

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Regulatory Committee
Date:	14 December 2016
Title:	Application for single storey new build community room comprising multi-purpose space at Hythe Primary School, School Road, Hythe, SO45 6BL. (Application No. 16/11226) (Site Ref: NFE009)
Reference:	7970
Report From:	Head of Strategic Planning

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1. Executive Summary

- 1.1. The planning application is for a multi purpose teaching space with facilities to allow for local community use outside of school hours.
- 1.2. The main points to be considered are the principle of the development and the impact of the design of the proposed building in the Conservation Area.
- 1.3. This application is being considered by the Regulatory Committee as objections have been received from New Forest District Council & Hythe and Dibden Parish Council to the proposal.
- 1.4. It is considered that the proposal is in accordance with the development plan as it is on an established school site and the County Council has a duty to provide primary education to serve needs of the relevant policies of the [New Forest Core Strategy \(NFCS\) \(2009\) Part 1](#), the [New Forest Core Strategy \(2014\) Part 2](#) and the [National Planning Policy Framework \(2012\)](#) (NPPF).
- 1.5. The design, appearance and proposed materials will result in a high quality and natural development to the school in terms of its location on the site and landscape. The proposal is also considered acceptable in terms of highway safety and capacity and will not cause a material loss in amenity.
- 1.6. That planning permission be granted subject to the conditions listed in integral Appendix B.

2. The Site

- 2.1. The existing school on School Lane Hythe is located 150 metres from Hythe Town Centre. It is within a residential area and abuts the Southampton-Dibden railway line on its south western boundary.

- 2.2. The site is within the Hythe Conservation Area which was designated in 1978. The main school building is noted as a local landmark in the adopted [Conservation Area Appraisal \(2004\)](#).
- 2.3. The site is 1.26 hectares in size and consists of a main school building with a staff car park on the eastern side which is accessed from School Road. The remainder of the site consists of landscaped hard play areas and a grass playing field. The site slopes slightly towards its northern boundary.
- 2.4. The existing school was built in 1894 in a traditional load bearing brick construction. It is principally two storeys with red brick elevations and slated pitched roofs. The school has had two extensions (see section 3). The first was permitted in 1994 and provided four classrooms, the second was built in 2005 and provided a hall and music room. These extensions have been built in a style to imitate the red-facing brick and slated pitch roof of the original building.
- 2.5. The school is bounded by a red brick wall along its frontage and the remaining boundaries consist of a post and wire fence with mature trees and hedge. At the front of the school, in close to its boundary with the railway line is a large oak tree which is subject to a Tree Preservation Order. This together with other vegetation screens the school from the railway line
- 2.6. Two vehicular and pedestrian accesses serve the school from School Lane. The pedestrian and vehicular access at the southern corner of the site is gated and is currently not regularly used.

3. Planning History

- 3.1 The planning history of the site is as follows:

Applicati on no.	Proposal	Date issued
14/10489	Single storey new build community room comprising multipurpose space, teaching kitchen, accessible WC and storage	15/05/2014
78312	Extension to existing school comprising new hall, kitchen, music room and therapy room, removal of 2 temporary classrooms	16/07/2003
72265	Continued siting of two single temporary classrooms No. 9239 and 9874 until 31 August 2005 to accommodate current and projected numbers on roll	07/08/2001
67765	Continued siting of two single temporary classrooms (Ref: 9239 & 9874)	07/01/2000
00062835	Continued siting of 2 single temporary classrooms (Ref 9239 & 9874) to accommodate numbers on	14/01/1998

	roll. Expiry date January 1999	
58807	Continued siting of 2 single temporary classroom units	18/06/1996
00053611 CA	Demolition of single aluminium temporary classroom unit (unlisted building in conservation area)	18/11/1994
53612	Replacing two single and two double temporary classrooms with a four classroom extension and alterations	31/03/1994
00052139 RENEW	Renewal of permission for one temporary classroom unit until January 1995	11/05/1994

