

(M, 2; C, 5, 6)

**NEW FOREST DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (General Development Procedure) Order 1995**

Mr M Annen
Planning Solutions
Russell House
Oxford Road
Bournemouth
Dorset
BH8 8EX

Application Number: **11/97198**

Applicant: Mockbeggar Properties Ltd

Date of Application: 11 May 2011

THE NEW FOREST DISTRICT COUNCIL as the Local Planning Authority **GRANTS PLANNING PERMISSION** for the following development:

Development: **Office, business, storage units; carparking; demolition of existing; Class B1 and B8**

Site Address: **COLES YARD, STUCKTON ROAD, STUCKTON, HYDE SP6 2HE**

Subject to the following Conditions:

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. No development shall take place until the following materials have been submitted to and approved by the Local Planning Authority.
 - i) the external facing materials to include the colour finish of the timber cladding,
 - ii) the details of the roof lights
 - iii) the details of all openings including the windows and doors
Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

3. The development permitted shall be carried out in accordance with the following approved plans: 3894.51, 3894.52, 3894.53, 3894.54, 3894.55, 3894.56

Reason: To ensure satisfactory provision of the development.

4. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved by the Local Planning Authority.

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

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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 in accordance with Policy CS24 of the Core Strategy for the New Forest District Council outside the National Park.

6. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning 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, and any external lighting
- (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 ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, no additional floor space shall be created at first floor level within the buildings hereby approved, other than that indicated on the approved plans without express planning permission first having been granted.

Reason: To protect the area from possible effects of a more intense use of the approved buildings, which would be unacceptable in this rural location and could lead to having a greater effect on the living conditions of the adjoining neighbouring properties and public highway safety which would be contrary to Policies CS2 and CS24 of the Core Strategy for the New Forest District outside the National Park and saved policy

CO-B3 of the New Forest District Local Plan First Alteration.

8. No activity shall take place on the site in connection with the approved use other than between the hours of 8:00 am and 18:00pm Monday to Fridays, and between 8:00 am and 12:00 on Saturdays not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

9. The development hereby permitted shall not be occupied until the arrangements for the provision of cycle parking facilities within the curtilage have been implemented in accordance with a scheme to be agreed by the local planning authority. These parking spaces shall be provided and, thereafter, be retained and 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 CS2 of the Core Strategy for the New Forest District outside the National Park.

10. The development hereby approved, shall not be commenced until details of the proposed surface water management scheme incorporating Sustainable Drainage methodology wherever possible and limiting the peak surface water run-off (generated by the 1 in 100 year critical storm including an appropriate allowance for climate change) so that it will not exceed the existing peak run-off from the existing site and not increase the risk of flooding off-site. Details of how the scheme will be maintained and managed after completion should be provided.

Reason: To prevent flooding by ensuring the satisfactory storage of/ disposal of surface water from the site in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park.

11. The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels within the floodplain and to ensure finished floor levels of the proposed new units are set no lower than 300mm above typical existing surrounding ground levels has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may be subsequently be agreed, in writing, by the local planning authority.

Reason: To Reduce the risk of flooding to the proposed development future occupants and the surrounding area in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park.

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 13 to 16 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 15

relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

13. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

14. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

15. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and 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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, 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 in accordance with condition 14.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

17. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period as stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced,

and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

Reason(s) for granting permission:

The proposed development is in accordance with Policies CS1, CS2, CS6, CS10, CS17, CS21, CS24 and CS25 of the Core Strategy for the New Forest District outside the National Park and saved Policy CO-B3 of the adopted New Forest District Local Plan First Alteration.

The proposed development would not have a detrimental impact on the character and appearance of the area or on the living conditions of the adjoining neighbouring properties. The Environment Agency and Highway Authority do not raise any objections to the proposals.

A full copy of the officer's report explaining in more detail the reason(s) for the grant of this permission is available for inspection in the planning office.

Notes to applicant

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.
2. This decision does not purport or convey any approval or consent which may be required under the Building Regulations or any other Acts, including Byelaws, Orders or Regulations made under such Acts.
3. If this permission leads to the creation of any new properties you should contact the Council's Address Management Section on 023 8028 5402 or e-mail address.management@nfdc.gov.uk regarding the addressing of the development.
4. This decision relates to amended plans received by the Local Planning Authority on the 18th December 2011 and an additional plan received on the 7th February 2012.

