

**Application No: 17/00840/FULL Full Application**

**Site:** Lloyds TSB, Sway Road, Brockenhurst, SO42 7ZH

**Proposal:** Change of Use to 5no. 2 bedroom flats; 4no. rooflights; 1no. new dwelling; 2 metre high brick wall; alterations to existing access; 9no. parking spaces; associated landscaping and works

**Applicant:** Mr M Guterman, STANTHORNE Ltd

**Case Officer:** Natalie Walter

**Parish:** BROCKENHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
 Defined New Forest Village  
 Tree Preservation Order

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
 CP7 The Built Environment  
 CP8 Local Distinctiveness  
 CP9 Defined Villages  
 CP12 New Residential Development  
 CP15 Existing Employment Sites  
 DP1 General Development Principles  
 DP6 Design Principles  
 DP9 Residential Density in the Defined Villages  
 DP15 Infrastructure Provision and Developer Contributions

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
 Development Standards SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 3 - Supporting a prosperous rural economy  
 Sec 6 - Delivering a wide choice of high quality homes  
 Sec 7 - Requiring good design  
 Sec 11 - Conserving and enhancing the natural environment  
 Sec 12 - Conserving and enhancing the historic environment

## **6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Support this application. Recognise that this development will add to parking pressures and congestion in this area of the Village and note that the change of use to residential will result in the loss of an employment site. That said, the property has been vacant for more than 18 months during which time no viable alternative has emerged and it is the Council's view that this development will help to meet the Village's pressing need for smaller housing units.

## **8. CONSULTEES**

- 8.1 Tree Officer: No objection subject to conditions.
- 8.2 Building Design & Conservation Area Officer: Objection. Lack of justification for alterations to existing building and proposed additional unit within car park. Intensity of proposed use places undue pressure on the building which will have an adverse impact on the non-designated heritage asset. Design of new dwelling does not respond well to its context or architectural setting. Resultant adverse impact on character of conservation area.
- 8.3 Highway Authority (HCC): No objection.
- 8.4 Ecologist: Support subject to condition securing mitigation measures.
- 8.5 Planning Policy Officer: Objection. Whilst there is an identified housing need in the National Park and the proposal would contribute to meeting some of this local need in a sustainable, brownfield location, objection to the loss of commercial use on the site and the change to a wholly residential scheme. If repeated in other settlements in the National Park, there would be an impact on the socio-economic well-being of local communities in the National Park, contrary to the Authority's socio-economic duty.

## **9. REPRESENTATIONS**

- 9.1 Three letters of support received:
- The proposal is sympathetic to local surroundings;
  - The size of dwellings is suitable and will add to the diversity of housing in Brockenhurst;
  - The development will be a positive improvement to the village.
- 9.2 Four representations received objecting to the proposal for the following reasons:
- Overdevelopment of site;
  - Brick wall to rear (natural screening preferred);

- Insufficient level of car parking;
- Impact on parking on Sway Road;
- Boundary treatment with 1 Sway Road;
- Surface water drainage;
- Impact on light and privacy of 1 Sway Road.

9.3 One letter of comment raising concern about the level of on-site parking provision.

9.4 The Friends of Brockenhurst object to the application for the following reasons:

- Insufficient parking;
- Insufficient space for new dwelling on site;
- Slight reduction in grazing likely due to widening of access;
- Lack of detail about fence.

## **10. RELEVANT HISTORY**

10.1 Change of use to dental practice (Use Class D1); 2 no. flats (C3); Internal alterations (17/00036) granted on 21 March 2017.

## **11. ASSESSMENT**

11.1 The application site is a vacant commercial premises situated within the defined village of Brockenhurst. The application site lies partially within the Conservation Area: the area of car parking and garage at the rear of the property are located outside of the Conservation Area. The building is not listed but it has been identified within the Conservation Area Character Appraisal as a building of vernacular/ local historic interest.

11.2 Consent was granted in March 2017 for the use of the ground floor as a dental practice (Use Class D1) and the conversion of the former office space on the first and second floors into two residential units. To date, this permission has not been implemented.

11.3 The current application proposes the conversion of the bank building into five two-bed flats and the construction of a three-bed dwelling in the rear part of the car park.

11.4 The key issues to be considered are:

- The principle of the proposed development;
- Whether the use would be appropriate to the existing building;
- The design and scale of the three-bed dwelling;
- The impact on neighbouring amenity;
- The impact on trees and ecology;
- Car parking and highway implications; and
- Financial contributions.

### Principle of Development

- 11.5 The site is located within the defined village boundary of Brockenhurst. Policy CP9 supports small-scale development proposals to meet local needs, including housing and employment, within defined villages. There is an identified housing need in the National Park and the proposal would contribute to meeting some of this need on a previously developed site in a sustainable location. The provision of smaller units within the centre of the village is also supported.
- 11.6 The adopted Core Strategy also supports the retention of existing facilities and seeks to prevent their loss or redevelopment: Policy CP10 seeks the retention of existing community facilities and Policy CP15 supports the retention of existing employment uses. Emerging Policy SP43 supports the retention of existing employment uses but also considers mixed use development could be appropriate on these sites in particular circumstances. The premises are currently vacant and the applicant has submitted evidence of marketing of the property [over a period of 18 months following the closure of the bank]. However, it is noted that there is an extant permission for a mixed-use scheme on the site and a policy objection has been received on the basis of precedent and impact on the socio-economic well-being of communities in the National Park.

### Suitability of the Proposed Use

- 11.7 The building is a prominent and valuable feature within the Brockenhurst Conservation Area. The previous application, which comprised the change of use to D1 use at ground floor level with two flats above, was considered to be appropriate as the proposed use would make minimal changes to the external appearance of the building. The current scheme proposes a more intensive use of the building with conversion into five flats. The scheme introduces roof lights on the western (Sway Road), eastern (rear) and southern elevations and includes removal of the large window on the northern (Brookley Road) elevation and its replacement with two smaller windows. An objection has been received from the Authority's Senior Building Design and Conservation Officer in relation to the proposed changes to the non-designated heritage asset, which are considered to have an adverse impact on the asset and the conservation area.