4. The Proposal

- 4.1. The proposed development is for a single storey detached building at Hythe Primary School to provide a multi purpose teaching space for the school and a facility that can be used by the community out of school hours.
- 4.2. The [location of the development](#) has been selected within the school grounds as:
 - The area is underutilised. It is currently a mixture of tarmac, mowed grass and a herbaceous bedding area;
 - It is relatively flat and affords good level access for all users;
 - The out of hours access of the building by the community is independent of the main school, making it easy to manage;
 - It will have minimal impact upon the main school building and its context within the Hythe Conservation Area;
 - There is minimal impact to existing vegetation;
 - Existing access links can be used; and
 - Safety of pupils and staff is retained during construction.
- 4.3. The location for the proposed extension has been chosen to have the minimal environmental impact. The extension will be built on an existing mown grass area, planting beds and existing tarmacked areas.
- 4.4. The proposed single storey building will comprise a teaching space/ community room (92m) with an open plan domestic kitchen, one large accessible toilet and storage. It will have a western red cedar vertical boarded finish. The doors and windows will be polyester powder coated aluminium in a dark grey colour. The flat roof finish will be a weather proof membrane finish with a fall to the internal drainage. The roof will also have 3 roof lights to increase natural light to the internal space.

- 4.5. The aim of the design is to provide a contemporary finish which is subsidiary to and detached from the main school building, set to blend with the backdrop of the existing trees and hedgerows of the site. The appearance and materials highlight the lightweight nature of the building construction and the timber cladding has been chosen for its environmentally friendly, natural and weathering qualities.
- 4.6. There will be no increase in pupil or staff numbers as a result of the development.
- 4.7. No additional car parking is proposed. The community users of the building after school hours would use the school's existing staff car park which includes two accessible parking spaces.
- 4.8. Construction access will be via an existing gated access from School Road. This is separate from the existing pedestrian and vehicle accesses. It is anticipated that there will be two lorry movements per day although this will vary over the construction period. No vehicular movements will be allowed at times when the children are being dropped off and collected from school. The application is accompanied by a [Design and Access Strategy](#).

5. **Development Plan**

- 5.1. The following plans and associated policies are considered to be relevant to the proposal:

[National Planning Policy Framework \(2012\) \(NPPF\)](#)

- 5.2. The following sections are relevant to this proposal:

- Paragraph 11: Determination in accordance with the development plan unless material considerations indicate otherwise;
- Paragraph 60: Planning policies and decisions should not attempt to impose architectural styles;
- Paragraph 61: Supports connections between people and places and the integration of new development into the natural, built and historic environment; and
- Paragraph 72: Sufficient choice of school places is available to meet the needs of existing and new communities and that development will widen choice in education.

[New Forest Core Strategy part 1 \(2009\) \(NFCS Pt 1 2009\)](#)

- 5.3 The following policies are relevant to the proposal:

- CS1: Sustainable development principles;
- CS2: Design quality;
- CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation); and
- CS8: Community services and infrastructure.

New Forest Sites and Development Management part 2 (2014) (NFSDM Pt 2 2014)

5.4 The following policies are relevant to the proposal:

- DM1: Heritage and Conservation; and
- DM2: Nature conservation, biodiversity and geodiversity.

6. Consultations

6.1. **County Councillor Wade:** Was notified of the proposal.

6.2. **New Forest District Council:** Objected to the proposal due to the design of the proposed building. The existing school buildings make a positive contribution to the street scene and character of the Conservation Area by reason of its attractive and traditional appearance, its form, proportions and symmetrical design. The proposed building would by virtue of its form, design and appearance with its flat roof, would unacceptably detract from the character and form of the existing pitched roof buildings at the school to the detriment of the character and appearance of the Conservation Area. The proposal would therefore be contrary to Policies CS2 (Design Quality) and CS3 (Protecting and enhancing our special environment - Heritage and Nature Conservation) of the [NFCS pt 1 \(2009\)](#) and Policy DM1 (Heritage and Conservation) of the [NFSDM Pt 2 \(2014\)](#).

6.3. **District Council Environmental Health Officer (EHO):** Was notified of the proposal.

