

NEW FOREST DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004)

The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000 (SI: 2000/1625) as amended.

Appeal by Renaissance Retirement Ltd against the decision of New Forest District Council to refuse permission to demolish existing buildings and the erect 44 sheltered apartments for the elderly with associated access, mobility scooter store, refuse bin store, landscaping and 34 parking spaces at:

**SITE OF THE RISE AND THREE NEIGHBOURING PROPERTIES, STANFORD HILL,
LYMINGTON SO41 8DE**

Suggested Conditions

PINS Ref: APP/B1740/W/20/3265937
LPA Ref: 20/10481

1. Standard 3 year time limit
2. List of Approved Plans.

Condition precedent

3. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the LPA. The approved statement shall include scaled drawings illustrating the provision for -
1) The parking of site operatives and visitors vehicles. 2) Loading and unloading of plant and materials. 3) Management of construction traffic and access routes. 4) Details of construction access and construction vehicle tracking. 5) Storage of plant and materials used in constructing the development. 6) Details of the method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles leaving the site and the means of keeping the site access road and adjacent public highway clear of mud and debris during site demolition, excavation, preparation and construction.

The agreed statement shall then be adhered to for the duration of construction of the development

Reason: In the interests of highway safety.

4. Prior to demolition of the existing houses the tree protective measures recommended by the Barrell Tree Consultancy report ref:19028-AA-PB and plans received 04/05/20 shall be installed and thereafter retained for the duration of the construction period for the

development hereby approved. No fires, building operations, storage of goods including building materials, machinery and soil, or discharge of any chemical substances, including petrol and diesel, shall be undertaken within the tree protection zones or within the canopy spreads, whichever is the greater, nor shall any change in soil levels or routing of services within those defined areas be carried out.

Reason: To protect the trees on site in the interests of the visual amenities and character of the locality and bio-diversity, in accordance with Policies ENV3 and ENV4 of the New Forest Local Plan Part 1: Planning Strategy 2020.

Non-condition precedent

5. Prior to their use, details of all materials to be used in the external facing walls, roofs, doors, windows, balustrades and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed using the approved details.

Reason: In the interests of delivering an attractive development and due to the proximity to heritage assets in the interests of the character and appearance of the area and in accordance with Policy STR1 & ENV3 of the New Forest Local Plan Part 1: Planning Strategy 2020 and DM1 of the New Forest Local Plan Part 2: Sites and DM policies 2014.

6. All external hard and soft landscape works shall be carried out in accordance with the approved plans and details within one year of first residential occupation of development. 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 and species.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policies ENV3 and ENV4 of the New Forest Local Plan Part 1: Planning Strategy 2020.

7. Prior to occupation of the development hereby approved the parking spaces, accesses, manoeuvring space, visibility splays and motorised scooter store (with electric charging points) shown on the approved plans shall be provided. The parking spaces shall be retained and kept available for the parking of residents and their visitors only. The visibility splays shall be kept clear of any obstructions over 0.6m in height.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the New Forest Local Plan Part 1: Planning Strategy 2020.

8. Prior to occupation of the relevant flats, the windows on the south elevation shown to be obscure glazed on the plan ref:1913-38, shall be obscurely glazed, top hung and not open outward more than 200mm and shall be retained as such.

Reason: To safeguard the privacy of the adjoining neighbour in accordance with Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

9. Prior to occupation of the relevant flats, the 1.8m high obscure glazed balcony screens, shown on the approved plans, shall be installed and thereafter retained as such.

Reason: To safeguard the privacy of the adjoining neighbour in accordance with Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

10. Prior to first residential occupation the boundary treatment as shown on the approved plans shall be planted, implemented and installed, as appropriate, and thereafter maintained and retained.

Reason: In the interests of the appearance of the site, the character of the area and amenity of neighbours and in accordance with Policies STR1 & ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and DM1 of the New Forest Local Plan Part 2: Sites and DM policies 2014.

11. The sheltered apartments comprising the development hereby permitted shall only be occupied by persons of sixty years or over, and the spouse or partner of such a person and in the event of the death of such person, the spouse or partner of such person shall be permitted to remain within the retirement apartments irrespective of whether they are aged sixty years or over.

Reason: In order to ensure the scheme is retained for elderly residents only as proposed.