### Design and Scale of Three-Bed Dwelling

- 11.8 In addition to the proposed conversion of the bank building, the current scheme introduces a three-bed dwelling (providing approximately 110 sq. m habitable floor space) within the existing car parking area, following the demolition of a small garage (approximately 21 sq. m). The proposed house is described by the applicant as being in the style of a coach house and would

comprise a 1.5-storey dwelling with a ridge height of approximately 6.1m. The house would adjoin the rear boundary of the plot and there would be a distance of approximately 8m to the property to the rear on Auckland Avenue. The design would incorporate a large weather-boarded dormer and would comprise a mix of brick and weatherboarding with a plain clay tile roof. The design takes little reference from the existing building on the site. The proposed house would dominate the rear of the plot and would infill the space around the existing building. It is considered that the design, scale and siting of the proposed three-bed dwelling would have an adverse impact on the character and appearance of the adjacent conservation area. It would therefore conflict with Policy CP7.

#### Impact on Neighbouring Amenity

- 11.9 The proposed conversion of the former bank building includes a terrace at first floor level to be used by the occupiers of flat four. As per the previously approved scheme, a 1.5m high trellis is proposed in order to protect the amenity of residents to the rear of the site on Auckland Road. A 2m high brick wall is proposed to the rear of the three-bed house and enclosing the walled garden in the southern corner of the site. Objections have been received from neighbouring residents in relation to the proposed brick wall and also from the owner of 1 Sway Road in relation to boundary treatment and loss of light and privacy following removal of the existing garage and the construction of the three-bed house with an apex window at first floor level in the south elevation. The southern elevation of the proposed three-bed house is approximately 6.5m from the side elevation of 1 Sway Road which is considered to be sufficient distance. Details of boundary treatment could be the subject of a condition.

#### Impact on Trees and Ecology

- 11.10 The application site is subject to a Tree Preservation Order (TPO/0017/17) which includes a single Horse Chestnut tree. The Authority's Tree Officer considers that, if the submitted tree report and tree protection plan are adhered to, the proposals will not have any significant arboricultural impact.
- 11.11 In relation to ecology, the Authority's Ecologist supports the scheme subject to securing relevant mitigation measures. The site lies within 400m of the New Forest SPA and 5.6km of the Solent SPA and in accordance with Policy CP1, additional residential and recreational impacts caused by the development will require adequate mitigation. The applicant's agent has confirmed that a Section 106 Agreement will be provided to secure these contributions.

### Provision of Car Parking and Highway Implications

- 11.12 The application includes the provision of 6 allocated car parking spaces and 3 additional spaces for visitors. Whilst the car parking provision falls short of the adopted standard, due to the accessibility of the location, the Highway Officer considers that this deviation is acceptable. The proposed access is to be widened to 4.2m and the Highway Officer has raised no objection to the proposed access arrangements.

### Financial Contributions

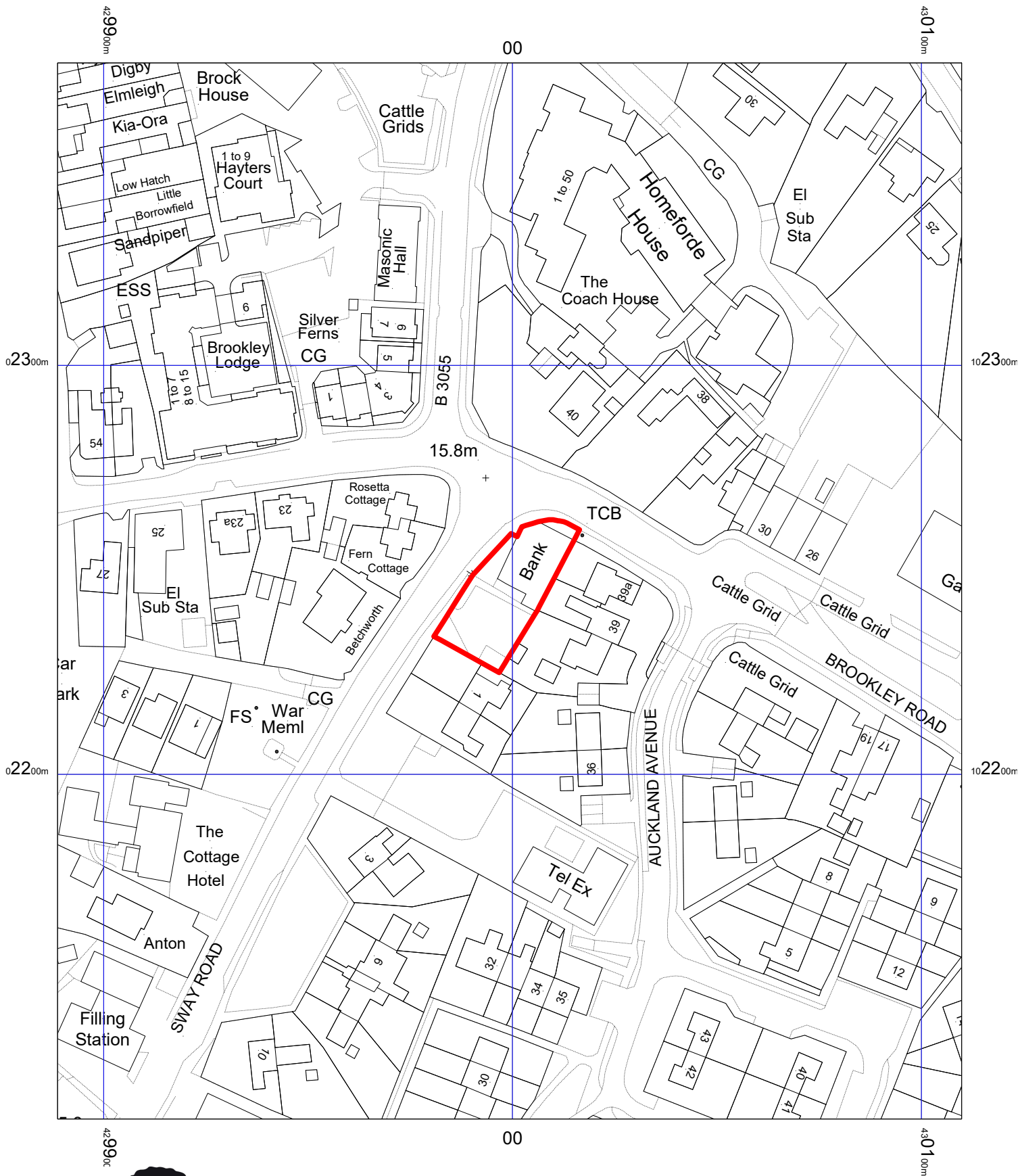
- 11.13 As the scheme proposes six residential units, the Authority can seek financial contributions towards off-site affordable housing and other forms of infrastructure. Contributions have been sought and the applicant has submitted a viability report in relation to the proposed contributions which will require an independent assessment. An update on this will be provided prior to consideration of the application at committee.
- 11.14 In conclusion, a case has been made for the loss of the existing commercial use, however, there is an extant permission for a mixed-use scheme on the site. The intensification of the site, comprising the conversion of the existing building into five flats, together with the provision of a three-bed dwelling is considered to comprise an overdevelopment which will have an adverse impact on the character and appearance of the Brockenhurst Conservation Area.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The proposed development by virtue of its form, scale, massing and layout, would result in an overdevelopment of the site, which would result in a cramped layout and unsympathetic alterations to a non-designated heritage asset to the detriment of the character and appearance of Brockenhurst Conservation Area and the wider area. For these reasons, the development would therefore be contrary to policies CP7, CP8, DP1, DP6 and DP9 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).



