

**Application No: 21/00537/VAR Variation / Removal of Condition**

**Site:** Site Of Brookwood, Sway Road, Brockenhurst, SO42 7RX

**Proposal:** Application to vary condition 2 of planning permission 20/00620 to allow Minor Material Amendment to 2No. Detached bungalows; fence; cattle grid; alterations to driveway and parking; demolition of existing dwelling and outbuilding

**Applicant:** Appletree Developments Ltd

**Case Officer:** Ann Braid

**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**

- SP17 Local distinctiveness
- SP6 The natural environment
- DP2 General development principles
- SP19 New residential development in the National Park
- SP55 Access
- DP34 Residential character of the Defined Villages
- SP15 Tranquillity
- SP21 The size of new dwellings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**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**

Brockenhurst Parish Council: Object to this application. The proposed carports are acceptable, however, concerned that the accompanying plans make reference to culverting the ditch which is at odds with advice given by local drainage experts and heightens the risk of local flooding.

## **8. CONSULTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 One letter of objection on the following grounds:

- Additional development would add to the urbanisation of the site;
- Concern relating to the culverting of the ditch; and
- The dead oak tree is becoming unsafe.

## **10. RELEVANT HISTORY**

10.1 Application to vary condition 2 of planning permission 20/00620 for 2No. Detached bungalows; fence; cattle grid; alterations to driveway and parking; demolition of existing dwelling and outbuilding (21/00373) granted on 9 June 2021

10.2 2No. Detached bungalows; fence; cattle grid; alterations to driveway and parking; demolition of existing dwelling and outbuilding (20/00620) granted on 19 January 2021

## **11. ASSESSMENT**

11.1 The site of the former dwelling Brookwood lies on the east side of Sway Road in Brockenhurst. Consent has been granted for the demolition of one bungalow and its replacement with two. The design of the development granted by the first consent was subsequently modified and the bungalows are now substantially complete. The site is fenced along its frontage with Sway Road and a drainage watercourse runs along the northern boundary, which was formerly open along the eastern three quarters of its length but has recently been culverted. A chalet style house and the doctor's surgery lie to the north of the site and there is a two storey dwelling to the south. The rear gardens of the houses in Tattenham Road lie to the east.

11.2 Applications under section 73 of the Town and Country Planning Act 1990 allow an applicant to make revisions to an approved scheme, by substituting revised drawings for those that have been previously approved. If consent is to be granted, all previous relevant conditions need to be re-imposed and the Authority may impose further conditions as necessary. The dwellings have been

built in accordance with the previous approvals, in terms of their size and design, and comply with Policies DP35, DP36, SP21 and SP17, as previously assessed. This application seeks consent to revise the existing consent in order to provide two car port structures in the front gardens of the bungalows. The car ports would measure 6.2 metres by 5.3 metres and would be flat roofed, open sided structures with a roof height of 2.5 metres. They would be constructed with timber posts set into brick supports, with a felt roof. The approved layout of the gardens at the front of the dwellings would be revised to accommodate the proposed car ports which would be sited close to the side boundaries of the application site. The proposed car port for plot 1, which is the northernmost and larger of the two properties, would be sited eight metres from the front boundary and the proposed carport for plot 2 would be within two metres of the front boundary. The issues to assess are whether the proposed structures would appear proportionate and subservient to the new dwellings and whether there would be any adverse impacts on the surrounding area or on neighbouring amenity.

- 11.3 When outbuildings are located in front gardens they can look out of scale with the host dwelling and dominate the site. However, in this case, the proposed car ports would be open and light weight, with a low roof height. They would be sited to either side of the dwellings and the overall area of hard surfacing would not need to be increased to accommodate the buildings and vehicle turning space. The outbuildings would be proportionate and clearly subservient to the dwellings they would serve in design, height, scale and massing. The development would not reduce amenity space around the dwellings to an unacceptable level. The revised development to include the car ports would be in accordance with the requirements of Policy DP37 of the New Forest National Park Local Plan 2016-2036 (August 2019).
- 11.4 With regard to the wider locality, although the proposed car ports would be visible from the road they would not have an overly obtrusive impact in the street scene. Some front boundary vegetation has been retained and more planting is proposed to be carried out. The revised driveway layout indicates a single gated access leading to separate gates for each property, and the front gardens would be divided by a 1.2 m brick wall, which would join a 1.8 metre timber fence running between the houses. The approved landscaping scheme has been amended as part of this application to accommodate the new layout. The landscaping plan includes shrub planting and an oak tree and ornamental hawthorn in each of the front gardens. The site would be bounded by 1.8 metre fences except along the front where it is proposed to retain the existing 1.2 metre fence. The revision of the proposed development to include the proposed car ports would comply with Policy SP17 as the existing character of this part of the National Par, within the defined village would not be eroded by the development.

