

Application No: 16/00859/FULL Full Application

Site: Ash Tree Cottage, Lymington Road, East End, Lymington, SO41 5SS

Proposal: Replacement dwelling; temporary siting of mobile home (Demolition of existing dwelling)

Applicant: Mr M Donaldson

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

DP1 General Development Principles
DP10 Replacement Dwellings
DP11 Extensions to Dwellings
CP7 The Built Environment
DP6 Design Principles
CP8 Local Distinctiveness
CP2 The Natural Environment

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
Sec 6 - Delivering a wide choice of high quality homes

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

East Boldre Parish Council: Recommend refusal: The Parish Council

consider that the proposed dwelling is not in-keeping with the design of other thatched properties in the Parish.

8. CONSULTTEES

- 8.1 Tree Officer: No objection subject to condition.
- 8.2 Building Design & Conservation Area Officer: No objection subject to conditions.
- 8.3 Ecologist: No objection subject to condition.

9. REPRESENTATIONS

- 9.1 One objection on grounds of overlooking from the proposed first floor windows on the east elevation, compromising the privacy of the back garden of Coombes Gate Farm, and the height of the proposed dwelling, causing loss of light.
- 9.2 One letter of comments regarding due consideration for impacts on the adjacent designated site (SSSI/SAC/SPA/ Ramsar site) and protected species, notably bats.
- 9.3 One letter of support from the applicants seeking to allay concerns.
- 9.4 Three letters of support from neighbouring properties; this will be a great improvement to the character of the area.

10. RELEVANT HISTORY

- 10.1 Conservatory (02/75365) refused on 14 August 2002 and allowed on appeal on 18 July 2003
- 10.2 Dormer extension (99/65726) approved on 17 March 1999
- 10.3 Detached car port (97/61732) approved on 31 July 1997

11. ASSESSMENT

- 11.1 Ash Tree Cottage is a detached chalet bungalow with dormer windows to the roof which was a replacement dwelling, constructed following consent in 1978. It is located within the Forest South East Conservation Area, however it is not of locally-distinctive architecture and is of generic, suburban format, contributing very little to the character of the Conservation Area.
- 11.2 The building has been extended since 1982, through use of the attached garage as habitable floorspace, dormer extensions, as well as the addition of a conservatory and utility room. This application seeks to replace the building on a 'like for like' floorspace basis (around 222 square metres).

- 11.3 As the building is not considered to comprise a heritage asset, and the proposed replacement dwelling would be of no greater floorspace than the existing, the proposal is considered to comply with the prerequisites of policy DP10. The proposed dwelling would not be considered to be of increased bulk or impact, having a subservient element as a timber-framed contrasting section to the main, rendered cottage with a thatched roof and eyebrow dormers set at the eaves line. The ridge height of the existing dwelling is 7.4 metres, with an eaves height of 2.8 metres at the front and 5 metres at the side. The main width of the dwelling is 11.3 metres, with a depth of 6.2 metres. The dwelling also has attached, single storey elements, such as the attached (and converted) garage.
- 11.4 The comparable dimensions of the proposed dwelling are 9 metres to ridge, 4.4 metres to eaves, 12 metres main width with a 5.4 metre 'extension'-like element, and a depth of between 7.5 and 6.4 metres. The proposed dwelling would therefore be larger than the existing dwelling in its form, on account of having a steep, thatched roof, and thicker 'cottage' walls of traditional construction, as well as fewer ancillary elements e.g. no conservatory.
- 11.5 Whilst the proposed dwelling would be 1.6 metres higher than the existing, it would not appear cramped for the plot, which is spacious at either side, and the house would be of traditional design and construction. Whilst its proportions would not be those of an older, 19th or 18th century thatched cottage, the approach has been adapted for a modern house which would nonetheless continue New Forest building traditions in a modern (building regulation compliant) form. The design would therefore be considered to be an enhancement over the existing, and would look picturesque in the landscape in a manner more beneficial than that of the existing building. The smoothcast render would echo the cob tradition, and the timber-framed element would be a modern version of the vernacular timber-framed cottages which are characteristic of the vicinity. This is considered to be compliant with the Design Guide SPD.
- 11.6 The impact upon neighbouring amenity has been assessed. There would be a distance of 26 metres between the easternmost side of the proposed dwelling and the western elevation of Coombes Gate. There would be an intervening distance of 33 metres between the westernmost point of the new dwelling and the closest neighbour to the west (separated by a paddock). Due to the distances involved, it is not considered that there would be a harmful impact upon neighbouring amenity by way of overlooking. The buildings would be located with their side elevations aligned and the relationship would not be direct or significant in terms of loss of privacy, so the proposal would be considered to accord with policy DP1.