New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 03/01/2018

**Ref: 17/00840/FULL**

**Scale: 1:1250**

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**Application No: 17/00890/FULL Full Application**

**Site:** 181 Lyndhurst Road, Ashurst, Southampton, SO40 7AR

**Proposal:** Change of use to Sui Generis

**Applicant:** Ms Drodge, Boon & Green

**Case Officer:** Liz Young

**Parish:** ASHURST AND COLBURY

**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by Ward Councillor.

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
 CP9 Defined Villages  
 DP7 Change of Use from Retail in the Defined Villages

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Ashurst and Colbury Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 2 - Ensuring the vitality of town centres  
 Sec 11 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

Councillor Diane Andrews: requests that the application be referred to the Planning Committee for consideration.

**7. PARISH COUNCIL COMMENTS**

Ashurst and Colbury Parish Council: Recommend refusal but will accept a delegated decision:

- Despite a good case being put forward it is considered that there are too many "service" outlets in the parade already.
- To create a good balance to best serve the community, a change of use



to Sui Generis is not desirable.

- Councillors would like to see a business which is of a greater benefit to the village (e.g. a pharmacy or traditional retail).

## **8. CONSULTTEES**

8.1 Planning Policy Officer: Objections raised.

## **9. REPRESENTATIONS**

9.1 No comments received.

## **10. RELEVANT HISTORY**

10.1 Single storey extension; External Staircase (08/92910) approved on 19 June 2008

10.2 Single storey extension; External staircase (07/92289) approved on 14 January 2008

10.3 Two storey rear extension (04/83255) refused on 11 January 2005

10.4 Retention of shop front (04/81313) approved on 22 June 2004

10.5 Two storey rear extension (04/80653) refused on 19 April 2004

10.6 Replacement Rear Workshop (03/78043) approved on 28 August 2003

## **11. ASSESSMENT**

11.1 This application relates to an existing retail premises with a floorspace of just over 42 square metres. The site (which is currently used for the sale of electronic motor accessories and falls within Class A1 Retail Use) lies within the defined settlement boundary of Ashurst, forming part of a parade of shops which are set slightly back from the main road off a separate access road with on road parking. These shops form the primary shopping frontage of Ashurst as set out on the New Forest National Park Core Strategy proposals maps. To the rear are various service buildings of brick construction.

11.2 Consent is sought by a prospective tenant to change the use of the ground floor of the premises from A1 to sui generis to enable the premises to be used as a beauty salon. The proposed opening hours would run from 09:00 to 18:00 Monday to Friday and then 09:00 to 16:00 on Saturdays. Health and beauty products would also be sold from the premises. With the exception of re-painting the shop front no external alterations are proposed. The site lies close to a main line train station and the

proposal would not have any direct implications for parking provision (there being no increase in the number of employees). The nature of the proposed use and the opening hours would ensure there would be no direct implications for the amenities of neighbouring residents. The main issue under consideration would therefore be whether the loss of a retail use (A1) to a beauty salon (sui generis) would conflict with the objectives of the National Planning Policy Framework and also the New Forest National Park Core Strategy.

- 11.3 In terms of policy context, Section 2 (Paragraph 23) of the National Planning Policy Framework seeks to ensure Planning Authorities define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and to set policies that make clear which uses will be permitted in such locations. In addition to this Paragraph 28 seeks to promote the retention and development of local services and community facilities in villages, such as local shops. Policy DP7 of the New Forest National Park Core Strategy is consistent with these national policy objectives and seeks to ensure the change of use of ground floor premises from retail uses would be to either financial and professional (A2) or food and drink uses (A3) and also that the proportion of retail units within the defined Local Shopping frontage of Ashurst would not be reduced to less than 40%.
- 11.4 Recent survey work carried out by the Planning Policy Team shows that the proportion of retail units within the Ashurst shopping frontage is less than 40% (currently at 31%). The loss of a further retail unit (bringing the proportion down to 23%) would therefore be contrary to the policies of both the National Planning Policy Framework and the New Forest National Park Core Strategy referred to above. Whilst the applicant makes reference to the fact that there are currently no beauty salon premises available in Ashurst there is no detailed information accompanying the application to demonstrate that a retail use at the application site is no longer viable. It is also not clear from the application how wide the search for suitable premises has been (or over what period of time). The applicant was advised at pre-application stage of the need for a marketing exercise to be carried out demonstrating that demand no longer exists in the locality for the premises to be let or sold in its current A1 use.
- 11.5 There is no evidence accompanying the application to suggest that the premises has been marketed as a retail use for a significant period to address the concerns raised at the pre-application stage. The Authority is therefore not satisfied that a retail use at the application site is no longer viable. It is also not evident that opportunities to introduce a food and drink use (A3) or a financial and professional (A2) use have been explored as these uses are permitted under Policy DP7. Therefore a further loss of a retail premises to a use which does not fall within

