

**NEW FOREST DISTRICT COUNCIL**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

Miss Bow  
The Clubhouse  
50 Grosvenor Hill  
London  
W1K 3QT

Application Number: **22/10712**

Date of Application: 16 June 2022

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

Development: **2 metre high boundary fence**

**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. The development permitted shall be carried out in accordance with the following approved plans:

Plans dated the 26th June 2022 - version 3

SITE LOCATION PLAN  
PROPOSED BLOCK PLAN  
EXISTING BLOCK PLAN  
PROPOSED PLANS (SITE PLAN)  
EXISTING PLANS (SITE PLAN)  
ELEVATIONS (EXISTING AND PROPOSED)

Reason: To ensure satisfactory provision of the development.

**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 or a change to your property's access onto a different street, you should contact the Council's Address Management Section by e-mailing [address.management@nfdc.gov.uk](mailto:address.management@nfdc.gov.uk) regarding the addressing of the property/development.
4. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

*Claire Upton-Brown*

Date: 23 August 2022

Claire Upton-Brown  
 Executive Head of Planning, Regeneration and  
 Economy  
 Appletree Court  
 Beaulieu Road  
 Lyndhurst  
 Hampshire  
 SO43 7PA



### PLANNING CONDITIONS - How to seek approval:

From 1<sup>st</sup> April 2009 New Forest District Council will charge a fee for any submissions seeking the discharge of conditions on a planning permission.

**PLEASE NOTE Listed Building Consents and Conservation Area Consents do not form part of this process.**

This procedure is in accordance with The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008 introduced in April 2008.

- All such requests must be **made in writing**.
- Any request regarding the initial discharge of a planning condition should be made on the **National 1 APP form**.
- There is a specific form for this type of application that can be obtained electronically via the Planning Portal by downloading the appropriate 1APP form from our website

[www.newforest.gov.uk/planning](http://www.newforest.gov.uk/planning) or by collecting from our Main Receptions at Appletree Court, Lyndhurst or Lymington Town Hall.

- An **application by letter** for the initial discharge may be acceptable as long as this letter contains all details requested on the 1APP form identifies the site, the permission reference and the condition(s) concerned.
- **A fee is required** for initial discharge of a planning condition. Without a fee, the request cannot be determined.
- The fee is £116 per request relating to development sites, or £34 per request for householder development (for extension or alteration of a dwelling or development within the curtilage of a dwelling).
- Each application **may relate to any number of conditions**. For example, if you wish to submit details of materials required for one condition and the landscaping scheme required for a second at the same time, you can make one application and pay one fee.
- Negotiation on minor changes to the submitted details can, if considered appropriate by the case officer, be undertaken. Where the exchange of information is ongoing it is not necessary for a new request (and fee) to be submitted.
- If an application is refused or confirmation is not given, a re-submitted request will be required with the payment of a further fee. There is no “free go” in this context
- The Council will **aim to respond within 10 working days** and whenever possible the 21 day period suggested as best practice will be met.
- If further evidence or consultations are required a longer period for determination will be appropriate. In such cases, the Council will aim to respond as soon as possible but this period would rarely exceed 8 weeks.

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice online at <https://www.gov.uk/planning-inspectorate> or if you are unable to access the on line appeal form please contact the Planning Inspectorate to obtain a paper copy of the appeal form on Tel: 0303 444 5000
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

(2) **Purchase Notices**

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part 6 of the Town and Country Planning Act 1990.



**Non Material Amendments to extant planning permissions**

From 1st October 2009 a new procedure will be in place to make 'non-material' amendments to an approved planning application. The procedure applies to planning applications only (and not listed building or conservation area consents).

Anything but the most insignificant change would need to be dealt with by the submission of a new planning application.

For example we could **not** accept amendments if:

- The application site area differs from the original application
- The application description differs from the original application
- There were any relevant objections to the original proposal which would be compromised by the proposed minor amendment
- If an amendment increases the size of any part of the development
- If the amendment locates any part of the development closer to a neighbour
- If the amendment changes windows or doors in any elevation facing a neighbour which increases overlooking in any way

- The development moves more than 1 metre in any direction
- Would result in a greater visual intrusion, loss of light or feeling of enclosure to neighbours
- The proposal would result in changes to the external details that would materially alter the appearance of the building

A submission to seek a minor amendment must be made using the correct form (available via the Planning Portal from the 1 October 2009 ) along with relevant plans and particulars to explain the proposed development. Only one copy of the form and information is required and you will be notified as to the decision within 28 days. The fee required is £34 for a householder application and £234 for all other types of planning application.

**If there is any doubt as to the nature or extent of the amendment the Council will ask for a new planning application to be submitted.** The issue is that the amendment proposed is so minor in its nature that there is no material change which has no adverse affect on adjoining properties, visual quality or the character of the area. No informal opinions can now be given and any such requests will be returned.

Post decision amendments will not be the subject of publicity, including notification to neighbours. The website will be updated if amendments are accepted and copies of the relevant drawings will be displayed.