6.4. **Hythe & Dibden Parish Council:** Objected to the proposal. It fully supports the use of the proposed building by the school for school activities. However, the council believes that the use of a local authority subsidy to supply a community building is unfair on existing providers especially as there is over capacity in the existing provision.

6.5. **Local Highway Authority:** Has no objection to the proposal.

6.6. **County Ecologist:** is satisfied if only minimal vegetation (scrub/individual young trees) is impacted and remaining vegetation is adequately protected during the works. A condition relating to biodiversity enhancements is recommended and an informative attached to any consent relating to protection of birds nests, when occupied or being built and native reptile species protected under the Wildlife and Countryside Act 1981(as amended).

6.7. **County Archaeologist:** Has no objection to the proposal.

6.8. **Arboriculture (Hampshire County Council):** wishes to ensure that protection of the existing trees is provided prior to the commencement of development.

7. Representations

- 7.1. Hampshire County Council's [Statement of Community Involvement \(2014\)](#) (SCI) sets out the adopted procedure and publicity requirements associated with determining planning applications.
- 7.2. In complying with the requirements of the SCI, Hampshire County Council:
- Published a notice of the application in the [Hampshire Independent](#);
 - Placed notices of the application at the application site and local area in May and April, extending the period of neighbour consultation;
 - Consulted all statutory and non-statutory consultees in accordance with [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#); and
 - Notified by letter all residential properties within 50 metres of the boundary of the site.
- 7.3. As of 29 November 2016, no representations to the proposal have been received.

8. Commentary

Principle of the development

- 8.1. The principle of the use of the site for educational use is already established with the existing school in operation. Paragraphs 11, 61 and 72 of the [NPPF \(2012\)](#) & Policy CS1 of the [NFCS Pt 1 \(2009\)](#) supports development which is distributed in a sustainable way to service the needs of the local community and is aware of environmental constraints. Policy CS8 (Community services and infrastructure) of the [NFCS Pt 1 \(2009\)](#) supports proposals for new and improved community facilities that result in improvements to meeting the needs of the district will be supported. Planning permission was granted for the same development in 2014 but unfortunately the scheme could not proceed with the design that had been permitted. The proposal meets the provisions of Policy CS1 of the [NFCS Pt 1 \(2009\)](#). Therefore the issue is whether there are other policies in the development plan which indicates that planning permission should not be granted.

Location and Design

- 8.2. The existing school is located within the Hythe Conservation Area. The applicant has indicated that the form of the new building has been designed to be sensitive to its surroundings.
- 8.3. The application is accompanied by a [Design and Access Strategy](#) as well as a [Design and Access Supporting Statement](#). These set out design considerations related to access, materials, egress, landscaping and other facilities. The location proposed for the development fits in well with the layout of the existing school. It will be set against the backdrop of existing trees along the boundary of the site with the railway in an area which does not have any particular use and is currently overgrown. Its appearance and materials, in particular the Western Red Cedar open boarded finish, highlight

the lightweight nature of the building construction. The timber cladding has been chosen for being an environmentally friendly building material that has a natural beauty and weathering quality. In time, the simple form of the building exterior will blend into its surroundings as the colour evolves and softens. The representations received from the district council in relation to the proposal not being in conformity with Policy CS2 (Design Quality) of the [NFCS Pt 1 \(2009\)](#) is noted but it is not considered that it fairly takes account of the location of the building in relation to the original school buildings and that it is slightly detached from them and that its impact on the character of the conservation area will be minimal due to existing trees and adjoining railway. It is the view of the planning authority, that the proposal is supported by Policy CS2 (Design Quality) of the [NFCS Pt 1 \(2009\)](#) (as it contributes positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials and its relationship to adjoining buildings and landscape features and Paragraph 72 of the [NPPF \(2012\)](#) as it provides additional required space to meet school needs.