- 11.7 The existing house has an element of use by bats and emergence surveys have recently been undertaken. A proposed bat mitigation strategy accompanies the application and the Authority's ecologist considers the work which has been undertaken, as well as the proposed mitigation strategy, to be acceptable provided that it is secured by planning conditions. Other protected species have been adequately considered in the ecological report and strategy which accompanies the application.
- 11.8 The proposal would not harm protected trees at the site, and those which are protected by Conservation Area status can be protected from development works in accordance with the tree report. Boundaries and landscaping to the site would remain as existing, and as the site is spacious, would not necessarily be affected by the development.
- 11.9 The temporary mobile home which is proposed would be the applicants' residence for the duration of the build, and its removal can be secured upon completion of the development.

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 The external facing materials to be used in the development shall match those stated on the application form hereby approved, 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).
- 3 Joinery shall comprise flush timber balanced casement windows wherever shown as such on the approved plans.
- 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).

- 4 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 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).

- 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 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 measures set out in the submitted arboricultural statement.

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).

- 7 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 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).

- 9 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation 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 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).

- 10 Development shall only be carried out in accordance with:

Drawing nos: 8635/300 REV B, 8635/301 REV E, 8635/302, 8635/303, 8635/304, 8635/305 REV B 8635/306 REV C, 8635/307, 8635/308.

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

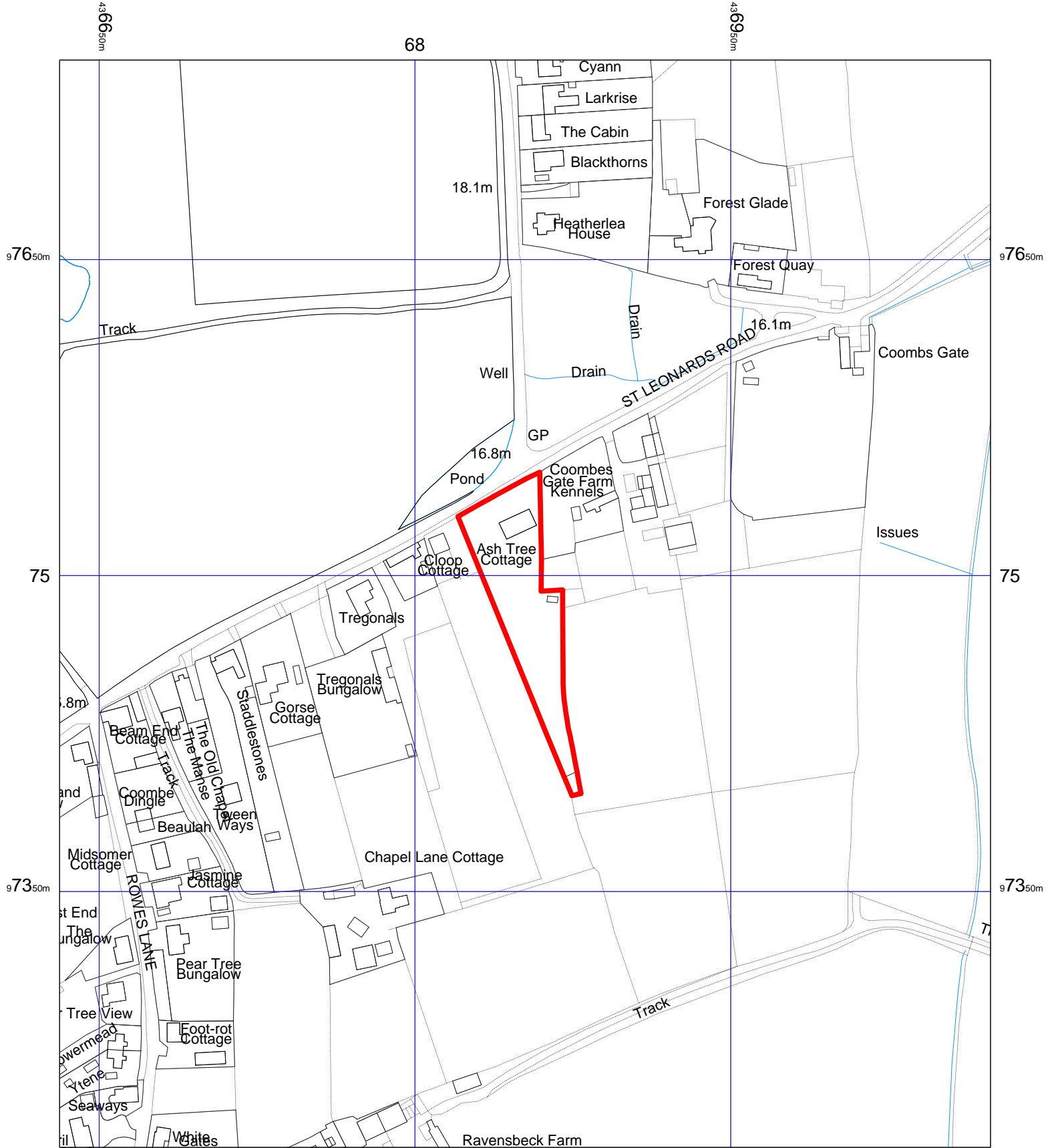
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 11 The mobile home hereby approved shall be removed upon first occupation of the dwelling hereby permitted and the land restored to its former condition.