Date: 08 February 2012

C J Elliott
Head of Planning and Transportation
Appletree Court
Beaulieu Road
Lyndhurst
Hampshire
SO43 7PA

Application Number: 11/97198 Full Planning Permission

Site: COLES YARD, STUCKTON ROAD, STUCKTON, HYDE SP6 2HE

Development: Office, business, storage units; car parking; demolition of existing;
Class B1 and B8

Applicant: Mockbeggar Properties Ltd

Target Date: 01/09/2011

09/94776

1 REASON FOR COMMITTEE CONSIDERATION

Delegated decision

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

River Valley
Countryside outside the New Forest
Flood Risk Area
Adjacent to Conservation Area
Adjacent to National Park Authority

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

Local economy
Countryside and the rural economy

Policies

CS1 Sustainable development
CS2 Design quality
CS6 Flood Risk
CS10 Spatial strategy
CS17 Employment and economic development
CS21 Rural economy
CS24 Access considerations
CS25 Contributions

Local Plan Policies

CO-B2 New employment uses in the countryside outside the New Forest

CO-B3 Redevelopment of established employment sites in the countryside outside the New Forest

4 RELEVANT LEGISLATION and PPSs, PPGs and Circulars

PPS4 Planning for sustainable economic development
PPS25 Flooding

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None

6 RELEVANT PLANNING HISTORY

Some Enforcement history

1 block of office/ business/ storage units (outline application with all matters reserved) 94776. Granted with conditions on the 20th October 2009.

7 PARISH / TOWN COUNCIL COMMENTS

Hyde Parish Council: Recommend permission but would accept a delegated decision.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

Hampshire County Council Highways Engineer: No highway objections

Natural England: No objection.

Environment Agency: No objection

County Ecologist: No objection to submitted survey

County Archaeologist: No objection

Ringwood and Fordingbridge Footpath Society: No objection subject to the proposed development provided that the Right of Way is not obstructed

Rights of Way Officer: Whilst we ave no objection in principle to the proposal, we must express concern that no recognition is given to the existing public footpath, Hyde Footpath 742, which runs through the site.

Environmental Health (Historic Land Use): Historic uses of the land indicate a previous underground petrol tank on the site which is likely to result in land contamination. It is recommended that the contaminated land conditions are applied.

Environmental Health(pollution): No objection subject to condition

New Forest National Park Authority: No comment received

10 REPRESENTATIONS RECEIVED

1 letter of observation, which states that the revised siting of the refuse and recycle

bin store is close to the church which could cause noise and disturbance. Overall support proposal but uses need to have conditions relating to noise, lighting needs to be specified, and limit the hours of operation such as 8am-to 5:50 and not on Sundays.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 ASSESSMENT

The site is located in Stuckton, which lies to the south east of Fordingbridge and is currently occupied by two large 'shed' type buildings and other structures that have been in commercial use for many years, well in excess of 10 years from viewing the planning records). The site is roughly rectangular in shape and has an area of approximately 0.7 hectares. The site lies behind a coherent group of late Victorian properties including a cottage, the old post office and church. There are two main storage sheds on the site, which are roughly centrally located and run north-south. The remaining land is very untidy with open storage and temporary buildings and portable cabins. A large portion of the site is laid to hardstanding for the access and storage of commercial vehicles, and caravans. The two existing buildings are large and poor quality buildings in terms of their appearance. There is a single point of access to the site off Stuckton Road, which enters the site in the north eastern corner. The site lies within the countryside and is bounded by the New Forest National Park along the east boundary of the site. The site is also bounded by a Conservation Area, which runs along the east boundary of the site and this is within the New Forest National Park.

A recent outline application was granted in 2009 under reference number 94776, which proposed to demolish the existing buildings on the site and to construct one building block of industrial, office/ business storage units. All matters were reserved for future consideration to include scale, appearance, layout access and landscaping, however, that submitted application was also accompanied by a Design and Access Statement, site plan showing the layout of the building and elevation drawings of the front and rear. The Design and Access Statement stated that the submitted plans and details were for illustrative purposes only, however, it is stated that the floor space of the existing buildings equated to 450-470 square metres and the proposed new building would result in 470-500 square metres, which would be a small increase. The Design and Access Statement also stated that the proposal was to replace the building in a single one storey building and that no part of the building would be higher than 7 metres.