Potential impact on the Conservation Area

- 8.4. The proposed development is lies on the south western edge of the conservation area and the main school building is noted as a local landmark in the adopted [Conservation Area Appraisal](#).
- 8.5. Paragraph 2.12 of the [Conservation Area Appraisal](#) states that: 'The older and smaller buildings of Hythe share a smallness of scale, but also exhibit a range of architectural styles and elevational treatments. It is, then, a mistake to introduce development that repetitively uses the same materials and elevational treatments throughout many adjacent buildings.' This points to a need to avoid replicating the designs of adjacent buildings; instead the focus should be to respond to the conservation area's diversity and compact scale. In particular, the detached multi purpose room reads as a distinctly different architectural proposition to the main school buildings, comprising a timber pavilion with a compact rectangular form, reinforced by the parapet roofline. Since it is a subsidiary and detached building it is not necessarily appropriate to reproduce the brick elevations and pitched roofs of the main buildings and accords with paragraphs 60 &61 of the [NPPF \(2012\)](#). Whilst the hall extension (2003) at the school was given a pitch roof due to the close proximity of the building to the original school buildings it is of a modern design and does not slavishly follow the same design principles of the original school buildings but in the same way as the proposed development respects its immediate surroundings.
- 8.6. The proposed multi purpose room conserves the heritage asset in a manner appropriate to its significance, in that:
 - It is a subservient building which respects the prominence and setting of the main school buildings;
 - It is screened from views into the Conservation Area, due to its limited scale and the trees on the southern edge of the site, alongside the railway line;

- From School Road, the building is set back from the street and behind the main building line of the primary school, with filtered views from the street scene and screened by the large protected Oak tree, limiting its visual impact;
 - It will house an active use which will have a positive impact on the primary school and current and future generations;
 - The community use and a secondary entrance to the building from School Road will enhance public access to, and appreciation of the primary school in supporting the local community.
- 8.7. Policy CS2 (Design Quality) of the [NFCS Pt 1 \(2009\)](#) states that any development should be well designed to respect the character, identity and context of the area's towns and required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features. It is not to cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities. The proposed development takes account of this by the choice of materials used in consultation with New Forest planning officers, and its design to reflect its immediate surroundings and proposed use.
- 8.8. In addition, Policy DM1 (Heritage and Conservation) of the [NFSDM Pt 2 \(2014\)](#) states that development proposals and other initiatives should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. The proposal respects the adjoining Victorian school buildings but does not try to replicate their design as it would not suit the purpose and scale of the proposed development in the space available. It is also not directly adjoining the Victorian buildings but separated by newer extensions and adjoins the school's boundary so therefore blends into the backcloth of the existing vegetation rather than be a statement building competing with the existing.
- 8.9. No objection has been received from the County Archaeologist in relation to this proposal. The representations received from the district council in relation to the proposal not being in conformity with Policies CS2 (Design Quality), CS3 and DM1 of the development plan are noted. The basis of the objection is that the form, design and appearance of the proposed development would unacceptably detract from the character of the Conservation Area. However the design and materials proposed for development has been carefully chosen in consultation with New Forest District Planning Officers to respect its immediate surroundings. Not all of the school buildings are of a traditional design. The school hall which was granted planning permission in 2003 is modern in its design approach and whilst it does have a pitched roof it is located in the middle of the school site and very close to the existing Victorian buildings which makes it more prominent. The location of the proposed development is very well screened by existing boundary planting and the adjoining railway line. It is screened from the front of the school and School Road by a 6 foot close boarded

fence and entrance gate and the dominance of the protected Oak tree. It is therefore considered that the proposed development will not impact on the street scene and character of the Conservation Area. The proposal is supported by the paragraphs 60 and 6i of the [NPPF \(2012\)](#) as well as Policies CS2 (Design quality) and CS3 (Protecting and enhancing our special environment (Heritage and Nature Conservation) of the [NFCS Pt 1 \(2009\)](#) and Policy DM1 (Heritage and Conservation) of the [NFSDM Pt 2 \(2014\)](#).

Ecology

8.10. The County Ecologist is satisfied with the proposal, subject to, minimal vegetation (scrub/ individual young trees) being impacted and that the remaining vegetation being adequately protected during the works to ensure any impacts to protected species are addressed. To address this the Ecologist recommended a condition relating to biodiversity enhancements which is included in integral Appendix B.