Reason: To prevent additional permanent habitable accommodation at the site in accordance with Policies DP10, DP11 and CP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has recommended changes which have been accepted by the applicant to ensure the development is compliant and does not harm the character and appearance or amenities of the area.



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

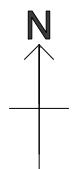
Tel: 01590 646600 Fax: 01590 646666

Date: 06/06/2017

Ref: 16/00859/FULL

Scale: 1:2500

© Crown copyright and database rights 2017 Ordnance Survey 1000114703



Application No: 17/00223/VAR Variation / Removal of Condition

Site: Talbot Cottage, Seamans Lane, Minstead, Lyndhurst, SO43 7FU

Proposal: Application to vary Condition 3 of planning permission 15/00528 to allow the retention of 1No. velux window to garage and minor material amendment

Applicant: Mr K Ashley

Case Officer: Ann Braid

Parish: MINSTEAD

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
DP12 Outbuildings

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

Minstead Parish Council: Recommend refusal. Minstead Parish Council considers that to permit the roller shutter enclosure of this open "car port" contravenes NFNPA Core Strategy and DPD Policies, contradicts conditions 3 and 4 of NFNPA Planning Development Control Committee

imposed conditions (15/00528) and sets a disturbing precedent for several other similar open oak framed "Car Ports" in the New Forest

8. CONSULTTEES

8.1 Building Design & Conservation Area Officer: No objection

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Extension to existing stables to create car port and log store (15/00528) granted on 18 August 2015

10.2 Replacement dwelling (73115) granted on 29 May 2002

11. ASSESSMENT

11.1 Talbot Cottage is a replacement dwelling, given consent in 2002, built in traditional materials. The consent for the replacement dwelling also included a range of outbuildings comprising a double garage, two stables and a workshop/store. These buildings are linked by the roof between the garage and store, and the dwelling is accessed through the arch formed by this link. The outbuildings are constructed in a mix of materials, the garage in brick and slate, the outbuildings in timber cladding and tiles. The plot is substantial and mainly laid to grass, with a gravel drive and parking area in front of the outbuildings.

11.2 Consent was granted at Planning Committee in 2015 for a car port to be added to the north end of the stable. It was intended that the structure should be open to the north-west, but as the open elevation faces away from the main house, a roller shutter has been installed to provide extra security. At the same time a roof light has been installed in the rear (south east) elevation.

11.3 Consent was granted for the building subject to the following conditions;

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The 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).

3. Development shall only be carried in accordance with plans numbered 1, 2, 3, 4, 5, 6, 7, 8, and 9. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure the 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.

4. 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 in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

This application seeks variation of condition 3, by the substitution of a plan showing the roller shutter and roof light in situ. This would grant retrospective consent for the roller shutter and roof light as an amendment to the approved scheme. As it is an application for the variation of that condition only, all other conditions would remain in place.

- 11.4 The roller shutter has been designed to run inside the existing timber frame of the carport, and coloured to match the timber cladding of the building. This elevation of the building is not visible from the main access to the property, but the roller shutter and the frame are visible from a field gate to the north and may be glimpsed when approaching the site from the hill to the north. As its finish is black, it is difficult to determine from these distant views whether the roller shutter is up or down, and the visual impact in the wider landscape of the roller shutter alone is considered to be negligible. The applicant has also confirmed that the timber frame will be left to weather naturally to a silver finish, and this would allow the frame to recede against the black of the timber cladding or the finish of the roller shutter.
- 11.5 The roof light would be on the elevation facing towards the paddock. It is required to provide natural light into the building. The insertion of the roof light after the building was complete would be permitted development, as no conditions restricting permitted development have been applied. However, as the condition tying the development to the approved plans has been

imposed, consent is required for the roof light and may be granted as a variation of the condition. It is considered that there are no grounds to object to the insertion of a roof light in this elevation.

