

Application No: 15/00030/FULL Full Application

Site: Yenz Restaurant, Lyndhurst Road, Brockenhurst, SO42 7RL

Proposal: Conversion of first and second floor to four self-contained flats; retention of two flues

Applicant: Mr Maclean, The Snakecatcher Public House

Case Officer: Katie Pearce

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Conservation Area: Brockenhurst (Waters Green)

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
CP7 The Built Environment
CP12 New Residential Development
CP16 Tourism Development
CP19 Access
CP15 Existing Employment Sites
CP1 Nature Conservation Sites of International Importance

4. SUPPLEMENTARY PLANNING GUIDANCE

Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Not applicable

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- The windows should be obscurely glazed.

- The two flues have a detrimental impact on the amenities of the neighbouring properties in terms of odour, noise and fumes.
- The flues also have a detrimental visual impact on the street scene.

8. CONSULTEEES

- 8.1 Highway Authority (HCC): Recommend approval subject to a condition
- 8.2 New Forest District Council (Employment & Tourism Officer): No comments received
- 8.3 Natural England: No objection subject to compliance with the Authority's Development Standards SPD in relation to measures to mitigate against adverse impact upon the New Forest SPA and Solent SPA.
- 8.4 Environmental Protection (NFDC): No objection subject to a report being submitted in relation to sound insulation to prevent sound from the restaurant affecting the occupiers of the flats.
- 8.5 Land Drainage (NFDC): No comment

9. REPRESENTATIONS

- 9.1 One representation received from New Forest Access for All:
- Access should be suitable for disabled users.
- 9.2 One letter of objection received:
- The existing vehicular access should remain the same.
 - There is no indication of car or cycle spaces on the block plan. This is required in accordance with policy DP1 and the Development Standards SPD.
 - The level of parking is inadequate.
 - The rooflights which have been installed are not obscurely glazed.
 - The additional rooflights result in overlooking.
 - Concerns with regards to unacceptable level of noise from the flues and their unsightly appearance from the road.
- 9.3 One letter of support received:
- Supportive of the plans.
 - No air conditioning or extractor fans should be sited on the south of the buildings to protect neighbouring properties amenities.
 - The existing vehicular access should remain the same.

10. RELEVANT HISTORY

- 10.1 10/95798 - Change of use for the first floor only from restaurant

seating to bed and breakfast accommodation - granted 7th December 2010 (not implemented).

- 10.2 04/80773 - Front and rear single-storey additions and roof alterations to form restaurant at ground floor and first floor and a second floor residential flat - granted 11th June 2004.

11. ASSESSMENT

11.1 The application site is a commercial premises serving a restaurant at ground floor with accommodation above. There is an existing area of parking to the rear. The premises is located within the defined village of Brockenhurst and the Brockenhurst Conservation Area. The surrounding area is characterised by a mixture of styles of properties and uses include both residential and commercial and the railway line borders the rear, south eastern boundary of the site. This application seeks retrospective consent for the conversion of the first and second floor above the restaurant into four self-contained flats resulting in a net increase of three dwellings on the site. The application also includes the retention of two flues. The application has been submitted as a result of an enforcement investigation.

- 11.2 The relevant issues that need to be considered are:
- Whether the proposal would comply with local and national planning policy;
 - The impact upon the character and appearance of the area;
 - Whether the development would have an acceptable impact upon the amenities of the neighbouring properties;
 - Highway safety; and
 - Whether the application demonstrates that adequate measures are put in place to avoid or mitigate potential adverse effects on the ecological integrity of the SPA.
- The Parish Council have raised concerns in relation to overlooking to the neighbouring properties and also because the flues are considered to be detrimental to the street scene and the amenities of the neighbouring properties in terms of odour and noise.

Conversion of the first and second floors into four self-contained flats:

- 11.3 As the site lies within the defined village of Brockenhurst, in accordance with policy CP12, there is not an in principle objection to new residential development within this location providing the proposal is acceptable in all other respects.
- 11.4 The residential conversion has mainly consisted of internal alterations with very few changes to the external appearance of the building, comprising the addition of rooflights on the north elevation of the building and a larger rooflight on the south elevation serving a fire escape above the stairway. It is not considered that these minor changes to the fenestration of the

building have a significant impact upon the appearance of the property and are also not considered to be detrimental to the character and appearance of the locality or the surrounding conservation area.

- 11.5 With regards to neighbour amenity, the additional rooflights installed have resulted in a greater number of windows within the roof slope facing Figtree Cottage and the Snakecatcher Public House. The rooflights which have been installed are sited approximately 1.7m above floor level and they are clearly glazed and openable. An objection has been received from the Parish Council and a neighbour raising concerns in relation to potential overlooking to the neighbouring properties from these windows as they are not obscurely glazed. However, the views afforded from the additional rooflights when opened and closed are restricted to the skyline and roof tops of the neighbouring properties only; no direct views into the amenity areas of these properties are achieved due to their height above floor level. A requirement therefore for these windows to be conditioned to be obscurely glazed would be unnecessary and as such would fail to comply with the conditions test as set out in the National Planning Policy Guidance. It is also not considered the additional rooflights would appear imposing from the neighbouring properties, or increase their perception of overlooking, as they are sited flush with the roof and would not project outwards closer to these properties.
- 11.6 With regards to highway safety, it is not proposed to alter the existing access arrangements at the site and the Highways Engineer has raised no objections to the proposal as adequate details have been submitted indicating the provision of one parking space per residential unit in accordance with the Authority's Development Standards SPD. Cycle storage facilities in accordance with drawing number PL06 A have already been provided at the site.
- 11.7 No objections have been received from the Environmental Protection Officer subject to adequate details being submitted demonstrating there would not be an unacceptable impact in terms of noise from the restaurant affecting the amenity of the occupiers of the new flats. The agent has submitted further details with regards to this confirming sound insulation has been installed between the floors and walls and sound tests have been submitted to and approved by the Building Inspector.
- 11.8 The application site also lies within 400m of the New Forest Special Protection Area (SPA) and 5.6km of the Solent SPA. Policy CP1 seeks to ensure that in the case of any proposals for new housing within these distances of the SPAs the applicant should demonstrate that adequate measures would be put in place to avoid or mitigate any potential adverse impacts on the ecological integrity of the SPAs. The buffer zone around these

SPAs is not intended to be an exclusion zone however development can only proceed once it has been ascertained that it will not adversely affect the integrity of the SPAs.

11.9 The applicant has entered into a S106 agreement securing a financial contribution for the net increase of three dwellings on the site providing £3750 in relation to the New Forest SPA and £516 in relation to the Solent SPA in accordance with policy CP1 and the Development Standards SPD.

11.10 It is not considered that the proposal would adversely impact upon the existing restaurant business. This is because the proposal would not result in a reduction of floorspace serving the restaurant. Furthermore, it is not thought the loss of staff accommodation would adversely impact upon the future viability of this restaurant. It is thus considered the proposal would also comply with policy CP15.

Flues:

11.11 This application also seeks consent for the retention of two stainless steel flues which have been installed on the roof slope of the side (north) elevation of the building. These flues serve the newly installed pizza ovens. The Parish Council have raised concerns in relation to these flues due to their detrimental impact upon the street scene and the amenities of the neighbouring properties in terms of odour and noise.

11.12 The flues are visible from Lyndhurst Road however as they are set back on the side elevation towards the rear of the building only glimpses are possible from the vehicular access to the car park to the rear. Wider views of the flues from Lyndhurst Road are not available as views of this elevation are blocked by the surrounding two-storey buildings. It is therefore considered due to their siting on the building, and the limited views available from public vantage points, that they do not appear visually imposing or overbearing within the street scene and do not therefore have a harmful impact upon the visual amenities of the locality or the surrounding conservation area.

11.13 With regards to neighbour amenity, the Environmental Protection Officer has raised no objections in terms of odour or noise as the flues which have been installed are considered to be of an appropriate standard for the pizza ovens they serve.