8.11. In addition, it is considered that birds may be present and nesting in vegetation and considering the adjacent habitat, low numbers of reptiles may have the potential to be present. It is suggested that informatives are attached to any consent outlining the necessity to protect birds nests, when occupied or being built and native reptile species under the [Wildlife and Countryside Act 1981](#) (as amended). This is included in integral Appendix B.

Impact on trees

8.12. The Arboricultural officer requires conditions to be included in any consent to ensure the protection of the retained trees during the construction period. These are also set out in integral Appendix B.

Highway impact

8.13. The application is accompanied by a Design and Access Strategy which covers issue of access to the site. There are no permanent alterations to the existing vehicular and pedestrian access to the school as part of the proposed development. The Local Highway Authority has no objection to the proposal.

8.14. In the event that planning permission is granted, a condition has been included relating to the protection of the highway from mud and spoil from vehicles leaving the site during the construction works and is set out in integral Appendix B.

Other issues

8.15. The concerns raised by Hythe & Dibden Parish Council relating to the funding for the community use building are noted. However, this is not a material planning consideration which is relevant to this proposal.

Summary

8.16. It is considered that the proposal would be in accordance with the relevant policies of the [NFCS Pt 1 \(2009\)](#) and the [NFSDM Pt 2 \(2014\)](#) and there are no significant design issues that should prevent this application from being approved.

9. Recommendation

- 9.1 That planning permission shall be GRANTED subject to the conditions listed in integral Appendix B.

Appendices:

Integral Appendix A – Corporate or Legal Information

Integral Appendix B – Conditions

Integral Appendix C – Annexe to Reasons for Conditions

Appendix D - Location Plan

Appendix E – Layout Plan

Other documents relating to this application:

[Hythe Primary School Planning application no 16/11226](#)

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	No
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	No
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	No
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because: The proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because the proposal is an application for planning permission and requires determination by the County Council in its statutory role as the minerals and waste planning authority.	

Other Significant Links**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

Application no: 16/11226

Hampshire County Council

Site Code: NFE009

Location: Hythe Primary School, School

Road, Hythe

Proposal: [Single storey new build community room comprising multi purpose space.](#)

CONDITIONS

Hours of Working

1. There shall be no access to the development site by any traffic associated with the construction/demolition (i.e. no delivery vehicles, no contractors' cars, nor plant and machinery) in the morning between 0830 and 0915; and in the afternoon between 1515 and 1545 Monday-Friday during term time.

Reason: In the interests of public safety, to avoid traffic conflict at the times of the day when pupils are arriving at and departing from school.

2. No work relating to the construction of the development approved, including works of preparation prior to operations, the delivery of construction materials, skips or machinery, nor the removal of waste materials, shall take place before 0800 or after 1800 Monday to Friday inclusive, before 0800 or after 1400 on Saturday and not at all on Sunday or recognised Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties in accordance with Policy CS2: Design Quality of the New Forest Core Strategy (2009) Part 1.

Materials

3. Prior to the commencement of the development, samples and/or details of the materials and finishes to be used for the external walls and roofs of the proposed buildings shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and to secure a high quality development and in accordance with Policy CS2: Design Quality of the New Forest Core Strategy (2009) Part 1.

Landscaping

4. No works shall commence until full details of all the hard and soft landscaped areas have been submitted to and approved by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved plans.

Reason: In the interest of landscape character (visual amenity, protection of neighbours) and in accordance with Policy CS3: Protecting and enhancing

our special environment (Heritage and Nature Conservation) of the New Forest Core Strategy (2009) Part 1.

5. No work shall be carried out within the crown spread of any existing trees which are to be retained or within the landscape belts (Plan no P11382-101). No materials shall be stored nor any site huts located within the spread of the retained trees or within the protected landscape belts.

Reason: To protect the health and stability of the trees to be retained on the site and in accordance with Policy CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation) of the New Forest Core Strategy (2009) Part 1.