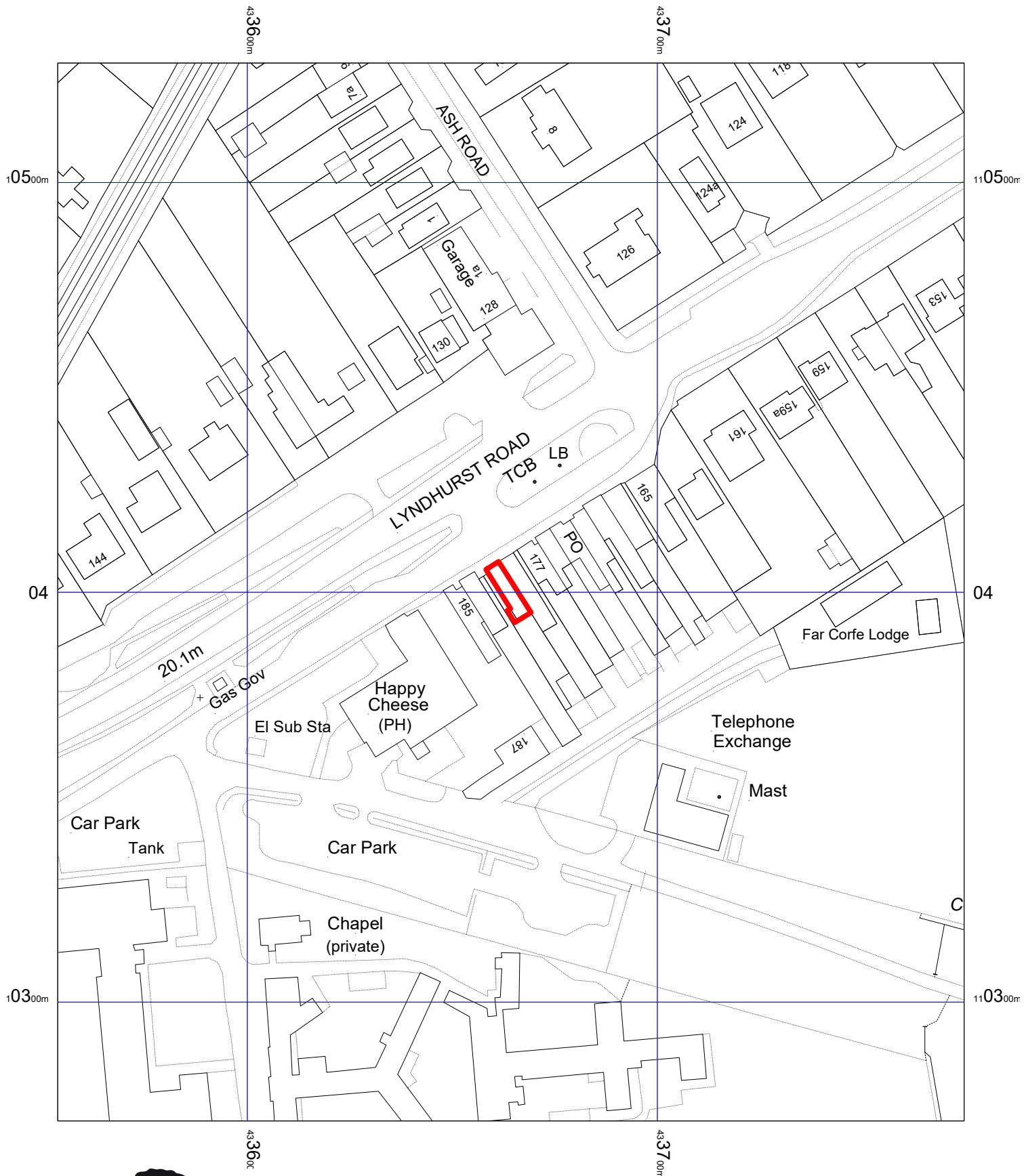
Classes A2 or A3 (both of which could retain the vitality of small commercial centres) would be contrary to Policy DP7 of the New Forest National Park Core Strategy and Paragraph 28 of the National Planning Policy Framework. It is therefore recommended that the application should be refused.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The proposed change of use would result in the further loss of a retail premises within a defined shopping frontage to a use which does not fall within Class A2 or A3, bringing the overall proportion of retail units down to less than 25%. The development would therefore be contrary to Policy DP7 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and Paragraph 28 of the National Planning Policy Framework.



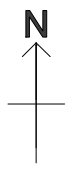
New Forest National Park Authority  
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Tel: 01590 646600 Fax: 01590 646666

Date: 03/01/2018

**Ref: 17/00890/FULL**

**Scale: 1:1250**



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**Application No: 17/00928/FULL Full Application**

**Site:** Bromley Cottage, Goose Green, Lyndhurst, SO43 7DH

**Proposal:** 2 No. single storey outbuildings

**Applicant:** Mr D Price

**Case Officer:** Ann Braid

**Parish:** LYNDHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village  
Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP12 Outbuildings  
CP8 Local Distinctiveness  
DP1 General Development Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
Sec 11 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend that permission be granted. It was not considered that there would be an adverse effect on the Conservation Area or on neighbouring properties.

## 8. CONSULTEES

No consultations required

## 9. REPRESENTATIONS

- 9.1 One letter received expressing concern relating to the proximity and extent of building next to the boundary, which would lead to shading of the garden and a loss of outlook.

## 10. RELEVANT HISTORY

- 10.1 Construction of porch, erection of garage and erection of an outbuilding (17/00407) refused on 18 July 2017
- 10.2 Retention of single storey extension; replacement dormer window; roof lights; juliet balcony; re-roofing; cladding; alterations to fenestration; altered access and amended ground surfacing (16/00342) granted on 16 June 2016

## 11. ASSESSMENT

- 11.1 Bromley Cottage is a two storey dwelling located on a level plot set back from Gosport Lane in Lyndhurst. It is situated within the Lyndhurst Conservation Area. The house has recently undergone extensive refurbishment, and the garden has been cleared and is now mainly laid to lawns and patios. The site is accessed via a driveway from Gosport Lane, which runs between the neighbouring properties, Lynwood and 103 The Meadows.