- 11.5 With regard to neighbouring amenity, the proposed outbuildings would not have any adverse impact on the amenity of neighbouring occupiers. They would be of a size and height which is considered acceptable, located close to the site boundary and would not cause any loss of light or outlook to neighbours. The revision to include the car ports would comply with Local Plan Policy DP2.
- 11.6 Surface water drainage at the site continues to cause concern. The drainage ditch on the northern boundary has been culverted, although the necessary Ordinary Watercourse Consent is still outstanding for that work, and the possible breach of the previously imposed condition is being investigated by the Enforcement team. Should Hampshire County Council, as Lead Local Flood Authority require the ditch to be reinstated to the condition it was prior to development, this requirement would not be compromised by the proposed car port, as it would be located over the original culverted section at the western end of the ditch.
- 11.7 One letter of objection has been received expressing concern about urbanisation and the drainage of the site and the latter issue is the objection raised by the Parish Council. However, as no alterations to the drainage are proposed as part of this revised proposal, the drainage of the site is not a matter to be considered under this application. A dead oak tree has been retained for its ecological value, however, there would be no objection to its removal if this is required on safety grounds. Subject to the re-imposition of all relevant conditions and to an additional condition to control the finishes for the car ports, consent is recommended.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

- 1 The development hereby permitted shall be begun before 19 January 2024.
- 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 withdrawing numbers: 9456/200 Rev B, 9456/201 Rev B, MBA/100/101, 9456/100 Rev C, 9456/101/Rev C and 9456/102/Rev B. 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 SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 Development shall be carried out in accordance with the details of facing and roofing materials approved under consent reference 20/00620 for the dwellings, and in accordance with the materials specified on the agent's email of 7 September for the car ports, unless otherwise agreed in writing with the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 No windows/doors shall be installed until typical joinery details including window/doors, eaves, verge, bargeboards have been submitted to, and approved in writing by the New Forest National Park Authority.

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

Reason: To protect the character and appearance of the development in accordance with Policies DP2, DP18 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 The landscaping of the site shall be carried out in accordance with landscaping plan number BW-01 RevB by Woodruff Designs, dated February 2021, hereby approved, and the implementation statement dated February 2021 by Woodruff Designs approved under consent reference 20/00620, unless otherwise agreed in writing with the New Forest National Park Authority.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

- 7 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 ecological report by Abbas Ecology dated November 2020 approved under consent reference 20/00620. The specified measures shall be implemented and retained at the site in perpetuity and, post completion, a statement confirming their implementation shall be submitted to the Authority.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 No external lighting shall be installed on the site unless details of such proposals, which shall be in accordance with the recommendations of the approved ecological report, have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities and ecology of the area in accordance with Policies SP6, DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 9 Unless otherwise agreed in writing, development shall take place in accordance with the details of the means of disposal of surface water from the site set out in the drainage design statements dated August 2020 by Odyssey consultants, approved under consent reference 20/00620.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 10 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 Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

- 11 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 dwelling remains of a size which is appropriate to its location within the defined village and to comply with Policies SP21 and DP35 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 12 The trees/hedges 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 impact statement and tree protection plan by Hearne Arboriculture, dated November 2020 approved under consent reference 20/00620.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 13 Prior to the occupation of the second of the two dwellings comprising the development, ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and 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 Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019), the Authority's Habitat Mitigation Scheme and the SRMP.

