - 2036) and Section 4 of the National Planning Policy Framework.

- 7 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.

- 8 No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the dwelling unless express planning permission has first been granted.

Reason: To ensure the accommodation provided on the site remains of a size appropriate to its location within the countryside and to comply with SP21 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019)

- 9 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) (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 Policies SP17 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)

- 10 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 DP2 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019)

- 11 Development shall only be carried out in accordance with drawing nos: 279.02, 279.04 Rev B, 279.05, 279.06. 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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

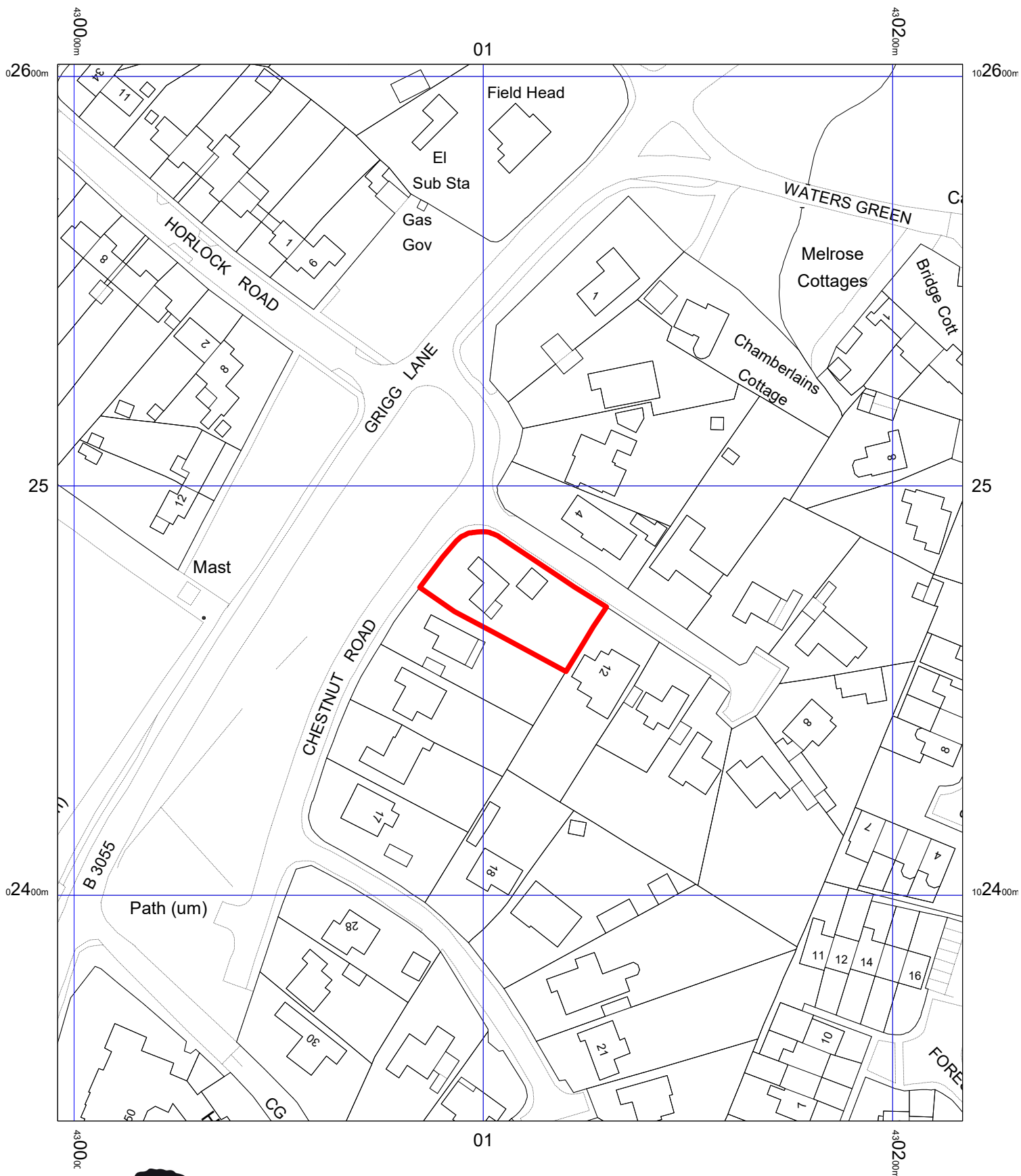
Informative(s):

- 1 Please be advised that because the proposal involves the creation of a new access onto the highway, the Highways Authority advise that the applicant needs to be made aware of the requirement to carry out any works on the highway to the appropriate standard laid down by and under a licence agreement with the highway authority.

The footway should be reinstated at the applicant's expense.

The applicant can apply to the County Council via the following link for permission to have a new access/vehicle crossing installed.

<https://www.hants.gov.uk/transport/parking/droppedkerbs>



NEW FOREST
NATIONAL PARK

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