This current planning application is for full permission for the construction of an office/ business, storage and associated car parking.

The proposed layout of the site entails a single building formed into a courtyard, which would be positioned to the rear of the site along the southern boundary. The existing access into the site would be utilised and a large car park would be created along the eastern boundary of the site adjacent to the footpath. The existing bank along the west and east boundary of the site would be retained. The majority of the north and west part of the site would be grassed and landscaped.

Visually, the proposed buildings would rise to single storey with a pitched roof with additional accommodation provided in the roof in parts of the buildings (those building elements would be taller). The buildings would be constructed with red brick plinth with timber boarding under a clay tiled roof. Parts of the building would also

have brick construction. The main bulk of the building rising to 7 metres in height, and the taller element situated along the eastern wing would rise to 8 metres in height. Roof lights would be situated in the eastern element. The proposed building would be sited to the rear of the site to ensure that the buildings are outside the designated Flood Zone. Car parking would be provided between the east elevation of the proposed building and the trees, and adjacent to the access driveway.

In total there would be 7 individual units and the total floor space would equate to approximately 580 square metres, which would be an increase in floor space compared to the existing buildings of some 110 square metres.

Given the recent approval for a business development on this site, the principle is acceptable in policy terms, although it is recognised that there is an increase in floor space compared to the previously approved scheme.

Saved policy CO-B3 of the adopted New Forest District Local Plan First Alteration is relevant in this case and states that the redevelopment of established employment sites will only be acceptable where there would be environmental benefits such as reduction in the visual impact of the site in the landscape, an improvement to the amenities of nearby properties, or a reduction in traffic from the site. In addition, the redevelopment scheme will have to be contained within the site, and the replacement buildings should not materially increase the existing floor space or level of business activity generated. Also, the replacement buildings should be appropriate to their surroundings in terms of scale, design and materials.

The proposed layout of the site would be acceptable and the design concept to achieve a building that appears as a traditional agricultural courtyard would be acceptable and appropriate in this location. It is accepted that the proposed building would be large in size and scale, however, it has been designed with traditional form incorporating pitched roofs and using traditional materials including timber cladding, brick and clay tiles. The proposed layout would reflect that of traditional farm buildings as would the design incorporating variances in style with higher and lower elements, which would help break up the scale of the buildings.

There would be some benefits to this proposal given the overall appearance of the site, and the proposal does appear to meet the objective of the policies in the local plan and Core Strategy. The existing buildings on the site are unattractive and of a poor quality, and the replacement of these buildings with a more appropriate one would be considered as a visual improvement. This would also include the overall landscaping for the site. The redevelopment is shown to be contained within the existing site boundary. The proposal would also accord with saved local plan policy CO-B3.

The site lies adjacent to the Conservation Area, which lies within the National Park, however, the National Park have not commented on the application, or the wider impact on the character and appearance of their Conservation Area. However it is considered that the proposal would not have an adverse effect on the nearby Conservation Area or Nation Park. Indeed, the proposal would significantly improve the current situation on the site.

With regard to residential amenity, it is not anticipated that the proposed development for offices, business and storage would result in any noise disturbances to nearby residential properties and whilst it is accepted that there is

likely to be an increase in vehicular movements into the site, this would not be significantly more than that existing to justify refusal of permission. Indeed, it is likely that there would be a reduction in the large heavy vehicles entering and leaving the site.

Conditions would need to be imposed restricting the hours of operation to minimise activity in and around the site late at night and in the early morning. A condition would also need to be attached to ensure that no additional floor space is created within the roof space or on the site to ensure that there is no increase in activity in the site, which could be detrimental to public highway safety or residential amenity.

The Highway Authority have not objected to the application relating to the principle use of the access into the site. However, whilst the proposed development would normally require contributions towards highway improvements, it was previously agreed in the approved outline application that this would not be fair and reasonable and accordingly, no contributions were made.

Part of the site falls within flood zone 2 and 3 with remainder falling within Flood Zone 1. The proposed development would result in the formation of a commercial development outside flood zone 2 and 3 defined by Planning Policy Statement 25 (PPS25). Accordingly given that it falls within a low flood risk area, a sequential test would not be applicable in this case. The Environment Agency does not raise any objections to the proposal subject to conditions.