- 11.2 An application for two detached outbuildings and a new porch on the main house (17/00407) was brought to Planning Committee in July 2017. The proposal was refused for the following reasons:

*1) The two proposed outbuildings, by virtue of their siting, size and suburban design would not be appropriate to the existing dwelling, and would consolidate the impact of built development within the site, resulting in a more suburban character, to the detriment of the character of the Conservation Area. As such the proposal would be contrary to Policies DP1, CP7, CP8 and DP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), and the advice contained in the adopted Design Guide SPD.*

*2) The larger of the two proposed outbuildings, by reason of its size and the nature of the accommodation to be provided, could be readily altered to facilitate the provision of additional habitable accommodation, contrary to Policy DP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).*

*3) The larger of the proposed outbuildings, by reason of its size, scale and proximity to the boundary with the neighbour to the south, would have an overbearing impact on the amenities of neighbouring occupiers by reason of visual intrusion, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010)*

11.3 The key issue to assess is whether the previous reasons for refusal have been overcome by the changes made to the scheme. This application no longer includes the porch, which has now been approved separately, but seeks consent for the two outbuildings. The revisions made in comparison with the refused scheme are:

- The reduction in size of the larger of the two outbuildings; from 103m<sup>2</sup> to 76m<sup>2</sup>;
- The use of timber cladding on the exterior of the buildings; and
- The use of the larger building is now shown as a home office and gym with a shower room. Previously it was proposed to be used as a summer lounge with a gym and shower.

11.4 Policy DP12 relates to outbuildings and requires all outbuildings to comply with three criteria:

1. To be located within the domestic curtilage;
2. To be required for purposes incidental to the use of the main dwelling; and
3. Not to provide additional habitable accommodation.

The proposed double garage would be sited within the domestic curtilage of Bromley Cottage and the uses within the building would be incidental to the main house, and would therefore meet the requirements of Policy DP12. The garage would not appear out of scale with the existing dwelling, and would not appear unduly obtrusive in its setting. It would be sited in a corner of the plot, close to the outbuilding at 103 The Meadows and to the side of 105 The Meadows. In terms of its roof height it would not be excessive, although the crowned roof form would not appear traditional or echo the more rural form of outbuildings characteristic of the Park. The adopted Design Guide recommends that outbuildings should harmonise with the style, profile and materials of the main house, which in this instance is a traditional style of building, in a mix of timber, brick, slate and tiles. Although the use of timber cladding is a more traditional approach, the suburban form of the proposed garage would be contrary to Policy DP6 which seeks to enhance the built heritage of the National Park through good design, and to the advice in the adopted Design Guide SPD.

- 11.5 With regard to the larger of the two outbuildings, it would also be sited within the domestic curtilage but it must be clearly incidental to the dwelling in order to comply with Policy DP12. Previously it was concluded that the scale and nature of the proposed uses were such that they would not be incidental to the use of the dwelling. The building was considered to be excessively large, and there was clear potential that the building would become primary living accommodation.
- 11.6 Although the building would be smaller than that refused in July, the floor area of the building, at 76 m<sup>2</sup>, would still be excessive. The width of the building has been reduced by 0.6 metres and the length by 2.5 metres. Together with the proposed garage, the total floor area of outbuildings on the site would be 121m<sup>2</sup>. The building would include a substantial home office, measuring 49m<sup>2</sup>. The extent of accommodation clearly goes beyond what would usually be considered a normal size for an incidental outbuilding. Although it may not be the intention of the current applicant, there remains the realistic prospect that it would be put to use as ancillary or habitable accommodation in future. It is concluded that the proposed building is larger than is reasonably required as an incidental outbuilding, and it would therefore be contrary to Policy DP12. As with the proposed garage, this building, by reason of its scale as well as its design and profile, would also fail to meet the requirements of Policy DP6 and the advice of the adopted Design Guide SPD.
- 11.7 Furthermore it is considered that the extent and spread of proposed buildings across the site would be excessive and out of character. The form of the buildings and the intensity of development would contribute to the urbanization of this part of the village, which forms part of the Lyndhurst Conservation Area. The site would appear congested with buildings and there would be little space to soften its appearance with planting or provide an appropriate setting for either the house or the outbuildings. Overall, the development would fail to protect, maintain or enhance the Conservation Area, as required by Policy CP7 and would also be contrary to Policy CP8 which seeks to prevent the erosion of the character of the Park.
- 11.8 With regard to the impact of the proposal on neighbours, the garage would be close to the side wall of the neighbour to the north, but would not have an undue adverse impact in terms of visual intrusion or shading. Therefore, the garage outbuilding would comply with Policy DP1 in terms of its impact on neighbouring amenity. The larger outbuilding would be sited to the north of the neighbour Lynwood, and there are ground and first floor windows in this dwelling that would look onto the building. The 8.1 metre extent of wall alongside the neighbour's boundary is 0.6 metres less than that which was refused, and this, together with the 3.8 metre high roof that would be sited alongside the wall of the neighbouring property would appear overbearing and



intrusive, and would have an adverse impact on neighbouring amenity that would be contrary to Policy DP1.