6. Prior to any construction or groundwork commencing on the site, details of the protective measures, including fencing and ground protection, to include the protected of the trees on site, including the Oak tree subject to the Tree Preservation Order located near the entrance for the construction access to the site, shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of preserving the natural features of the site and in accordance with Policy CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation) of the New Forest Core Strategy (2009) Part 1.

7. The landscape and planting works to be approved under condition 5 above shall be completed by the end of the first planting season following the completion of development. Any plants which die, are removed, or become diseased or damaged within a period of five years after planting, shall be replaced as soon as possible with others of similar size and species.

Reason: To ensure that the appearance of the development is satisfactory, and that adequate provision is made for the maintenance of the landscape and in accordance with Policy CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation) of the New Forest Core Strategy (2009) Part 1.

8. Prior to commencement of the development, a detailed scheme of biodiversity enhancements to be incorporated into the development (including features such as bird and bat boxes on the proposed buildings or other habitat features around the site) shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with National Planning Policy Framework, the local authority's duty under the Natural Environment & Rural Communities Act (2006) and in the interests of nature conservation

in accordance with Policy DM2: (Nature Conservation, Biodiversity and Geodiversity) of the New Forest Sites and Development Management (2014) Part 2.

Highways

9. Measures shall be taken to prevent mud and spoil from vehicles leaving the site during the construction works being deposited on the public highway. In the event that any mud or spoil is deposited on the highway, it shall be cleaned off during each day of working.

Reason: In the interest of highway safety.

Plans

10. The development hereby permitted shall be carried out in accordance with the following approved plans: WE04116-C-100, WE04116-C-101, WE04116-C-103, WE04116-C-104, WE04116-C-105, WE04116-C-106, WE04116-C-108, WE04116-C-109, WE04116-C-110, WE04116-C-111, WE04116-C-112, 1822-01-01, CL(19)01

Reason: For the avoidance of doubt and in the interests of proper planning.

Note to Applicants

1. In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.
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. Birds nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc) outside the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.

4. All native reptile species receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of mature garden sites outside the reptile hibernation period (typically October – March). Reptile habitat such as compost heaps/log piles/hedge and scrub bases and other refugia (such as piles of garden waste and general debris) should be removed carefully during the reptiles' active season (broadly April to September) so as not to disturb any hibernating animals. Longer grass and other vegetation should be carefully and sensitively directionally strimmed and then mown during the active season prior to groundworks, in order to allow any reptiles present to leave the area of their own accord.

*Annexe to Reasons for Conditions (as required by Article 31 of the Town and Country Planning
(Development Management Procedure) (England) Order 2010)*

National Planning Policy Framework (NPPF) 2012

Paragraph 11 - Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 14 – Presumption in favour of sustainable development

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 60

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain

development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 61

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 72

72. The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- give great weight to the need to create, expand or alter schools and
 - work with schools promoters to identify and resolve key planning issues before applications are submitted.

Local Plan Policy

[New Forest Core Strategy \(2009\) \(part 1\)](#)

Policy CS1 Sustainable development principles

All new development will be expected to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing, the environment within the Plan Area by:

- (a) meeting most development needs within existing communities and, where appropriate to meet Core Strategy objectives, providing for some small developments adjoining the main towns and villages;
- (b) ensuring a balanced mix of uses where development takes place in environmentally, socially and economically sustainable locations with a good range of services and facilities and is accessible by both car and other transport modes in order that reliance on the private car is minimised (as further developed in Policies CS10 and CS24);
- (c) minimising the risk of damage to areas of importance for nature conservation and/or landscape value, both directly and indirectly (as further developed in Policy CS3);
- (d) ensuring building construction and other forms of development adheres to high environmental standards with particular regard to energy efficiency, water New Forest District (outside the National Park) Core Strategy: Adopted 26 October 2009 efficiency, use of sustainable materials and the minimisation of waste (as further developed in Policy CS4);

(e) ensuring communities are safe and feel safe, are well served by emergency services and the risks from potential hazards are minimised (as further developed in Policy CS5);