12. (See 19 below)

~~Prior to occupation of the development hereby approved, the existing pavement crossovers serving High Bank, Silver Birches and Hill View from the A337 shall be permanently stopped up and effectively closed with the footway and verge reinstated, in accordance with details which have been submitted to and approved by the Planning Authority.~~

~~Reason – In the interests of highway safety.~~

~~12.1. Requested by Highway Authority, required to ensure appropriate construction for the revisions to the pavement cross overs.~~

13. The drainage system shall be constructed in accordance with the proposed discharge rate of 5.0 l/s, the designs and details set out in DRAINAGE STRATEGY LAYOUT; Project No: AAL160; Drawing No: 502; Revision: P2; dated: APRIL 2020, received 17/09/20 unless otherwise agreed in writing with the Local Planning Authority.

Reason – In order to ensure appropriate and sufficient surface water drainage is achieved and to prevent off site flooding and in accordance with ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

14. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;
 - a. Maintenance schedules for each drainage feature type and ownership.
 - b. Details of protection measures.

The agreed details and schedules shall be implemented.

Reason – In order to ensure efficient and effective operation of surface water drainage and in accordance with ENV3 of the New Forest District Local Plan Part 1: Planning Strategy 2020 and the NPPF.

15. The rating noise level from the proposed substation, determined in accordance with the requirements of BS 4142: 2014 + A1:2019 Methods for rating and assessing industrial and commercial sound and should not exceed the prevailing representative background noise level by more than minus 10 dB in any external amenity space or at the nearest habitable room window (under free-field conditions) at numbers 14 and 15 Bucklers Mews at any time.

Reason – In order to protect the amenities of the neighbouring residents and in accordance with Policies ENV3 and CCC1 of the New Forest District Local Plan Part 1: Planning Strategy 2020.

16. Any works that impact on the bat roosts (day roost for common pipistrelle at Silver Birches (garage) and day roost for brown long-eared at High Bank as identified in the Phase 2 Bat Survey Report undertaken by Abbas Ecology (Dated August 2019) shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by Natural England authorising the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence”.

Reason – In order to protect features of nature conservation interest and in accordance with DM2 of the New Forest District Local Plan Part 2: Sites and Development Management 2014.

17. No construction works above Damp Proof Course level shall take place until a Biodiversity Net Gain (BNG) Management Plan has been submitted to and approved in writing by the local planning authority (covering a minimum period of 30 years). The management plan should include:

- Methods and timetable for delivering BNG.
- Responsibilities for delivering BNG – during and after construction.
- Description of the habitats to be managed.

- Clear timed and measurable objectives in the short, medium, and long-term for BNG - Detail objectives for all habitats (target condition).
- A commitment to adaptive management in response to monitoring to secure the intended biodiversity outcomes.
- Details for a formal review process when objectives are not fully reached / roles and responsibilities.

The agreed BNG and management plan shall be implemented and maintained in accordance with the agreed timescales and schedules unless otherwise agreed in writing with the LPA.

Reason - In order to ensure the scheme delivered to achieve Bio-diversity Net Gain is appropriately managed and retained for the appropriate period of time and in accordance with DM2 of the New Forest District Local Plan Part 2: Sites and Development Management 2014.

18. No construction of the roof shall commence until full details and specification of the biodiverse extensive (green/brown) roof as shown on the approved plan have been submitted to and approved in writing by the Local Planning Authority. The biodiverse roof(s) shall be implemented in accordance with the details approved and shall be maintained as such thereafter.

Reason – In order to ensure this feature of bio-diversity gain is delivered and appropriate and in accordance with DM2 of the new Forest Local Plan Part 2: Sites and Development Management 2014.

Grampian conditions

19. Prior to commencement of the development hereby approved, design details of the works in the highway to provide:

- The access and egress pavement crossovers and the right turn lane on the A337, as shown in principle on drawings "PBA 107.0008.006 Rev C" and Site Plan 1913.31"; and
- Removal of the existing pavement crossovers serving High Bank, Silver Birches and Hill View from the A337 with the kerb, pavement and verge re-instated.

Shall be submitted to the highway authority for approval via a Section 278 process. The approved details shall be constructed prior to the occupation of the development.

Reason: In the interests of highway safety

20. The development hereby permitted shall not be occupied until:

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; all measures necessary to meet the

agreed waste water efficiency calculation must be installed before first occupation and retained thereafter;

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

The mitigation package shall include a time table for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

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. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.