- 14 The second of the dwellings comprising 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;

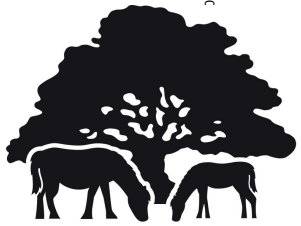
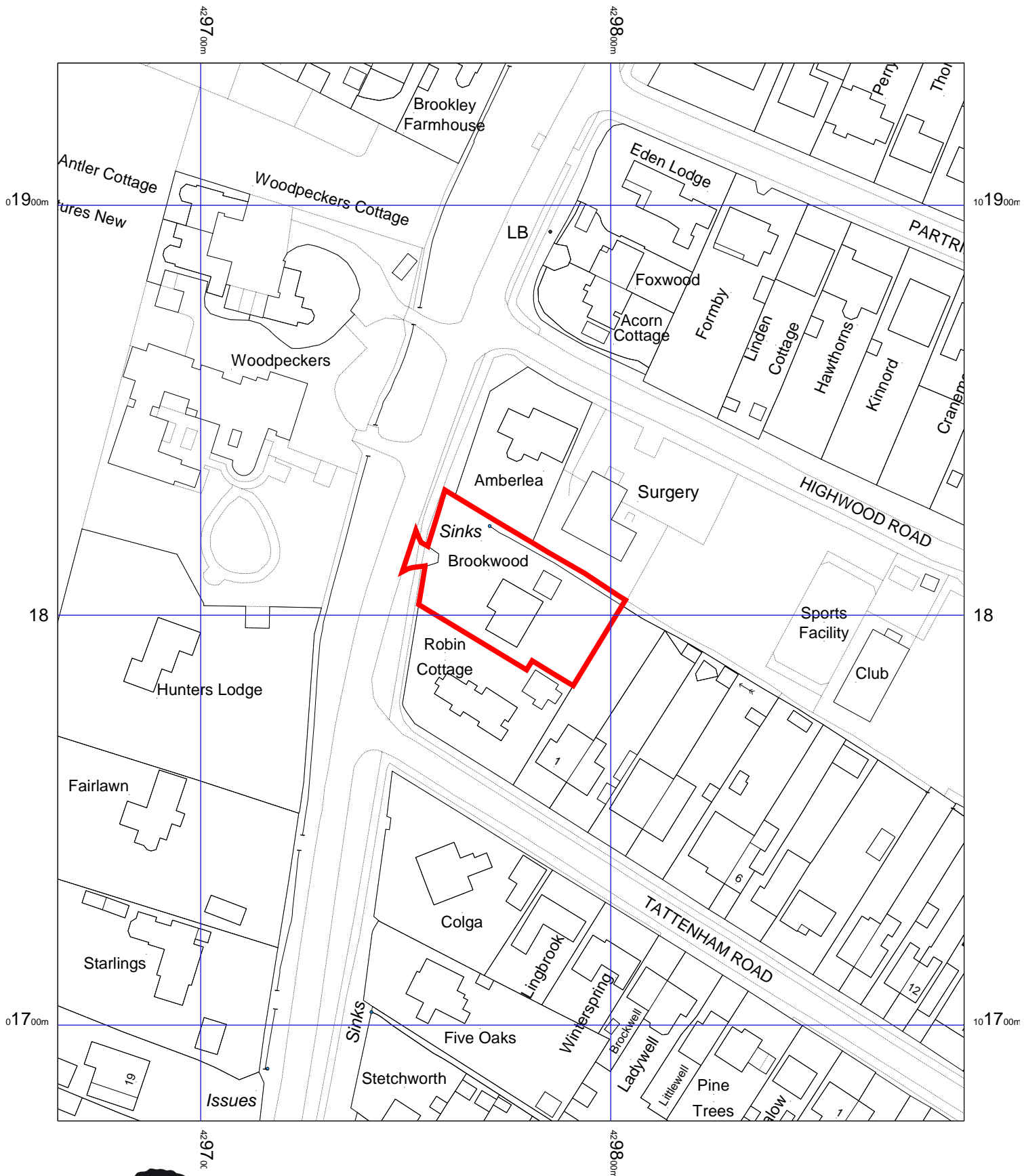
b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development 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 DP8 of the New Forest National Park Local Plan 2016-2016 (August 2019).





NEW FOREST  
NATIONAL PARK

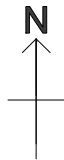
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