(f) following a sequential approach to flood risk, in line with the requirements of Planning Policy Statement 25: Development and Flood Risk (PPS 25), avoiding the development of previously undeveloped land which is, or will be, at risk from flooding, and managing and reducing flood risk for development on previously developed land where continuing development has wider sustainability benefits to the community, or where there is no reasonable alternative site compatible with other sustainability considerations (as further developed in Policy CS6);

(g) ensuring accessibility to a good range of services and facilities, and not putting an unreasonable burden on existing infrastructure and services (as further developed in Policies CS7 and CS8). In order to enable required development to take place, in some cases mitigation measures will be needed to address the impacts of new development on existing infrastructure and on nearby sensitive areas (e.g. international nature conservation designations.)

Policy CS2 Design quality

New development will be required to be well designed to respect the character, identity, and context of the area's towns, villages and countryside.

All new development will be required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

New development will be required to:

(a) provide public and private spaces that are well-designed, safe, attractive, and complement the built form;

(b) be accessible to those with disabilities, and designed to minimise opportunities for anti-social and criminal behaviour;

(c) incorporate well integrated car parking, and pedestrian routes and, where appropriate, cycle routes and facilities; and

(d) provide appropriate green spaces and landscaping (see Policy CS7 below).

New buildings should be flexible to respond to future social, technological and economic needs. All new buildings should be designed to meet sustainable building standards and utilise Sustainable Urban Drainage systems (SUDS) wherever practical. New homes should be built to a standard capable of adaptation to enable people to remain in their homes in old age. All new homes constructed after 1st January 2013

(2011 for affordable housing) should be built to Lifetime Homes Standard.

Policy CS3 Protecting and enhancing our special environment (Heritage and Nature Conservation)

Development proposals must protect and, where possible, enhance sites of recognised importance for nature and heritage conservation.

Working with local communities, features of local heritage value which contribute to local distinctiveness will be identified. New development proposals should maintain local distinctiveness and where possible enhance the character of identified features. Measures will be taken, working with other partners, to secure the enhancement, restoration and creation of biodiversity, including measures to adapt to the

consequences of climate change, so as to assist in achieving national, county and local biodiversity targets as set out in the Hampshire and New Forest Biodiversity Action Plans. The special characteristics of the Plan Area's natural and built environment will be protected and enhanced through:

- (a) applying relevant national and regional policies;
- (b) ensuring that new development protects and enhances local distinctiveness (see Policy CS2);
- (c) a review of Areas of Special Character and landscape features through subsequent Local Development Framework Documents;
- (d) using the development management process to positively bring about development which enhances local character and identity and which retains, protects and enhances features of biological or geological interest, and provides for the appropriate management of these features;
- (e) producing Conservation Area appraisals and management plans, including enhancements such as environmental improvements, traffic management etc.;
- (f) supporting an ongoing programme of survey of habitats and species, and designation of Sites of Importance for Nature Conservation;
- (g) encouraging and developing public understanding of biodiversity, e.g. through the New Forest Biodiversity Action Plan, and enabling public access to designated sites for the purpose of interpretation and understanding where feasible without harm to nature conservation interests;
- (h) encouraging land management practices that restore or enhance sites of biodiversity value and which create new sites;
- (i) working with landowners and developers to ensure land management practices protect and enhance valued landscapes, and to restore landscapes where valued features and habitats have been lost or degraded;
- (j) protecting networks of natural habitats identified through the local Biodiversity Action Plan, where appropriate including them in access routes and areas of natural green space;
- (k) extending specific protection to important trees and hedgerows including those not currently included within designated sites;
- (l) ensuring development contributes, where possible, to biodiversity by designing in wildlife, and ensuring any unavoidable impacts are appropriately mitigated for (including on sensitive areas outside the Plan Area including the international nature conservation designations in the National Park); and
- (m) retaining and enhancing the green infrastructure networks within settlements.