Other matters:

11.14 Comments have also been received with regards to the future installation of air conditioning units. The installation of external air conditioning units would require planning permission and the impact of these would be assessed as part of any formal submission received.

Conclusion:

- 11.15 For the reasons given above it is considered that the development which has taken place has an acceptable impact and as such it is recommended that permission is granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

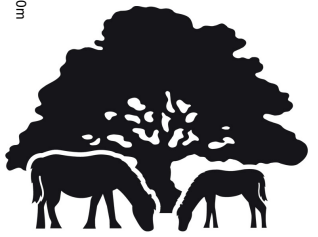
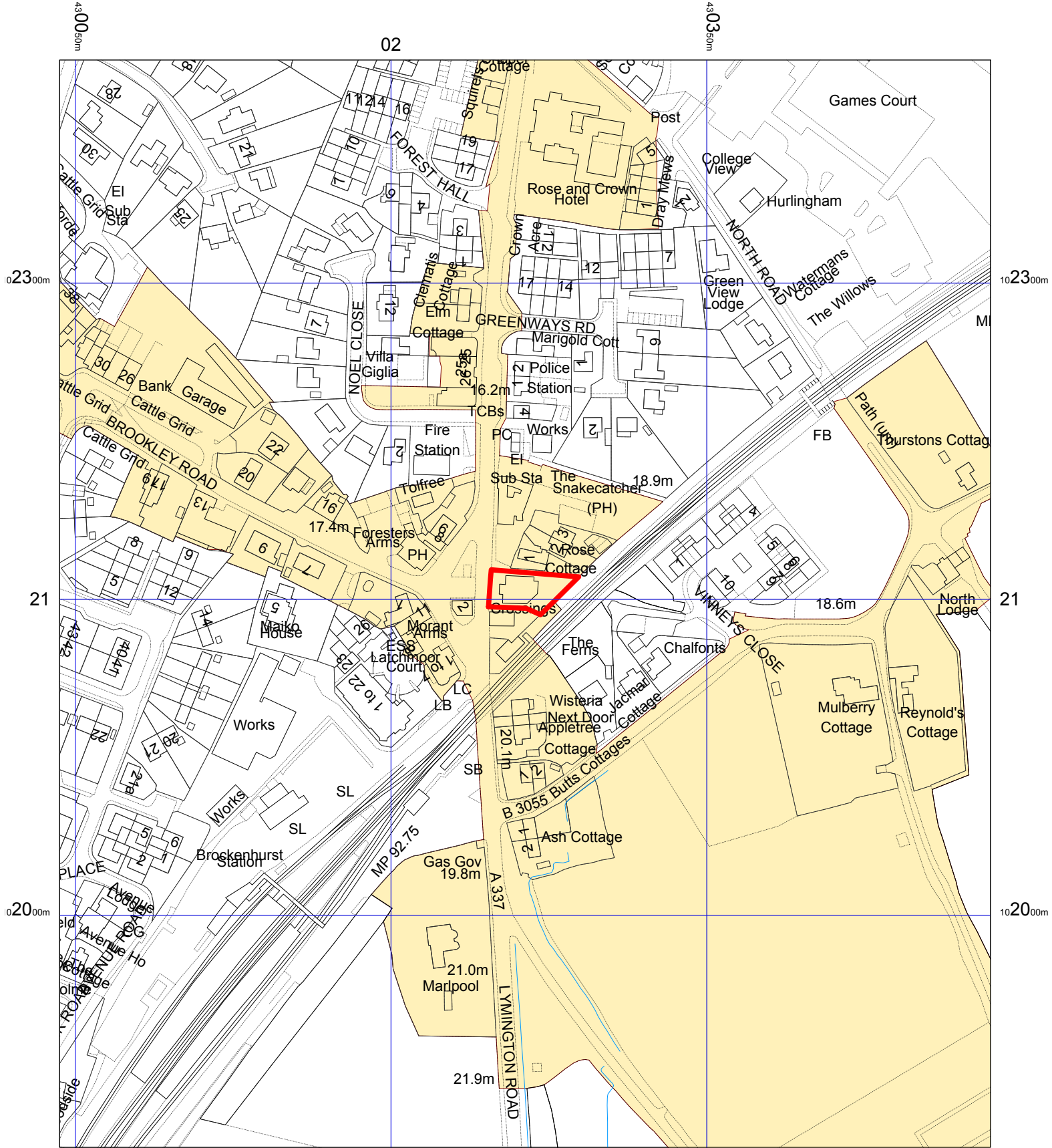
- 1 The cycle store as shown on drawing number PL/06 A shall only be used for the parking of cycles in association with the residential use hereby permitted and the spaces shall be retained and kept available for their intended purposes at all time. The building shall not be used for commercial storage.

Reason: To ensure adequate parking provision is made in the interests of highway safety and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), section 4 of the National Planning Policy Framework and the Development Standards SPD.

- 2 The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage in accordance with drawing number PL/06 A have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.



**NEW FOREST
NATIONAL PARK**

New Forest National Park Authority
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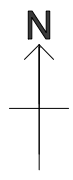
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Date: 07/07/2015

Ref: 15/00030

Scale: 1:2500

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Application No: 15/00320/FULL Full Application

Site: Sirius, Hatchet Close, Hale, Fordingbridge, SP6 2NF

Proposal: Single storey extension

Applicant: Mr P Roberts

Case Officer: Emma MacWilliam

Parish: HALE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP11 Extensions to Dwellings
CP8 Local Distinctiveness

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

Hale Parish Council: Recommend Permission

The visual appearance would be an improvement to the front elevation of the property.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

- 9.1 One letter of representation received from a neighbouring property setting out that the existing prefabricated garage at the application site is unsightly and detracts from the general character of the area and its removal would improve the visual amenity of the streetscene.

RELEVANT HISTORY

10.

- 10.1 Alterations to form a utility room/bedroom in roof space, together with alterations to form new front and back door entrances and installation of windows in place of existing entrance doors (NFDC/76/04870). Refused 25/03/1976

11. ASSESSMENT

- 11.1 The application site is occupied by a detached 2/3 bed bungalow with a prefabricated detached garage on the property frontage. The property has undergone various extensions and alterations in the past. Hatched Close comprises bungalows of similar age, size and architectural styles and the area is residential in character.
- 11.2 The application proposes the demolition of the garage and a single storey extension to the front of the property to create an additional bedroom, sauna, spa and w.c. The relevant issues to consider are whether the extension complies with the floorspace increase limit in Policy DP11, whether it would be appropriate to the existing dwelling and its curtilage and the impact upon the character and setting of the surrounding area; as required by Policies CP8, DP11 and DP1. These policies are amplified by the adopted Design Guide Supplementary Planning Document.
- 11.3 It is also important to assess the impact of the proposal on the amenities of neighbours in relation to Policy DP1. Due to the single storey nature of the extension and the orientation of properties it would not give rise to any materially harmful impact upon any neighbouring properties.
- 11.4 Policy DP11 seeks to limit the size of additions to properties in order to safeguard the locally distinctive character of the New Forest and ensure the retention of a balance in housing stock. Under the terms of Policy DP11, the floor area on site on 1st July 1982, is taken as the "existing" and provides the base figure for the calculation of enlargements to dwellings. By this means the Authority ensures that a consistent approach is taken to all dwellings, and that the limitations of the Policy are fairly applied.