11.6 The Parish Council has recommended refusal of the proposed variation. Objection is raised on the grounds that the enclosure of the car port would be contrary to Policy, presumably because it could result in its being more readily used as habitable accommodation. The Parish fears that this would set a precedent, and also run counter to the other conditions imposed by the Planning Committee when the car port was granted planning permission.

11.7 In response to the Parish objections, the remaining conditions attached to the original consent would still stand. The use of the building would therefore be restricted to incidental purposes only. The applicant has confirmed that there is no intention to use the car port as habitable space. Furthermore, it would be possible to discern whether the building is in habitable use, as the building itself is visible from the public realm and not concealed within the site. As the conversion would be a breach of planning control, the Authority would be able to take the necessary steps to enforce the condition.

12. RECOMMENDATION

Grant Subject to Conditions

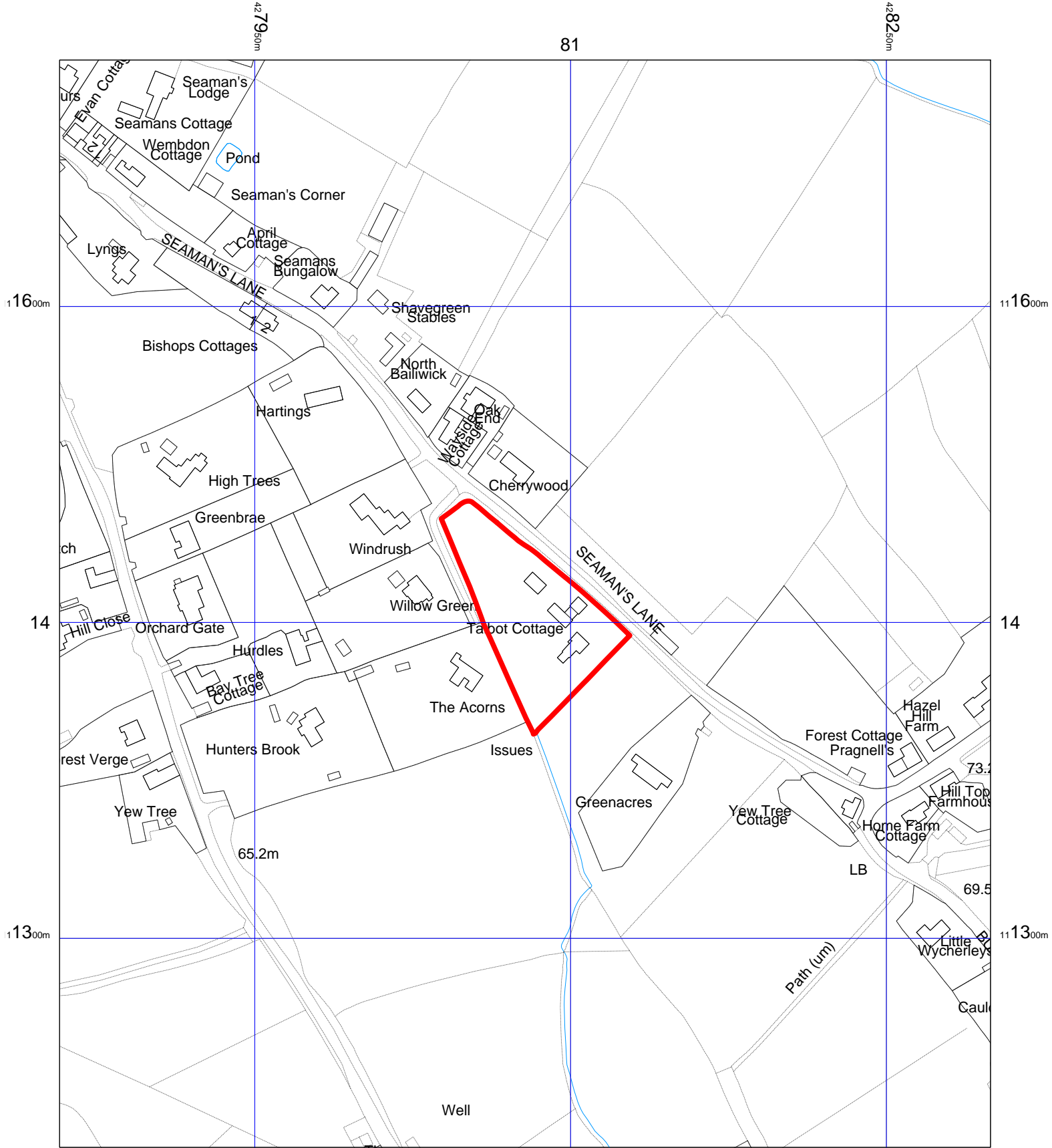
Condition(s)