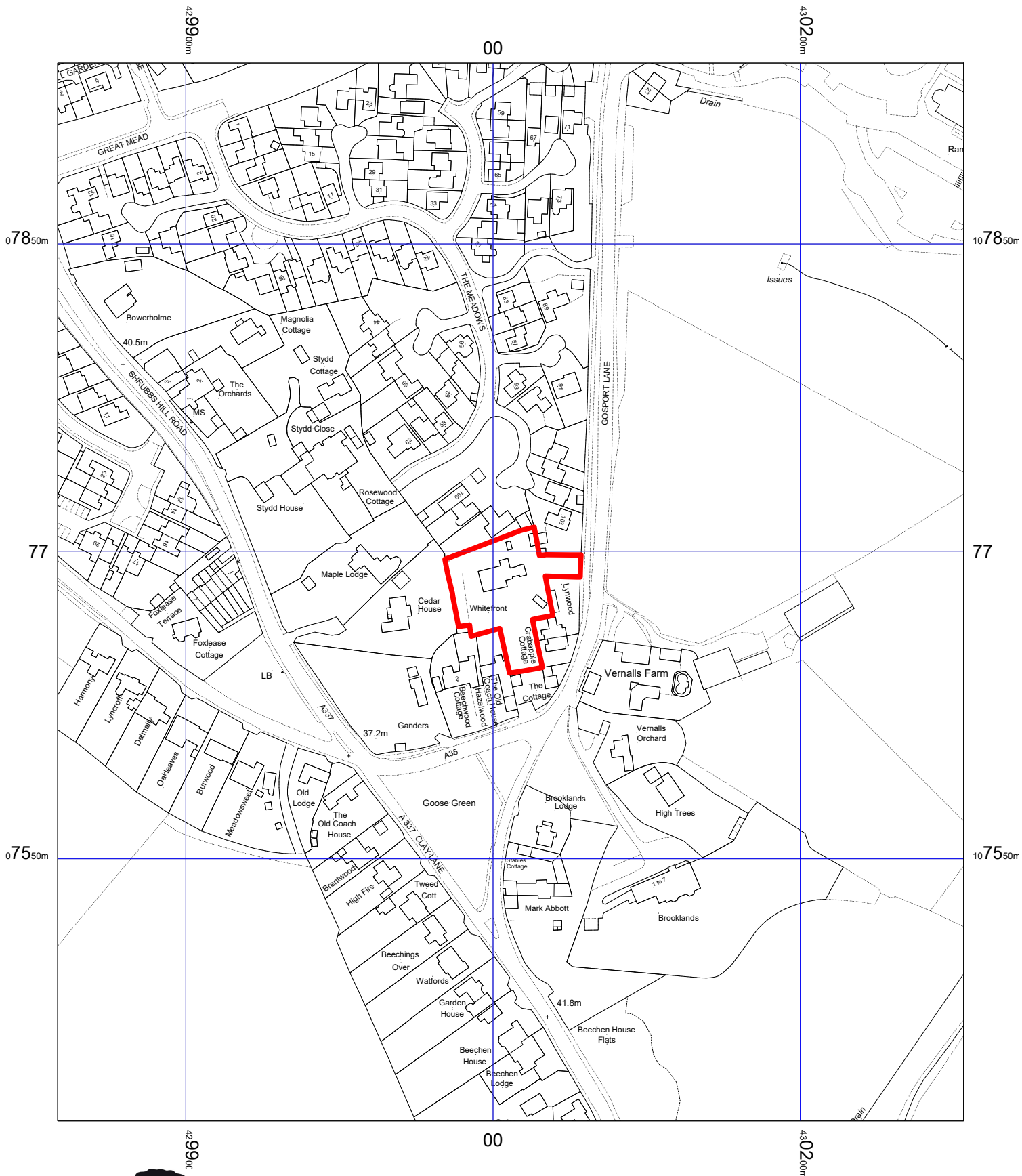
11.9 In conclusion, the previous reasons for refusal have not been overcome by the revised proposals.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The two proposed outbuildings, by virtue of their siting, size and suburban design would not be appropriate to the existing dwelling, and would consolidate the impact of built development within the site, resulting in a more suburban character, to the detriment of the character of the Conservation Area. As such the proposal would be contrary to Policies DP1, CP7, CP8 and DP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), and the advice contained in the adopted Design Guide SPD.
- 2 The larger of the two proposed outbuildings, by reason of its size and the nature of the accommodation to be provided, could be readily altered to facilitate the provision of additional habitable accommodation, contrary to Policy DP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 3 The larger of the two proposed outbuildings, by reason of its size, scale and proximity to the boundary with the neighbour to the south, would have an overbearing impact on the amenities of neighbouring occupiers by reason of visual intrusion, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010)



New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
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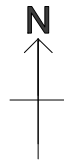
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Date: 03/01/2018

**Ref: 17/00928/FULL**

**Scale: 1:2500**

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**Application No: 17/00953/FULL Full Application**

**Site:** Birch Springs, South Baddesley Road, Walhampton, Lymington, SO41 5SG

**Proposal:** Two storey side extension; roof terrace; balcony; single storey side extension; roof alterations; cladding; detached garage with storage over; associated landscaping

**Applicant:** Mr & Mrs Harber

**Case Officer:** Clare Ings

**Parish:** BOLDRE

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP7 The Built Environment  
 CP8 Local Distinctiveness  
 DP1 General Development Principles  
 DP6 Design Principles  
 DP11 Extensions to Dwellings  
 DP12 Outbuildings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
 Boldre Parish Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
 Sec 11 - Conserving and enhancing the natural environment  
 Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Boldre Parish Council: Recommend refusal for the following reasons: inappropriate design for this very rural setting.

## **8. CONSULTEES**

8.1 Building Design & Conservation Area Officer: No objection.

8.2 Ecologist: No objection, subject to conditions

8.3 Tree Officer: No objection, subject to conditions

## **9. REPRESENTATIONS**

9.1 No comments received.

## **10. RELEVANT HISTORY**

10.1 Application to remove condition 3 of planning permission ref RFR 14417 (to allow non-agricultural occupancy) (16/00098) approved on 8 April 2016

10.2 House and garage for agricultural worker (RFR 14417) approved on 2 September 1965

## **11. ASSESSMENT**

11.1 Birch Springs is a detached four bedroom dwelling of no particular architectural merit set well back from South Baddesley Road in an elevated position on a sloping site. It is brick with tile hanging details and has an integral garage. It is approached via a gravel driveway which runs up through a wooded area to the front of the dwelling (and which forms part of the ownership, but not necessarily domestic curtilage). There are front and rear gardens, and also an area of woodland to the rear. It was originally constructed following planning consent granted in 1966 with an agricultural occupancy condition (that tie has recently been removed). The site lies within the Forest South East Conservation Area.

11.2 The proposal is to extend the dwelling with two and single storey elements, and considerably remodel the external appearance of the dwelling by removing the pitched roof and replacing it with a flat roof. In addition, a roof terrace and balcony would be added, together with a revision to the external materials - render on the ground floor with timber vertical cladding above. A detached garage is also proposed which would be of the same external materials.

- 11.3 The key considerations are:
- The scale of the extensions and whether the resulting dwelling would comply with policy DP11;
  - The design and whether it would be appropriate given the position of the dwelling within the conservation area; and
  - Any impact on trees or the wider landscape.

The dwelling has no near neighbours, and therefore the inclusion of the roof terrace and balcony would not give rise to any unneighbourly interference such as overlooking.

- 11.4 The site lies outside the four defined villages of the New Forest National Park, and therefore would be subject to restrictions in the increase in habitable floorspace. Policy DP11 restricts this increase to no more than 30% of the original floorspace. Whilst the proposal would add just under 50m<sup>2</sup>, this would fall within the restrictions set out in Policy DP11 (it would equate to a total increase from 1982 of approximately 30%), and therefore would comply with the policy.