- 11.5 In consideration of DP11, as the property is sited outside of the four defined villages and is not a small dwelling as defined in this policy the proposal needs to be assessed against the 30% floorspace restriction. The 30% increase includes any extensions that have been made to the property since 1982.
- 11.6 Looking through the history of the site the floorspace of the property in 1982 exceeded 80sqm and as such is not a small dwelling for the purposes of applying Policy DP11. This includes the living room and small extension to the kitchen since it is not known when these were carried out as there is no planning history for them, but were likely to have been before 1982. The living room is shown on the existing plans for planning application submitted in 1976 (ref NFDC/76/04870).
- 11.7 Whilst there is also no planning history of the conservatory or the loft conversion, New Forest District Council Building Control have confirmed that the loft conversion took place in 2004 and was signed off retrospectively in 2006. The existing rear conservatory has been added post 1982 and the applicants have confirmed that this was added some time around 2005/6 as a replacement to a previous conservatory. The applicant has provided a photograph of the original conservatory in situ at the property. The Local Planning Authority has no evidence as to when the original conservatory was constructed and therefore has accepted this to be part of the original floor space. However the current conservatory has a larger footprint than the one it replaced and therefore it has only been possible to include the original conservatory footprint as part of the existing calculations since the additional floorspace has clearly been added since 1982. The applicant has provided an amended plan showing the area of floorspace in the loft room with a minimum head room of 1.5m with sectional drawing to demonstrate this.
- 11.8 In consideration of the calculations of the plans submitted with this current application the existing floorspace of the property is 93.3 square metres, including the original kitchen and living room extension and the original conservatory floor area. The proposed plans, including the whole conservatory, useable loft conversion space and proposed extensions have a total floorspace of 130.5 square metres. This represents a 39.8% increase on the existing, which clearly exceeds the 30% limit of DP11. Therefore the proposed floorspace for the current application does not comply with Policy DP11 in this respect.
- 11.9 The applicant has been invited to provide revised plans reducing the size of the proposed extension so that the total floor area falls below the 30% limit. This offer to work with the authority to achieve an acceptable compromised solution has been declined, although the applicant has confirmed that they agree with our calculations. No pre-application advice was sought for the proposals.

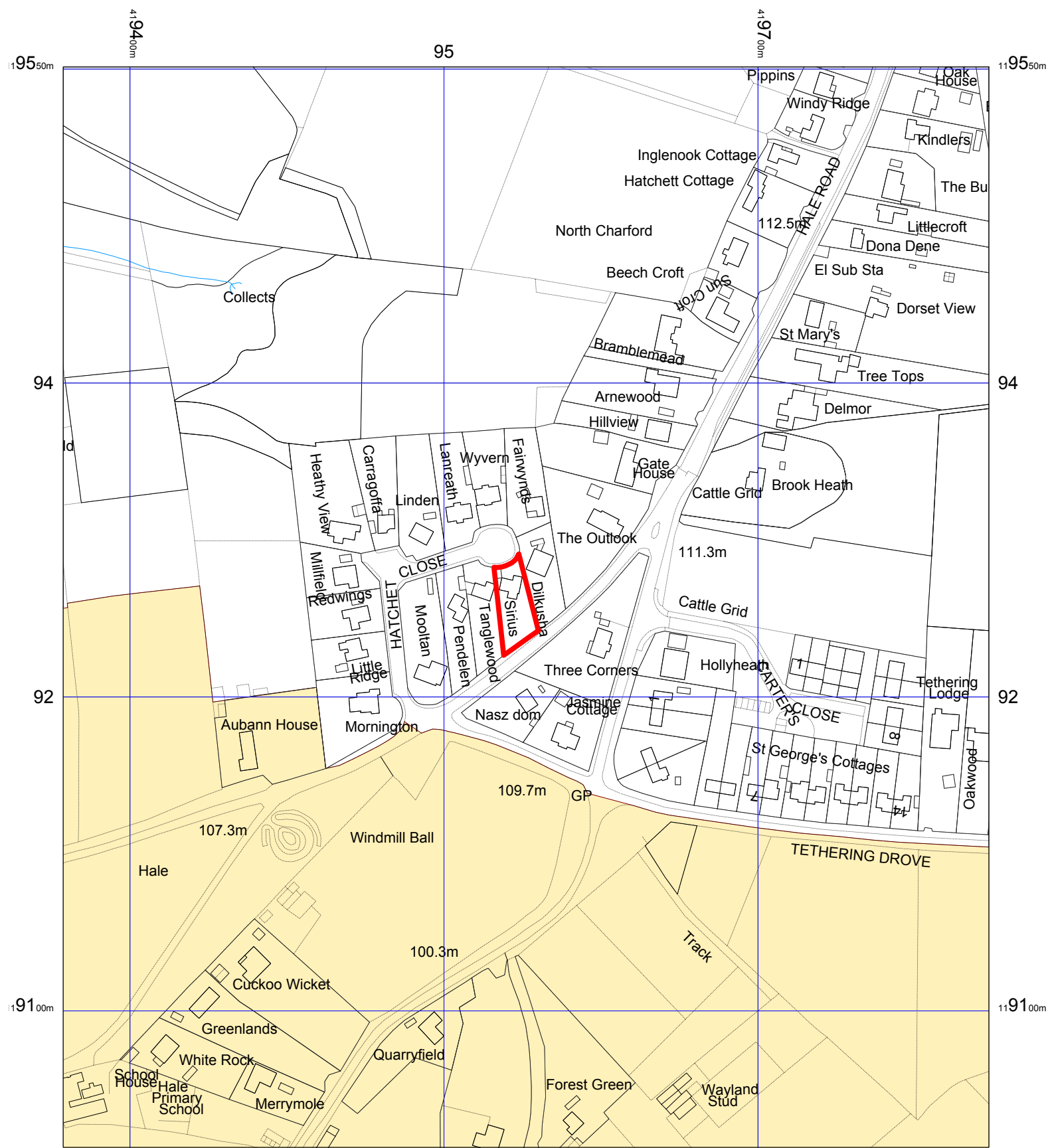
- 11.10 The National Planning Policy Framework (NPPF) advises that National Parks should be afforded the greatest protection in terms of landscape quality. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. No overriding material considerations have been put forward in this case.
- 11.11 The Authority's consistent application of Policy DP11 has been supported at appeal. Examples include Appeal references APP/B9506/12/2182668 and APP/B9506/11/2162626. In each of these cases the Inspector concluded that the proposals ought to be determined in accordance with the policies of the Core Strategy, which are up-to-date, and have been adopted following extensive public consultation. In the case of the former, the proposed development was found to have minimal visual impact.
- 11.12 In May 2015 Appeal Inspector for APP/B9506/D/15/3005303 continued to strongly support the National Park Authority policies in relation to extensions to small dwellings. The Inspector concluded that 'the proposed extension would conflict with Policy DP11 of the Core Strategy and undermine the objective of maintaining a balance of housing stock in the National Park'. The Inspector also goes on to say that 'Policy DP11 sets clear limits regarding the extent to which dwellings can be extended. This policy is up-to-date and was adopted following extensive public consultation. In the interests of consistency and fairness it is important that the policy is adhered to unless there are other material considerations to outweigh any conflict'.
- 11.13 In relation to Policies DP1 and CP8 the proposals cumulatively add to the built form of the site. Whilst the removal of the garage to the property frontage would enhance the appearance of the site to the benefit of the character and appearance of the area, this is not considered to be sufficient justification to materially depart from Policy DP11.
- 11.14 The proposals exceed the floorspace allowance under Policy DP11 and as such the application is recommended for refusal, as the resultant building would be excessively extended in relation to its original form, contrary to the aims of the policy.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 In order to help safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park recognising the benefits this would have in minimising the impact of buildings and activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal, taking into account a previous enlargement, would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside.

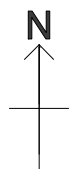


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Ref: 15/00320
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Application No: 15/00327/FULL Full Application

Site: Watersplash Hotel, The Rise, Brockenhurst, SO42 7ZP

Proposal: Creation of 27 age restricted residential units communal facilities office and guest suite; partial demolition, alterations and extension to the former hotel building; removal of swimming pool; associated car and cycle parking; refuse store; landscaping; new vehicular and pedestrian access; stopping up of existing vehicular access.