1 Development shall only be carried out in accordance with:

Drawing nos: Existing 1, Existing 2, Existing 3, 4, 5, Proposed 1, Proposed 2, Proposed 3a

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.



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

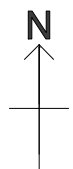
Tel: 01590 646600 Fax: 01590 646666

Date: 01/06/2017

Ref: 17/00223/VAR

Scale: 1:2500

© Crown copyright and database rights 2017 Ordnance Survey 1000114703



Application No: 17/00306/FULL Full Application

Site: Weirs End, Burley Road, Brockenhurst, SO42 7TB

Proposal: Swimming Pool; Decking; creation of pond

Applicant: Mr & Mrs Stanton

Case Officer: Carly Cochrane

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village
Site of Special Scientific Interest
Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

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

Brockenhurst Parish Council: Recommend Refusal: Object to this proposal due to the potential adverse effect on the neighbouring property and the SSSI of the detrimental noise and disturbance of a swimming pool.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Two storey side extension, new dormer (16/01057) granted 27 February 2017

11. ASSESSMENT

11.1 The application site is located on a corner plot of Burley Road and Armstrong Lane, within the Defined New Forest Village of Brockenhurst. The front (south) and side (east) boundaries border SSSI land and The Weirs Conservation Area, and there are a number of protected trees along these boundaries. The dwellinghouse is located within the north western corner of the plot, and as such the garden area is to the south and east. Vehicular access is via Armstrong Lane, and there is a pedestrian gate accessed via a gravel track which runs parallel with Burley Road. The applicants have recently laid a new driveway, which runs parallel with the southern boundary.

11.2 This application seeks planning permission for the installation of a pond, pool and raised decking within the garden area to the east of the dwellinghouse. There is an existing outbuilding adjacent which would serve as the pool house. The area of decking would project above the ground level by approximately 600mm, and would measure approximately 14 metres in length and 8 metres in width. Within this would be a pool measuring 5 metres square. There would be a natural pond immediately adjoining the decking.

11.3 The Parish Council has raised concerns that the proposal would have a detrimental effect on neighbouring amenity as a result of the potential noise and disturbance the swimming pool could generate. A cross section has been submitted with the application to demonstrate the ground and decking levels in comparison with that of the neighbouring property of Merryoak. There is a 2 metre high close boarded fence along the boundary. The cross section illustrates that Merryoak is at a higher ground level than Weirs End, and the decking raises the ground level to meet that of Merryoak. As such, the proposed decking does not result in the levels being raised above that of Merryoak, and would not result in any loss of privacy for these occupiers. As a result of the layout and size of the respective plots, the proposed pools and decking, along with the existing outbuilding to be used as the pool house, would occupy the majority of the length of the boundary with Merryoak, with the pond aligning with the rear garden, and

decking, pool and existing outbuilding aligning with the dwellinghouse and front garden area of Merryoak. The proposals would be set back from the boundary by approximately 3 metres. No letter of objection has been received from the occupiers of Merryoak. Overall, it is not considered that the proposals would result in any significantly exacerbated levels of noise disturbance or adverse impact upon neighbouring amenity.