Policy CS8 Community services and infrastructure

New Forest District Council will work with service and infrastructure providers with the aim of ensuring the delivery of adequate infrastructure and services, (Chapter 10 and the Delivery Plan) to serve existing and proposed development in the Plan Area and support the local economy, ensuring that any adverse impacts arising are minimised, and that

decisions on the provision of such infrastructure are taken on the basis of environmental sustainability as well as cost. Attention will be given to addressing the needs of areas of particular social deprivation.

Proposals for new and improved health care, education and social facilities that result in improvements in meeting the needs of the Plan Area's population will be supported. These facilities should be well related to public transport infrastructure, and should provide high standards of accessibility to all sectors of the community. In rural communities and other areas with poor public transport, support will be given to innovative schemes to secure the local delivery of public services.

Delivery of some

services through the use of mobile services and technology will be encouraged where this results in better local provision.

There will be a presumption against any development that involves the loss of education, health, social and other publicly provided community **services, except** where it is part of a service provider's plans to provide improved local services in equally accessible locations.

Suitable alternative uses, and environmental improvements, will be sought for major built infrastructure that has reached the end of its useful life (including Fawley Power Station if it should be decommissioned).

New Forest District (outside the National Park) Local Plan Part 2: Sites and Development Management Adopted April 2014

Policy DM1: Heritage and Conservation

a.) Development proposals and other initiatives should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets.

In particular:

- All heritage assets will be protected in proportion to their significance. The more significant the heritage asset, the greater the presumption in favour of its conservation.
- Development proposals should conserve or enhance the significance, character and appearance of heritage assets.
- Any development that may affect archaeological remains should demonstrate the likely impact upon the remains and where appropriate include mitigation measures to reduce that impact. Any information gained as a result of the investigation should be publicly available.
- Development proposals should respect historic road, street and footpath patterns that contribute to the character and quality of an area.

b.) In assessing the impact of a proposal on any heritage asset, account will be taken of:

- the impact of the proposal on the heritage asset and its significance, with regard to the nature of the significance of the heritage asset and the value that it holds for this and future generations
- the impact of the proposal on the setting of the heritage asset
- the impact of the proposal on public access to, and enjoyment and appreciation of, the heritage asset.

If there would be harm to the heritage asset, account will be taken of:

- how any conflict between climate change objectives and the conservation of the heritage asset is addressed and mitigated
- whether the public benefits of a proposal outweigh any harm caused to the heritage asset. Exceptions to the principle of safeguarding heritage assets from inappropriate development will only be considered where substantial harm is avoided and where the public benefits of a proposed development can be clearly demonstrated to outweigh the level of harm to the significance of the heritage asset.

c.) Where appropriate and necessary to secure the long term future of a heritage asset, in particular where it is in a poor condition or at risk, an exception may be made to other local plan policies, providing:

- the nature of the heritage asset means it is not suitable for all reasonable uses of the site which accord with local plan policies
- the proposal will not materially harm the significance of the heritage asset and its setting, and is sympathetic to its conservation
- any variance in, or departure from, other policies is minimised to that necessary to secure the heritage asset, and the benefits of securing the long term conservation of the heritage asset outweigh the disbenefits.

d.) The local planning authority will work with others, and in particular with local communities, to identify, record and give appropriate recognition to heritage assets not subject to a national designation, but which are of local significance.

Policy DM2: Nature conservation, biodiversity and geodiversity

Development proposals which would be likely to adversely affect the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site will not be permitted unless there is no alternative solution and there are imperative reasons of overriding public interest which would justify the development.

Development proposals within or outside a Site of Special Scientific Interest (SSSI) which would be likely to adversely affect the site will not be permitted unless the benefits of the development outweigh both the adverse impacts on the site and any adverse impacts on the wider network of SSSIs.

Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (including Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), Regionally Important

Geological/Geomorphological Sites (RIGGS), and habitats of species of principal importance for biodiversity) will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity. Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity.

Where development is permitted, the local planning authority will use conditions and/or planning obligations to minimise the damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

Development will not be permitted which would adversely affect species of fauna or flora that are protected under national or international law, or their habitats, unless their protection can be adequately secured through conditions and/or planning obligations.

[The Conservation Area Appraisal \(2004\).](#)