Applicant: Pegasus Life Limited

Case Officer: Deborah Slade

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Application of Local Significance

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Conservation Area: Brockenhurst (Waters Green)

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP7 The Built Environment
CP8 Local Distinctiveness
DP6 Design Principles
CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP15 Existing Employment Sites
CP12 New Residential Development
CP9 Defined Villages

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: The Parish Council appreciates the work that has gone into mitigating the impact of the development on the Conservation Area but feels that the co-relation between the two parts of the main building could be improved. The Parish Council are particularly concerned at the rather "industrial" appearance from the rear of the buildings on the north side of Brookley Road. The Parish Council objects for this reason.

8. CONSULTEES

- 8.1 Tree Officer: No objections subject to condition.
- 8.2 Building Design & Conservation Area Officer: Refusal is recommended; it is not considered that the proposal would preserve or enhance the conservation area.
- 8.3 Building Design Officer: Whilst changes to the original building have merit, the design, scale and spread of the apartments is out of character with the surrounding area.
- 8.4 Landscape Officer: Objection: The proposal would result in attrition of landscape and the building would be too dominant. Removal of understorey planting would open up the site.
- 8.5 Ecologist: Objection as bat emergence surveys have not been carried out as recommended, and it has not been ensured that the development would uphold the integrity of the New Forest and Solent SPAs.
- 8.6 New Forest District Council (Employment & Tourism Officer): No comment
- 8.7 Highway Authority (HCC): No objection subject to conditions.
- 8.8 Environment Agency: No comments.
- 8.9 Housing Development NFDC: No comment
- 8.10 Environmental Protection (NFDC): No objection subject to condition.

9. REPRESENTATIONS

- 9.1 11 letters of objection have been received for the following grounds:
- Brockenhurst does not need more over 55 housing; rather it needs affordable housing for younger people
 - The scheme does not propose any on-site affordable housing
 - the urban character is out of keeping with surroundings and is poor design and too high a density
 - The proposal is overbearing for its location and of inappropriate large scale, causing overdevelopment of the site
 - The loss of the hotel causes loss of amenity to the village as people used the hotel, its pool and its garden/ cafe
 - The proposal result in the loss of a place of employment potential
 - The proposal would result in loss of privacy and loss of light to neighbours
 - The proposal is hazardous to road safety
 - Underground streams could result in flooding of the garage storey
 - The woodburning stoves would be harmful to air quality and no log store is proposed
 - The proposal would be harmful to ecology and result in the removal of trees, understorey and landscape which would be detrimental to character and cause enhanced overlooking
 - The proposal will put additional pressure upon local services and roads
 - Whilst there is demand for this type of accommodation, there is no need for it locally.
- 9.2 5 letters of 'comments' were also received noting some of the points above.
- 9.3 The Friends of Brockenhurst have objected to the proposal:
- Whilst noting the principle of housing on site is acceptable, and that the improvements to the main building are welcomed, what is required is affordable housing at the site.
 - Car parking is insufficient and would put pressure upon adjacent verges, which is common grazing.
 - The Authority has no housing need to fulfil and has a 5-year land supply.
 - A monetary contribution towards affordable housing is not sufficient, as there are insufficient sites to build on. Provision of affordable housing should be on-site as per the terms of Policy CP11.
 - The form and design of the proposal is unacceptable and atypical of its context out of keeping with the village

- 9.4 The New Forest Association objects to the proposal:
- The Authority must take every opportunity to secure affordable homes on this site
 - The heritage statement is commendable
 - The site is adjacent to the SPA and it should be demonstrated that the proposal would not impact upon the SPA.
- 9.5 New Forest Access For All comments that the development should meet with accessibility standards so as to be access inclusive.

10. RELEVANT HISTORY

- 10.1 Construction of new detached dwelling with garden, parking and access; single storey extensions, lift shaft extensions; double garage and external alterations to hotel (partial demolition of existing hotel buildings); new hotel access drive and parking spaces (Amendments to planning approval reference 12/97225) (13/98395) permission granted 31 July 2014
- 10.2 Construction of new detached dwelling with garden, parking and access; single storey extensions, lift shaft extensions and external alterations to hotel (partial demolition of existing hotel buildings); new hotel access drive and parking spaces (12/97225) approved 1 November 2012

11. ASSESSMENT

- 11.1 The Watersplash Hotel lies within the Brockenhurst Conservation Area and has been highlighted within the character appraisal as a building of local historic, vernacular or cultural interest. Originally constructed as a private house (Holmwood) within extensive grounds in around 1890, it sits on the site of the original Brookley Manor House. It is a large detached building of two and a half storeys in height, constructed of brick with clay tile roof and decorative ridge tiles and finials. It also has decorative tile hanging to the gables and dormers and a very tall brick chimney stack. It retains many of its original timber vertical sash windows, with either stone lintels or rubbed brick arches. A distinguishing feature of the building is the moulded brick stringcourses and very ornate carved stone plaques within moulded brick surrounds.
- 11.2 The Rise consists of large detached dwellings which are set back from the road frontage and sit within spacious plots. Mature trees and hedgerows provide a green and leafy character marking the transition between the more urban character of the high street (Brookley Road) to the north and the forest beyond. The conservation area character appraisal states that *'views along The Rise are restricted by the hedge and tree boundaries, and the use of close boarded fencing, but the curve in the road makes the*

Watersplash Hotel particularly prominent in views.'

- 11.3 Permission is sought for alterations to the main hotel, and a large extension to it, as well as a separate block of apartments within the grounds of the hotel to the west. The use of the site would be changed to C3 residential use, although the apartments would be age-restricted by the developer to over-55s occupancy. There would be 27 apartments overall, as well as communal spaces and grounds. There would be sufficient car and cycle parking to comply with policy (29 car parking spaces, 27 cycle parking spaces).
- 11.4 The hotel at the site closed despite previous planning consents which tried to retain its viability. It is not clear how many staff the business employed however a viability report submitted with this application clearly demonstrates that it is not likely that it would provide a viable hotel business at this point in time. Given this background, the loss of the C1 use hotel would not be considered to result in the loss of an employment site contrary to Policy CP15 of the Core Strategy. The proposed use would not result in any direct or on-site jobs, as confirmed on the application form.
- 11.5 Policy CP12 allows residential development within the Defined Villages of the New Forest where this would be small-scale (in accordance with Policy CP9) and where a proposal would comply with other policies of the Core Strategy. The site is 0.5 hectares in size and therefore the residential density of the proposal would be 54 dwellings per hectare. Policy DP9 considers residential density within the defined villages. To ensure the conservation and enhancement of the built heritage of the defined villages, development densities should be informed by consideration of the local character of the area. This part of Brockenhurst is characterised by spacious residential plots set within mature landscapes, and as the policy states, the need to make effective and efficient use of land must not compromise the character of the local area.
- 11.6 Policy CP7 is relevant as the site lies within the Brockenhurst Conservation Area. The main consideration is therefore whether the proposal would protect, maintain or enhance the Conservation Area, as required by primary legislation, and the setting of the main heritage building at the site.
- 11.7 It is considered that the proposal for 27 apartments would not preserve or enhance the special qualities and characteristics of the Watersplash Hotel or the character and appearance of the conservation area. The scale of the development, which would extend to the east and west either side of the 19th century building and is proposed to be three storeys in height, would visually crowd the local interest building which has a distinct detached character and will detract from the green, spacious setting of the building. This setting, with views through the site of

mature trees and sky, is a key aspect of the Watersplash Hotel and this part of the conservation area, which is principally made up of detached dwellings.