- 11.4 The Parish Council has also raised concern that the proposals could result in an adverse effect upon the adjoining SSSI, as a result of the potential detrimental noise and disturbance generated. It is noted that the application site is located on a corner plot of Burley Road, which provides a link between Brockenhurst and Burley, and beyond; the level of vehicular traffic along this road is commensurate to this link, and as such, is a relatively busy route which generates noise. The application site is located within the Defined Village, and as such is surrounded to the north and west by other residential properties. The proposal would be located within the garden area of the application property, and it would not normally be considered that the addition of a pool would give rise to an exacerbated noise level over and above that reasonably expected to be generated by a residential property. Other properties which share a boundary with the SSSI comprise their respective garden areas. It is not considered that the reasonable enjoyment of these garden areas, including the addition of a pool, would result in any harm to the SSSI.
- 11.5 The proposals would be well contained within the site, and screened from the street scene by a fence and vegetation. On the basis that the proposals are considered appropriate types of development for a residential garden, it is not considered that the proposals would result in any adverse impact upon the setting of the adjacent conservation area.
- 11.6 There are a number of protected trees along the boundary of the site. The proposal would not interfere with these trees; the pool house would be located within an existing outbuilding, and therefore there would only be internal works. It is not considered that the proposal would result in any impact upon the protected trees.
- 11.7 Although not part of the proposal, the existing outbuilding is shown to be used as a pool house. This use is considered incidental to the main dwellinghouse, and as such, would remain compliant with Policy DP12 of the Core Strategy, and needs no express permission.
- 11.8 As the site is located adjacent to the SSSI, a Construction Management Statement has been submitted, detailing that materials, spoil, waste materials and site equipment would be stored in the area of the old driveway, well within the site boundaries and away from the SSSI. This is considered

appropriate, and can be conditioned so as to ensure no harm to the SSSI as part of the development.

- 11.9 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP6, DP12 and CP8 of the Core Strategy.

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: 4511 GS 01 REV A, 4511 GS 02 REV A, 4511 GS 03, 4511 GS 04

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

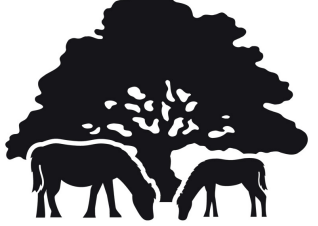
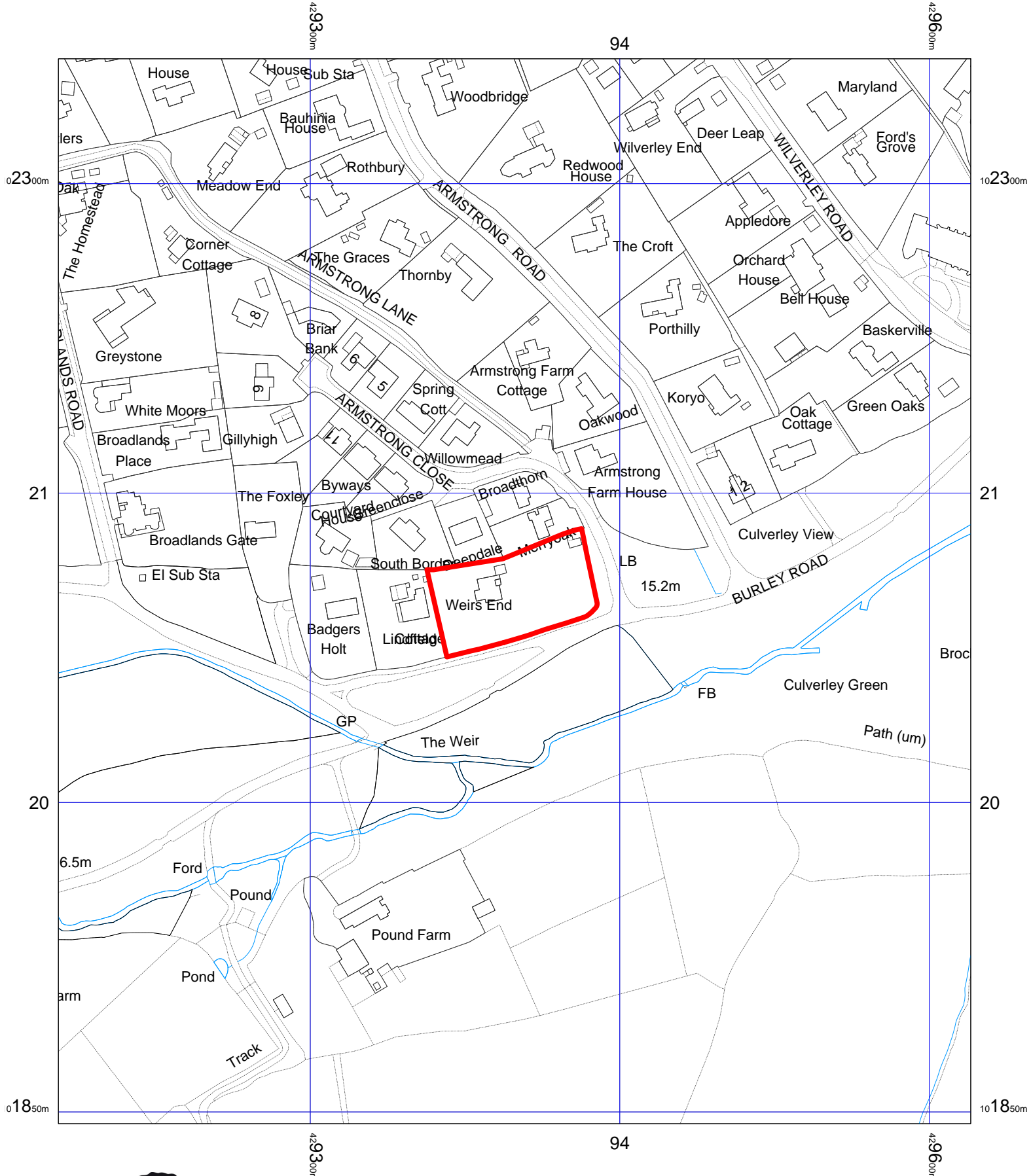
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