Comments have been raised relating to the public right of way that runs along the east boundary of the site which should not be affected and that part of the access into the site to the adopted road goes over a public right of way. However, the applicants agent has confirmed that the proposal would not interfere with the footpath and that the applicant owns both the adjoining buildings (former post office and cottage) and as such they have confirmed that they have ownership of part of the road. A plan has been submitted, which shows the extent of the footpaths along the eastern and northern boundary.

Whilst comments have been expressed that the siting of the recycling and waste bins is close to the church, this would not in itself be a reason for refusal, and in any event, the distances are sufficient not to cause unreasonable harm.

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

13. RECOMMENDATION

Granted Subject to Conditions

Proposed Conditions:

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. No development shall take place until the following materials have been submitted to and approved by the Local Planning Authority.

i) the external facing materials to include the colour finish of the timber cladding,

ii) the details of the roof lights

iii) the details of all openings including the windows and doors

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

3. The development permitted shall be carried out in accordance with the following approved plans: 3894.51, 3894.52, 3894.53, 3894.54, 3894.55, 3894.56

Reason: To ensure satisfactory provision of the development.

4. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved by the Local Planning Authority.

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

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

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 in accordance with Policy CS24 of the Core Strategy for the New Forest District Council outside the National Park.

6. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning 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, and any external lighting

- (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 ensure that the development takes place in an appropriate way and to prevent inappropriate car parking to comply with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, no additional floor space shall be created at first floor level within the buildings hereby approved, other than that indicated on the approved plans without express planning permission first having been granted.

Reason: To protect the area from possible effects of a more intense use of the approved buildings, which would be unacceptable in this rural location and could lead to having a greater effect on the living conditions of the adjoining neighbouring properties and public highway safety which would be contrary to Policies CS2 and CS24 of the Core Strategy for the New Forest District outside the National Park and saved policy CO-B3 of the New Forest District Local Plan First Alteration.

8. No activity shall take place on the site in connection with the approved use other than between the hours of 8:00 am and 18:00pm Monday to Fridays, and between 8:00 am and 12:00 on Saturdays not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

9. The development hereby permitted shall not be occupied until the arrangements for the provision of cycle parking facilities within the curtilage have been implemented in accordance with a scheme to be agreed by the local planning authority. These parking spaces shall be provided and, thereafter, be retained and 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 CS2 of the Core Strategy for the New Forest District outside the National Park.

10. The development hereby approved, shall not be commenced until details of the proposed surface water management scheme incorporating Sustainable Drainage methodology wherever possible and limiting the peak surface water run-off (generated by the 1 in 100 year critical storm including an appropriate allowance for climate change) so that it will not exceed the existing peak run-off from the existing site and not increase the risk of flooding off-site. Details of how the scheme will be maintained and managed after completion should be provided.

Reason: To prevent flooding by ensuring the satisfactory storage of/

disposal of surface water from the site in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park.

11. The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels within the floodplain and to ensure finished floor levels of the proposed new units are set no lower than 300mm above typical existing surrounding ground levels has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/ phasing arrangements embodied within the scheme, or within any other period as may be subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development future occupants and the surrounding area in accordance with Policy CS6 of the Core Strategy for the New Forest District outside the National Park.

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination no 13 to 16 have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 15 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

13. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,

- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

14. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

15. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and 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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported

in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, 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 in accordance with condition 14.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

17. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period as stated in the remediation scheme, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

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 waters, 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 in accordance with policy CS5 of the Core Strategy for the New Forest District outside the National Park.

Reason(s) for Recommendation to approve:

The proposed development is in accordance with Policies CS1, CS2, CS6, CS10, CS17, CS21, CS24 and CS25 of the Core Strategy for the New Forest District outside the National Park and saved Policy CO-B3 of the adopted New Forest District Local Plan First Alteration.

The proposed development would not have a detrimental impact on the character and appearance of the area or on the living conditions of the adjoining neighbouring properties. The Environment Agency and Highway Authority do not raise any objections to the proposals.

A full copy of the officer's report explaining in more detail the reason(s) for the grant of this permission is available for inspection in the planning office.

Notes for inclusion on certificate:

This decision relates to amended plans received by the Local Planning Authority on the 18th December 2011 and an additional plan received on the 7th February 2012.

Recommended / Decision

Signed

Date

Further Information:

Mr R Natt

Telephone: 023 8028 5345 (Option1)