- 11.8 The significant scale of the proposed development, stretching across the site, will erode the sense of spaciousness and verdant character of the Watersplash Hotel site. In addition, views into the site will be increased by way of the thinning and reduction of vegetation which will only serve to enhance the dominating impact of the proposed development within the street scene. The proposed development will erode the green approach to the more built up core of Brockenhurst by providing an expanse of development which will run in parallel with The Rise. There is a concern that as a result the site will become urbanised, restricting views through the site to the backdrop of the mature trees and feeling of spaciousness which is so characteristic of the site, and will appear an incongruous addition within the rural locality. Views will also be possible of the proposed development from in-between numbers 31-33 Brookley Road thereby introducing an incongruous element into the street scene due to the significant scale of development to the rear.
- 11.9 Although it is acknowledged that the removal of some of the unsympathetic extensions to the historic building is of some benefit, the significant harm that the proposed development will cause to the character and appearance of the conservation area and the special interest building does not outweigh any benefit there may be. There is concern about the appearance, extent, scale and dominating impact which the development will have on the special qualities and characteristics of the late 19th century local interest building and conservation area. The development will cause significant harm to the heritage assets.
- 11.10 Policy DP6 of the Core Strategy requires all new development to achieve the highest standards of design and external appearance and to enhance the built heritage of the New Forest. The three storey apartment blocks have none of the character or articulation which would be expected for a site placed on higher ground south of the established Brookley Road development, and are also counter to the smaller scale residential developments in The Rise. The spread of accommodation pushes out toward and into established landscape and cumulatively weakens the character of the grounds and sense of enclosure at the boundaries.
- 11.11 Revised plans were submitted during the course of the application to address some specific concerns about the proposal, such as the removal of some existing planting soft landscaping at the site and the consequent visual impact of the building within the streetscene. In addition, changes were made to elements of the materials and elevations of the building to attempt to reduce visual impacts, also by retention of more of the established landscaping at the site. Whilst these changes are to some degree beneficial,

they have not materially changed the overall nature of the proposal, and design and conservation objections have not been overcome.

- 11.12 Concern has been raised by local residents regarding the age-restricted nature of the development, in providing over 55's housing when the community of Brockenhurst widely acknowledges a lack of affordable housing for younger people. The development would not provide any on-site affordable housing due to the nature of the age-restricted housing being proposed. No letters of support have been received for the proposal, despite the community engagement efforts which the applicants have undertaken.
- 11.13 Whilst the application indicates a willingness to provide financial contributions where these can be demonstrated to be reasonably necessary in conjunction with the proposal, no legal agreement or mechanism for such contributions towards affordable housing, open space or ecological mitigation has been provided or secured. For this reason the proposal is contrary to policies CP1, DP3 and DP15 of the Core Strategy.
- 11.14 In absence of satisfactory mitigation for additional residential impacts upon the New Forest or Solent SPAs, it has not been demonstrated that the proposal would not result in harmful impacts upon the ecological integrity of these nearby sites of international ecological importance. To grant permission for this development in the absence of mitigation measures would be contrary to national and European legislation. In addition, there is concern that the ecological report submitted with the application recommends further bat work, however this has not been carried out.
- 11.15 Policy DP3 requires that development should either provide for the enhancement of existing open space and amenity areas, or provide on-site open space to a set standard. In this case, the spaces surrounding the development would be entirely private to the occupants, and therefore the policy expects that financial contributions would be collected. Brockenhurst Parish Council has a successful recent history of using open space contributions to enhance the open spaces of the Parish and these funds are now diminishing. It is therefore considered justified to request the open space contributions in association with the development. Whilst the applicants have expressed a willingness to provide these contributions, no secure legal mechanism has been entered into to date, and in absence of this, it is considered that the lack of open space contributions should form a further reason for refusal.
- 11.16 Concern has been raised by some local residents about loss of privacy and the potential for overlooking, particularly of Courtyard Mews and The Rise, as well as adjacent property to the west, Blue Cedar. The building would be around 17m from Courtyard

Mews at its closets point, and around 20m from Blue Cedar. There would be greater distances across the road to properties on the other side of The Rise. Whilst there is presently a good degree of landscaping separating the existing building at the site from these closest properties, the proposals to thin the planting and thus open up views have clearly resulted in a perception of overlooking. The applicants have sought to redress this by ensuring the retention of a greater degree of landscaping at the site that was originally proposed. However the vulnerability of the landscaping has been demonstrated, and there are still points such as the western boundary which will clearly be more open as a result of the proposal. Whilst the proposal is not considered to cause specific harm to individual residential amenity, the visual amenities which the site affords for local residents would clearly be detrimentally affected.

- 11.16 In conclusion, the main concern with this proposal is the scale, extent, form and appearance of the apartment blocks, which are not considered to preserve or enhance the conservation area. Refusal is therefore recommended.

12. RECOMMENDATION

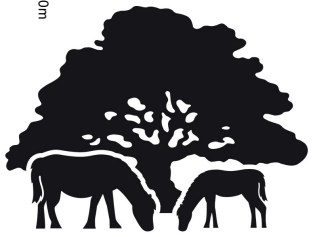
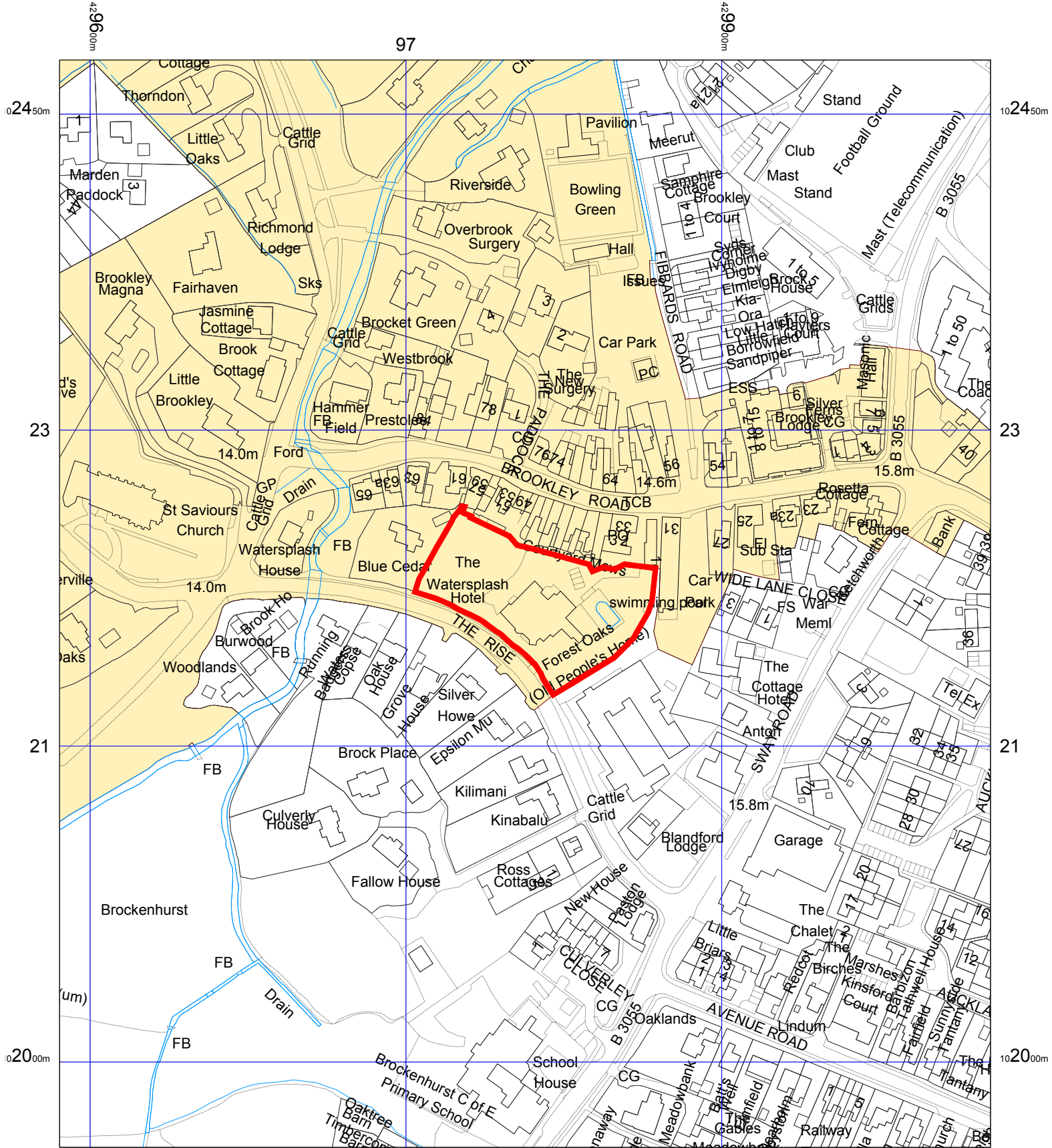
Refuse