**NEW FOREST
NATIONAL PARK**

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

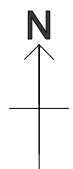
Tel: 01590 646600 Fax: 01590 646666

Date: 01/06/2017

Ref: 17/00321/FULL

Scale: 1:2500

© Crown copyright and database rights 2017 Ordnance Survey 1000114703



Application No: 17/00355/FULL Full Application

Site: Land At Lane End, Addison Road, Brockenhurst, SO42 7SD

Proposal: New dwelling; parking; access alterations; partial demolition of existing dwelling; alterations to fenestration; demolition of existing outbuildings.

Applicant: Mr M Holmes

Case Officer: Ann Braid

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP8 Local Distinctiveness
CP12 New Residential Development
DP1 General Development Principles
DP6 Design Principles
DP9 Residential Density in the Defined Villages
DP12 Outbuildings

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
Sec 6 - Delivering a wide choice of high quality homes

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Support

8. CONSULTEES

8.1 Highway Authority (HCC): No objection subject to conditions

8.2 Ecologist: The proposal would need to accord with mitigation schemes for the Solent and New Forest SPAs. Otherwise no objection subject to condition.

8.3 Tree Officer: Objection; the development would pose a direct threat to protected trees and result in future pressure to lop or fell the trees, which have significant amenity value.

9. REPRESENTATIONS

9.1 Two letters received from the same neighbour, one raising objections and a second letter confirming that this neighbour's concerns had been met by the developer.

10. RELEVANT HISTORY

10.1 New dwelling; parking; access alterations; partial demolition of existing dwelling; alterations to fenestration; demolition of existing outbuildings (17/00254) withdrawn on 25 April 2017

11. ASSESSMENT

11.1 Lane End is situated at the eastern end of Addison Road, close to the railway line. It currently comprises a modest bungalow, set to the west side of a generous level plot. The garden is bounded on either side by mature trees and there is a high hedgerow on the rear boundary. The front boundary is a one metre close boarded fence. There are some outbuildings on the eastern side of the garden, including a garage, store and greenhouse. A tarmac drive gives access into the garden.

11.2 Pre-application advice was sought in December 2016 for a new dwelling at the rear of Lane End, but officers raised concern relating to the restricted area of space remaining for the for the existing dwelling, and the potentially poor relationship with existing neighbours, so the plan was revised and an application was lodged to build a dwelling to the east side of the plot. This application (17/00254) was withdrawn following strong objection from the neighbour to the south and the Parish Council. The current application reverts to the original pre-application location and proposes the dwelling to the rear of the existing house. The proposed dwelling would be a relatively modest, single storey bungalow of 99 m² with a ridge height of 4.83m. The existing dwelling would be altered by the removal of a side facing window

and the plot would be subdivided to provide private garden areas and a driveway and parking.