- 11.5 As stated above, the design of the dwelling would be in contrast to the existing dwelling, resulting in a contemporary solution. The existing house is 20th century, of brick and clay tile hanging and, as stated above, of no particular architectural merit. Whilst the proposal does not attempt to interpret the local vernacular or historic traditions of the New Forest, as it would adopt a starkly Modernist style, the appearance would be softened by the timber-clad upper storey. Pre-application discussions took place, which resulted in the addition of the timber cladding (previously the whole was proposed to be rendered). As a result of the pre-application discussions, the amount of glazing was also reduced, together with the addition of the dark recessive window frames to avoid excessive light pollution.

- 11.6 Usually new design, whether traditional or contemporary should be sympathetic and in keeping with its surroundings, but in this case, as the site is located within heavily wooded grounds and alterations were made to the remodelling to allow the dwelling to relate to its setting and blend in with it, the effect on the Conservation Area (a designated heritage asset) is considered to be neutral, given the extent of woodland surrounding the dwelling on all sides. As such the character and appearance of the Conservation Area would be preserved. In addition, given its location and wooded situation, there would be very little impact in the wider landscape.

- 11.7 The submitted Ecology Report has identified that the existing dwelling hosts bat roosts, and the general area is used as a foraging area by several different bat species. To comply with the legal status of bats, appropriate mitigation will need to be undertaken.

- 11.8 Local authorities should also consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of Regulation 9(5) of the Conservation of Habitats and Species Regulations (2010) which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
- The first test is effectively whether the proposal is in accordance with the Core Strategy. It is considered that the proposal would accord with Policies DP1, DP6 and DP11, and therefore the proposal would meet the first test.
  - The second test is that there must be no satisfactory alternative, including the option of not undertaking the development. Although the existing dwelling on the site is in a habitable condition, it is in a poor state of repair, and the internal layout is also poor with no external lighting to the main stairwell. Although the dwelling is not in need of immediate replacement, in the long term it would require either replacing or needing significant alterations and as such the development is also considered to be in accordance with this test.
  - The third test is whether the conservation status of the species would be affected. The report submitted with the application considers that the relevant protected species would not be harmed overall. This test could be met provided that ecological mitigation and enhancement were carried out, however this alone would not result in high likelihood of a Licence for the works being granted. On balance it is likely that a Licence would be granted so the proposal is considered to meet with the Habitats Directive and thus the proposal would accord with Policy CP2.
- 11.9 A condition is recommended to secure the final measures of biodiversity mitigation, compensation and enactment prior to any development commencing on site.
- 11.10 As has been stated, the site is heavily wooded, and a couple of trees are shown to be removed to enable the garage and patio area to be installed. In the main, as the works to the dwelling are proposed within its footprint, there would be very little other disturbance to trees, although tree protection is proposed to avoid storing materials in inappropriate locations. As tree protection could be conditioned, it is considered that the proposal would be acceptable.
- 11.11 In conclusion, it is considered that the proposals to Birch Springs would be acceptable, would comply with the policies of the Core Strategy and would not adversely harm the character and appearance of the conservation area. Permission is therefore recommended.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

- 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 Development shall only be carried out in accordance with:

Drawing nos: PL-01, PL-02, PL-03, PL-04, PL-05, PL-06

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park 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.

No development shall take place unless these details have been

approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP10 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 The garage the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 7 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation, compensation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report (from New Forest Ecological Consultants dated 7 November 2017) approved



as part of this planning application.

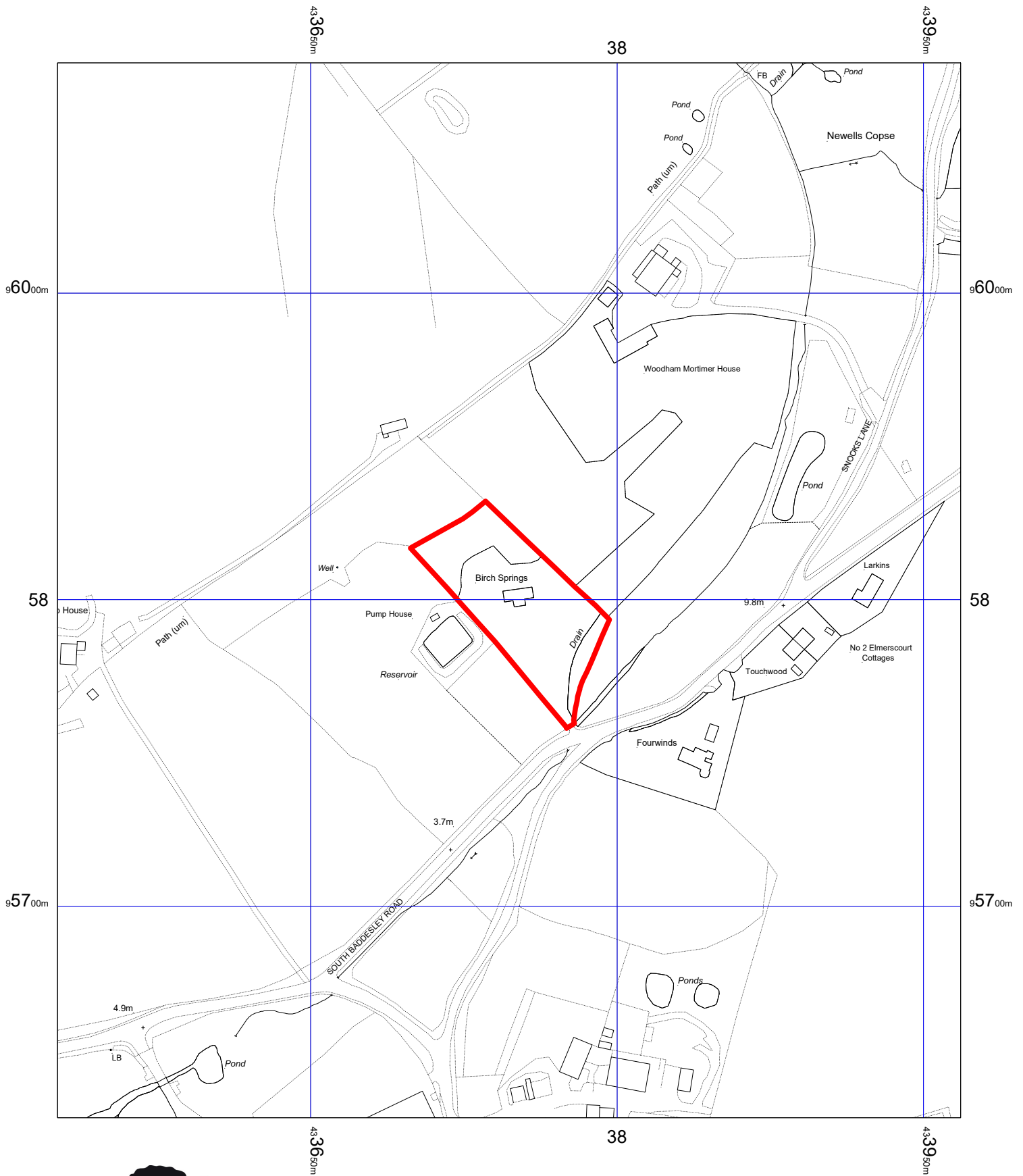
Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