Reason(s)

- 1 The overall extent of the development dominates the site and undermines local character. The proposed detailing cannot conceal the fundamentally awkward module of accommodation and the related conspicuous form and design, which does not relate well to the core Victorian building or Brockenhurst's established traditional, small-scale building stock. The appearance, extent, scale and visual impact of the development would fail to protect, maintain or enhance the special qualities of the heritage asset which is the Conservation Area, contrary to Policies DP1, DP6, CP7, DP9 and CP9 of the New Forest National Park Authority Core Strategy and Development Management Policies DPD (2010) as well as the Design Guide SPD and the National Planning Policy Framework 2012.
- 2 The proposal fails to provide 50% on-site affordable housing as required by Policy CP11. Whilst the application makes reference to the intention of providing affordable housing contributions, this is not by way of a secured legal agreement and is of no fixed amount or percentage. Taking this into account, the proposal fails to provide for affordable housing in accordance with Policy New Forest National Park Authority Core Strategy and Development Management Policies DPD (2010).
- 3 Evidence of bats has been found at the site with the recommendation set out in the application that emergence/

re-entry surveys should be conducted. This has not been undertaken. As such there is insufficient information to demonstrate that the proposal would protect and maintain protected species. In addition, insufficient information has been provided to enable the Authority to conclude that the proposal would ensure the integrity of the New Forest SPA or Solent SPA. Therefore the proposal is contrary to Policies CP1 and CP2 of the New Forest National Park Authority Core Strategy and Development Management Policies DPD (2010) and the National Planning Policy Framework (2012).

- 4 The development does not provide for the enhancement of existing open space and amenity areas as required by Policy DP3 of the New Forest National Park Authority Core Strategy and Development Management Policies DPD (2010) and the National Planning Policy Framework (2012). All residential developments within the National Park are required to mitigate additional residential impacts upon open spaces within the Parish, as set out in the Development Standards SPD (adopted September 2012).



**NEW FOREST
NATIONAL PARK**

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

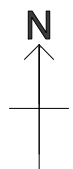
Tel: 01590 646600 Fax: 01590 646666

Date: 07/07/2015

Ref: 15/00327

Scale: 1:2500

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Application No: 15/00342/FULL Full Application

Site: Hall And Former Scout Hut, Brookley Road, Brockenhurst

Proposal: 3no. dwellings; associated car park; bike storage; demolition of existing building

Applicant: Mrs J Overall

Case Officer: Deborah Slade

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Conservation Area: Brockenhurst (Waters Green)
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP12 New Residential Development
CP9 Defined Villages
DP6 Design Principles
CP7 The Built Environment
CP8 Local Distinctiveness
DP9 Residential Density in the Defined Villages

4. SUPPLEMENTARY PLANNING GUIDANCE

Development Standards SPD
Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- Overlooking and loss of privacy to neighbouring properties
- loss of light to dental surgery
- Potential impact on bats
- inaccurate boundaries
- detrimental effect on bowling green
- problems with sewer on Fibbards Road
- a community use for the site should be sought
- over-development of the available space

8. CONSULTEES

- 8.1 Environment Agency: The proposal appears to accord with Standing Advice.
- 8.2 Highway Authority (HCC): No objection subject to condition
- 8.3 Tree Officer: No objection subject to condition.
- 8.4 Ecologist: The ecological report adequately considers the potential for protected species on site. No objection subject to securing SPA contributions as set out in the SPD.
- 8.5 Land Drainage (NFDC): No objection subject to condition ensuring no additional surface water run-off from site.

9. REPRESENTATIONS

- 9.1 Two letters of support received:
- this is a welcome solution to a derelict piece of land. The village is desperately short of small domestic properties and this fits with current need
 - the proposal is sympathetic to the surroundings.
- 9.2 Five letters of objection received from adjacent occupiers, on grounds of:
- loss of privacy and overlooking, overshadowing and overbearing impact upon neighbours
 - adverse impact upon trees
 - insufficient space for car parking
 - no access to the verge has been granted
 - loss of D1 community use
 - a two storey building would harm the character of the area;
 - the proposal may affect bats at the site
 - additional flood risk to the community

- ducting, sewers and piping would be affected
- shade and lack of wind to bowling green during autumn and winter harming playing surface
- loss of light and overlooking to dentists surgery

9.3 One objection from Friends of Brockenhurst:

- the size of the site appears inaccurate
- the car parking spaces shown don't exist
- demolition of the scout hut building is welcomed
- insufficient car parking and manoeuvring space is provided
- overshadowing of the bowling green
- too close to The Paddock
- adverse impact upon the character of the Conservation Area
- the proposed building is too large for the plot

9.4 One objection received from The Paddock Management Company Ltd:

- the development is too large for the plot
- it will harm privacy of dwellings on The Paddock
- access relies on approval from the management company and the bowls club, which has not been granted.

9.5 One comment received from New Forest Access For All, setting out the accessibility requirements which the development should adhere to.

10. RELEVANT HISTORY

10.1 Business premises for catering services with 2 flats over; parking area (demolish existing scout hut) (05/86250) - no decision and appeal against non-determination dismissed 24 May 2006

10.2 Business premises for catering services with 2 flats over; parking area (demolish existing scout hut) (06/87261) refused on 30 October 2006 and dismissed on appeal 16 June 2008

11. ASSESSMENT

11.1 The site comprises an overgrown building which used to be a Hall and Scout hut; it is now disused but remains in D1 'non-residential institution' land use. It is situated on a site of 0.1 hectares within the Defined Village of Brockenhurst, behind the public car park off of Brookley Road and adjacent to the bowling green. A small lane adjacent to the site provides access to a dentist's surgery and there are nearby residential properties.

11.2 Permission is sought to replace the disused scout hut with a terrace of three dwellings, with parking spaces in a cluster at the side of the site. There would be associated space for bin storage and bicycle storage within the curtilage. The grass verge

separating the site from the car park would remain intact.

- 11.3 In principle, residential development is acceptable within the defined villages, in accordance with Policy CP12. Policy CP10 seeks to retain existing community facilities where they contribute to the sustainability of local communities, however this site has not contributed for several years, and the scout group has now found alternative accommodation at Brockenhurst College. The proposal is therefore not considered to comprise a breach of policy CP10. Policy CP9 supports small-scale development within the defined villages to meet local needs. There is an acknowledged shortage of 2-bedroom dwellings in Brockenhurst and the proposal would be considered to meet a local need for smaller dwellings.
- 11.4 The planning history of the site is relevant, as there were two previous appeals at the site, the latter raising issues of design and height of the building, overlooking of no. 3 The Paddock, overshadowing of the bowling green, and positioning of principal windows overlooking the bowling green.
- 11.5 The current scheme seeks to address these issues by reduction in ridge height, and moving the building back from the bowling green. In addition, there is no longer significant fenestration to the bowling green elevation, and the design has been improved and adjusted in response to the problem with overlooking.
- 11.6 The proposed building would be 6.6m high at each of the end units, with a drop in the ridgeline to 5.7m high for the middle unit. The width of the terrace would be 20.2m in length overall. The design of the buildings would comprise a mix of materials, and provided that quality, traditional materials were secured by condition, it is not considered that the proposal would appear 'bland' as was found on the previous scheme. The three units would each have individual identity and modest detailing to the benefit of the appearance of the Conservation Area.
- 11.7 To prevent overlooking of no. 3 The Paddock, first floor windows on the south and west elevation have been amended to either high-level feature windows, or obscurely glazed and fixed shut panels where required. Again this could be secured by condition. Views from the south elevation of the middle unit would be at a distance of 26 metres and at an obscure angle, filtered through existing trees. This is considered to be an acceptable relationship. All other properties are even further away, and it is not considered that there is a significant loss of privacy to the neighbouring properties on The Paddock.
- 11.8 The dental surgery has raised issue with the potential for loss of light and loss of privacy. Again the intended obscurely glazed windows on the west elevation would prevent overlooking. In terms of loss of light, the building would be around 14m away to

the south-east of the site, which would not cause a significant loss of light, particularly given the location of boundary trees.

- 11.9 A shade study has been conducted which demonstrates that there would not be overshadowing of the bowling green during the playing season. The bowling club maintain their objection on grounds that the building would block sunlight and wind during the autumn and winter months. However the building would be at a distance of at least 4 metres from the green, and given its modest ridge height, and the position of trees, very little additional shadowing of the green would occur, even in the winter months. The bowling pavilion at Lymington bowling club is situated to the south of their green, at a similar height and distance from the green. The effect is therefore not considered to be significant.
- 11.10 There are no important amenity trees on this site although the protected trees on the adjoining site to the south-west corner will impact on any proposed development to plot C. The Tree Officer is satisfied that no important amenity trees will be removed or pruned for this proposed development and provided the details in the Arboricultural Method Statement are followed, there should be no threat of damage to trees during construction works.
- 11.11 Concern has been raised that there may be bats using the building. The application is accompanied by an ecological report, which concludes that the building is unlikely to be used by bats as a roost, and that ecological mitigation is not required for this site. SPA mitigation payments have been offered in full (to be secured by unilateral undertaking prior to the issue of the decision notice, and within 3 months of the committee date).
- 11.12 The site lies within mapped flood zone 2, and a flood risk assessment accompanies the application. This concludes that the proposal is unlikely to be at risk of exacerbated flooding, as designed with minimum 300mm floor levels. A condition regarding surface water run off can ensure that flood risk to adjacent land is not increased as a result of the development.
- 11.13 Concern has been raised about the lack of parking associated with the development. Car parking to serve the development is proposed at 1 space per unit, which is considered a suitable level of provision given the type of accommodation being provided and the central village location of the site. There is visitor parking at the adjacent large car park, cycle parking will be provided on site, and the train station and bus links are available close by. The overall appearance of boundaries to the car park and site can be secured by condition, to ensure soft boundaries and some soft landscaping, as indicated on the plans.
- 11.14 Whilst concerns have been raised about ducting, sewers and similar services, these are not material planning considerations for a scheme of this scale and detail, and there will be viable

solutions to each matter.

- 11.15 Overall, it is considered that the proposal is well-conceived and accords with the relevant planning policies. It is therefore recommended that consent is granted, subject to conditions, provided that the unilateral undertaking is secured.

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 No development shall take place 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).

- 3 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;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

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

- 4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The development hereby permitted shall not be occupied until the arrangements for parking (including cycle parking) and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 6 No development shall take place until details of the means of disposal of surface water from the site have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 7 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 at plots 1 - 3 inclusive without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 No development shall take place until the following details have been submitted to, and approved in writing by the New Forest National Park Authority:

Typical joinery details including windows, doors, eaves, verge, bargeboards.

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

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 The three first floor windows indicated to be obscurely glazed on the west elevation hereby approved shall at all times be obscurely glazed and fixed shut. No additional windows shall be added to the west elevation or to the south elevation of house C unless express planning permission has been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 10 No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

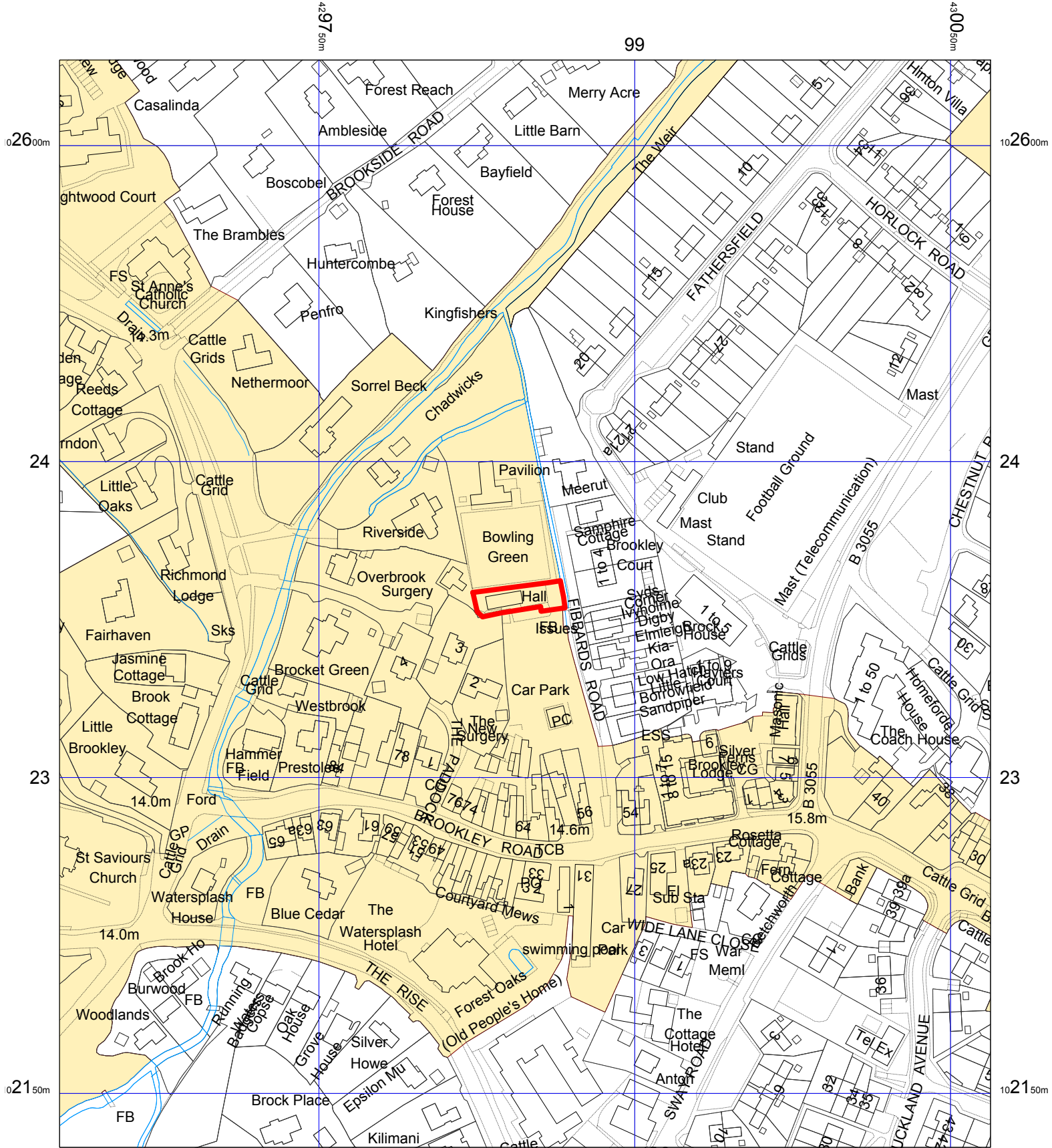
Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policies DP1 and DP4 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 11 Unless otherwise agreed in writing by the National Park Authority, all development works must be carried out in accordance with the

approved Tree Protection Plan and Arboricultural Method Statement by KJF Consultancy Ltd ref: TR18/06/15.01

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).