**Informative(s):**

- 1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.
- 2 The applicant is advised that not all the area shown within the red edge of the application site is considered to be residential curtilage.



New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

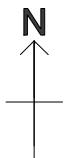
Tel: 01590 646600 Fax: 01590 646666

Date: 03/01/2018

**Ref: 17/00953/FULL**

**Scale: 1:2500**

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**Application No: 17/00989/FULL Full Application**

**Site:** West Moors, Main Road, East Boldre, Brockenhurst, SO42 7WD

**Proposal:** Two-storey rear extension (demolition of single storey rear extension)

**Applicant:** Mrs A Rostand

**Case Officer:** Clare Ings

**Parish:** EAST BOLDRE

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP7 The Built Environment  
 CP8 Local Distinctiveness  
 DP1 General Development Principles  
 DP6 Design Principles  
 DP11 Extensions to Dwellings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
 Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

East Boldre Parish Council: Recommend refusal:

- Discrepancy with percentage increase from original building;
  - Size and scale of the application are inappropriate and would affect the amenities of adjoining property with loss of light;
- Out of character with all the surrounding houses.

## **8. CONSULTEES**

No consultations required

## **9. REPRESENTATIONS**

- 9.1 Four letters of objections (from two separate addresses) on the following grounds:
- block out light and outlook to the rear and side of property (Hatchet Gorse)
  - overshadow property (Hatchet Gorse)
  - in contravention of DP11 as it would exceed 30%
  - historic building that should be maintained sympathetically

## **10. RELEVANT HISTORY**

- 10.1 Single storey rear extension (09/94434) granted permission on 2 November 2009

## **11. ASSESSMENT**

- 11.1 West Moors is a prominent detached two storey dwelling constructed from white painted brick with slate roof tiles with a single storey extension to the rear (which replaced a previous conservatory). The property is one which is of recognised vernacular interest within the Forest South East Conservation Area and lies within a moderately sized plot amongst a small cluster of dwellings adjacent to the junction between Masseys Lane and East Boldre Road. The surroundings are essentially rural and open and although West Moors is set down on a slightly lower level than the highway, it fronts directly onto open forest and has limited screening along its front boundary. Neighbouring dwellings are typically detached and modest in scale, comprising a mix of traditional forest cottages along with more recent developments.
- 11.2 The proposal is to replace the single storey extension with a two storey extension. Following the submission of amended plans, the two storey element would project into the rear garden by about 3m, whilst the single storey part would extend by about 4.6m. The two storey element would also be set in from the side elevation and would have a hipped roof to match the existing. There would also be a small increase in floorspace associated with the front porch. External facing materials would match the existing dwelling.
- 11.3 The key considerations are:
- The scale of the proposal and its compliance with policy DP11;
  - The design of the extension;
  - The impact of the proposal on the conservation area; and
  - The impact on the proposal on adjoining properties.

- 11.4 The site lies outside the four defined villages of the New Forest National Park, and therefore would be subject to restrictions in the increase in habitable floorspace. Policy DP11 restricts this increase to no more than 30% of the original floorspace. The original floorspace has been calculated as just under 100m<sup>2</sup>, and this proposal would add just under 30m<sup>2</sup>, and therefore it would fall within the restrictions set out in policy DP11. Concerns have been raised that a conservatory included as part of the original floorspace when considering the application in 2009 (09/94434) should not have been included, but no clear evidence has been produced to indicate when that conservatory was erected, and therefore in accordance with the previous permission and pre-application advice given, the original floorspace is considered to be just under 100m<sup>2</sup>.
- 11.5 The design of the extension is considered to be acceptable; the proposed materials and the pitch of the roof would match the existing cottage. Although the eaves height of the two storey element would remain the same as the existing, the ridge height would be lower, then dropping down further thus ensuring that the extension would appear subservient to the existing dwelling. As such, the extension would have limited impact in the street scene particularly when viewed from the front of the dwelling. Although it would be more readily visible from Masseys Lane, its impact would not be significant, and overall it would not have an adverse impact on the character and appearance of the conservation area. The proposal would therefore accord with policies DP6, CP7 and CP8.
- 11.6 The design of the proposal has been the subject of discussions during the process of the application not only to reduce its size to meet the restrictions of DP11, but also to reduce its impact on the amenities of the adjoining property. Whilst the two storey element would project along the shared boundary by 3m, it would be set away from this boundary by some 3m, although the single storey element would remain about 1.5m from the boundary. The extension would be seen from the neighbouring dwelling, Hatchet Gorse, but given the set back and orientation of the extension, together with the existing situation, it is not considered that there would be any significant additional impact on the neighbouring property, either through overshadowing or having an overbearing impact. No additional windows are proposed in the side elevation, thus there would not be any additional overlooking. The proposal would therefore accord with policy DP1.
- 11.7 The proposal is therefore considered acceptable, and permission is recommended.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

- 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 Development shall only be carried out in accordance with

Drawing nos: Block Plan, 021A, 022A, 023A, 024A, 025A, 027A, 028A, 029A, 030A, 031A

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



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Date: 04/01/2018

**Ref: 17/00989/FULL**

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