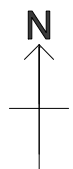
New Forest National Park Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666
 Date: 07/07/2015

Ref: 15/00342

Scale: 1:2500

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Application No: 15/00399/FULL Full Application

Site: Cherry Tree Cottage, Holly Lane, Pilley, Lymington, SO41 5QZ

Proposal: Replacement outbuilding

Applicant: Mr & Mrs Lane

Case Officer: Ann Braid

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area: Forest South East

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
CP7 The Built Environment
DP1 General Development Principles
DP6 Design Principles
DP12 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement
Boldre Parish Design Statement

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

Boldre Parish Council: Recommend refusal: The Parish Council is concerned about the location of the proposed building so far behind the building line, and its adverse impact on the neighbouring properties dues to

its close proximity to the boundary. The length of the access to the proposed outbuilding concerns the Parish Council as it has the possibility of being detrimental to the environment in this Forest hamlet. This could be overcome by the building being constructed nearer the building line and the use of water permeable surface as per Boldre Parish Design Statement

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objection

9. REPRESENTATIONS

9.1 5 letters have been received objecting to the proposed outbuilding;

- The building would have an overbearing impact on neighbours, resulting in loss of outlook from, and shading to, ground and first floor windows.
- The long driveway would be close to the boundary (1.5 m from Stream Cottage), and its use would lead to noise and disturbance.
- The proposal would increase the use of the access to the lane.
- The timber building would be a fire risk close to the boundary.
- The modest size of the dwelling does not justify a large outbuilding.
- There would be water run-off from the drive.
- The slab level of the proposed building would be two metres higher than the slab level of the neighbour, Stream Cottage
- An existing building at Kumincyde is not shown on the plans and the proposed building would back onto this.

10. RELEVANT HISTORY

10.1 Single storey extensions; insertion of first floor window; porch; render exterior (15/00398)

11. ASSESSMENT

11.1 Cherry Tree Cottage is a modest white rendered cottage with a slate roof, which faces north-east and fronts on to the lane. It is located on a generous plot which is generally open and slopes from west to east. The garden is laid mostly to lawn, but there is new planting along the rear boundary. At the east end of the plot it is proposed to site an outbuilding. An existing outbuilding, located to the east of the house would be demolished and a second outbuilding to the west of the cottage would be retained. The site lies within the Forest South East Conservation Area.

11.2 The proposed outbuilding is shown as a double garage with a store at the westernmost end. The garage would be 7m long, and

5.5m wide, and the attached store would be 3.8m long and 4m wide. The ridge would be 4.3m high across the length of the garage, and would drop to 3.8m above the store.

- 11.3 The main issues to be assessed in this case are whether the outbuilding would be appropriate to the site and its surroundings, and whether there would be any adverse impact upon neighbouring amenity.
- 11.4 The proposed outbuilding would be constructed in traditional timber, with a slate roof to match the cottage. The ridge height of the building would be two metres lower than the host dwelling, and its location and orientation on the site would be appropriate in relation to the dwelling. It is proposed to surface the driveway in gravel which, as a permeable surface, would not lead undue run-off on to neighbouring sites and the drainage officer has made no comment on the proposal. The outbuilding would be visible from Bull Hill and Holly Lane, but would not appear incongruous or out of keeping in the surrounding area. The roof ridge would not be excessively high, and the design of the building would be appropriate for an incidental domestic outbuilding. The proposal would therefore comply with Policies CP8 and DP1 as it would be appropriate and sympathetic to the site and would not result in the erosion of local character.
- 11.5 With reference to the amenities of neighbours, at the eastern boundary, the site is approximately one metre higher than the neighbouring property, Stream Cottage, the slab of which is cut into the slope. The neighbouring house is located less than 4 metres from the boundary with Cherry Tree Cottage. For this reason, its ground floor windows look onto the existing fence which sits on a retaining wall of slightly less than 1 metre in height. Two of the ground floor windows of Stream Cottage are set back beneath the upper floor overhang, and the third is a kitchen window. There is another kitchen window which looks south over the Stream Cottage garden.
- 11.6 The west-facing upper floor windows directly overlook the garden of Cherry Tree Cottage. Each of the bedrooms is dual aspect, and whilst the west facing windows would have their view interrupted by the garage, the view from the other windows would be unaffected. The gable apex of the proposed garage would be closest to the bathroom window, which is obscure glazed. The applicant seeks consent for an incidental domestic outbuilding, in a location that would also afford him some degree of privacy. Clearly the outlook from the west facing windows of the bedrooms and bathroom will alter, but on balance, given the existence of additional windows in the bedrooms, it is considered that the impact on the neighbour through loss of outlook or shading would not be sufficient to justify refusal. The neighbour to the rear, Kumincyde has a garage to the side of the property. The proposed outbuilding would be sited behind this garage at an

angle to the rear facing windows of the house. Kumincyde is built at the same level as the proposed outbuilding, and it is considered that the outbuilding in this location would not result in loss of outlook or shading to the occupants of Kumincyde.

- 11.7 5 letters of objection have been received from neighbouring occupiers. These focus on the issue of loss of outlook, and also raise concern that, as the land is higher on the applicant's side, the building would appear over dominant of its neighbours, and obtrusive in the locality. These concerns have been addressed above. The neighbour at Stream Cottage has stated that the slab level of the proposed garage would be two metres higher than Stream Cottage. Although the land does not slope this steeply, the applicant has agreed that a condition may be imposed to ensure that slab levels are agreed prior to construction, so that the slab would be cut into the slope instead of being built up.
- 11.8 Neighbours also raise concern that the use of the driveway would cause disturbance to neighbours as it would be close to the boundary. Also that the driveway could lead to flooding to neighbours. The chosen surface is gravel, which would be permeable which reduce the risk of run off, and although a solid surface would be quieter a permeable surface would reduce the risk of run-off onto the lower site and would be preferable in this location. A neighbour has raised concerns about the increased use of the access, however as an existing double garage is to be demolished, there would be no material increase in traffic. As has been pointed out, the cottage is relatively small, with two bedrooms, and it is unlikely that a large number of cars would use the access on a regular basis. Turning space has been provided which would improve safety, as currently cars reverse on to the highway. It is not considered that the proposal would be excessive for the site or the cottage. Concern has been raised about the timber construction, however, a timber building could still comply with Building Regulations.
- 11.9 The Parish Council has recommended that the building should be located towards the front of the site, to reduce the length of driveway and to be less intrusive to neighbours. However, this would result in a greater visual impact in the public realm. The agent advises that relocating the building would not afford any degree of privacy for the applicants.
- 11.10 Cherry Tree Cottage benefits from permitted development rights. An outbuilding may therefore be built in the rear garden of the property and this needs to be assessed as a potential fall-back option for the applicant. An outbuilding of 4 metres in height to the ridge could be constructed to the rear of the house, provided it would cover no more than 50% of the area of the garden, would be more than 2 metres from the boundary and within 20 metres of the house. If the applicants took advantage of their permitted development rights, a building could be located to the rear of the

site, between Cherry Tree Cottage and Kumincyde or its neighbours, Fir Tree Cottages without formal planning permission. The location proposed in this application would be less obtrusive to Kumincyde and Fir Tree Cottages, and would be no more harmful to Stream Cottage than permitted development would be.

- 11.11 The proposed outbuilding would therefore comply with Policies DP12 and DP1 as it would be an incidental outbuilding, within the curtilage of the dwelling, which would not have any material adverse impacts upon neighbouring amenity.

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 No development shall take place 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).

- 3 The building 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, and the amenities of neighbours in accordance with Policies DP1 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 All hard and soft landscape works shall be carried out in accordance with the approved details shown on plan number 3/RC/15/B. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

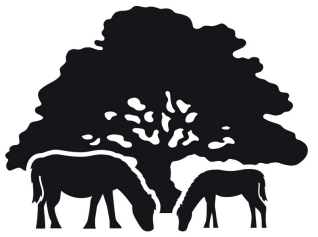
- 5 No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

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

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

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

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish prevent a proliferation of outbuildings which could adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



**NEW FOREST
NATIONAL PARK**

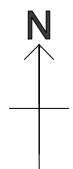
New Forest National Park Authority
Lymington Town Hall, Avenue Road,
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Tel: 01590 646600 Fax: 01590 646666

Date: 07/07/2015

Ref: 15/00399

Scale: 1:2500



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