- 11.3 The site lies within the defined new Forest village of Brockenhurst, where, in principle, new residential development is allowed under Policy CP12. Policy DP9 requires that the residential density of the proposed development should not compromise the character of the surrounding area and Policy CP2 seeks to ensure that development would protect, maintain and enhance features of the natural environment. DP1 requires development to be appropriate and sympathetic to its surroundings, and CP1 seeks to ensure that internationally significant landscape is not threatened by development.
- 11.4 The guidance contained within the National Planning Policy Framework states that development shall contribute positively to making places better (para 56) and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area (para 64). Moreover, policies DP1 and CP8 require new development to demonstrate high quality design which enhances local character and distinctiveness ensuring that development is appropriate and sympathetic in terms of scale, appearance, form and siting. Policy CP8 also seeks to specifically ensure that built development would not individually or cumulatively erode the Park's local character or result in its gradual suburbanisation. The Authority's Design Guide SPD likewise emphasises the importance of new dwellings fitting comfortably into their surroundings and respecting the spacing of the buildings and natural features.
- 11.5 The existing plot at Lane End is larger than those to the west and similar to the plot on the opposite side of Addison Road. It is twice the width of the plots serving the semi-detached houses in Addison Road. The subdivision of the plot in the manner proposed would retain a very restricted area of private garden for the existing dwelling with a rear garden of 10m. Existing gardens in Addison Road are at least three times this length. Furthermore, much of the eastern side of the plot would be taken up with the hoggin driveway and parking areas. It is considered that the proposed tandem layout would not accord with the prevailing layout and density of development, and would result in restricted areas of amenity space around both the proposed and existing dwellings.
- 11.6 A key constraint in the development of this site is the presence of substantial trees on three boundaries. These trees have high amenity value and individually and collectively enhance the locality. The trees are now subject to a Tree Preservation Order and include three individual oak trees, a group of three spruces on the west boundary and a further group of three oaks in the north east corner of the site. The proposed dwelling is shown to be in

close proximity to these protected trees. A tree constraints plan has been submitted to support the application and illustrates the root protection areas (RPA) of these trees. The building footprint is shown to be as close to this theoretical protected area as possible, increasing the likelihood of root damage and soil compaction during construction. The space available for construction of the proposed dwelling, which is not constrained by the trees and their root protection area is very small.

- 11.7 Direct damage during construction would not be the only threat to the wellbeing of the trees. The relevant British Standard (BS 5837: 2012) states that 'Buildings and other structures should be sited allowing adequate space for a tree's natural development, with due consideration given to its predicted height and canopy spread.' The position of the proposed dwelling does not take into account the expected potential growth of large species trees such as Oak and is therefore contrary to the above. In turn it is highly likely that there would be future pressure to excessively prune or remove the trees to reduce their dominance and encroachment over both the existing and proposed dwellings and the small useable gardens. Given the crown density and size of the trees, very limited light will penetrate the areas beneath these trees regardless as to the time of day. The garden of the new dwelling would be shaded by the trees in the morning and afternoon and as the private garden would lie to the north of the dwelling, it would be shaded by the dwelling itself during the day. Furthermore, two of the oaks and the group of spruce trees would limit light available to the small garden of the existing bungalow. The small north facing gardens will have very limited light for a majority of the day, again an issue that will be exacerbated as the trees grow.
- 11.8 The proximity of the trees would also result in seasonal nuisance from leaf fall. The trees will shed a significant number of leaves year on year and this issue would become further exaggerated as the trees grow larger. This would be likely to add to pressure to prune or fell the trees to alleviate this issue, contrary to BS 5837: 2012. Furthermore the close relationship between the building and these large trees would be likely to lead apprehension from future occupiers as to the consequences that would come from part or whole tree failure, again adding to pressure for their removal or excessive pruning.
- 11.9 The trees have been protected because of the contribution they make to the character and setting of the village over the long term. To allow development that would result their loss would be contrary to Policy CP2. Consent for a dwelling in this location would be likely to result in direct damage to the rooting systems as a result of building operations, and there would also be long term pressure to remove or excessively prune the trees to gain adequate living conditions for the occupiers. The removal or substantial reduction of the trees would erode the character of the

plot and the wider village when viewed from both public and private vantage points, including the approach to the village by rail.

- 11.10 The application proposes a single storey dwelling, and there would be no risk of direct overlooking of neighbouring properties. As the gardens are long in the vicinity, the nearest neighbouring houses would be 30 metres from the dwelling. There is a substantial evergreen hedge on the rear boundary and mixed hedgerow on the west boundary, but garden hedges may not be protected through a TPO. In theory therefore the hedges could be removed at any time, which would increase the impact of the proposed dwelling from gardens to the north and west. However, it is not considered that the location of the proposed dwelling would warrant refusal of the proposal on the grounds of the impact on neighbouring residential amenity alone. The subdivision of the plot would result in significantly smaller plots when compared with others in the vicinity. It is appreciated that some dwellings in Addison Road have narrow plots but short restricted gardens do not accord with the predominant character immediately associated with the application site, contrary to Policies DP9 and CP8 of the Core Strategy.
- 11.11 The site lies within 400 metres of the New Forest Special Protection Area (SPA) and Policy CP1 requires developers to demonstrate that adequate measures have been put in place to avoid or mitigate any potential adverse effects on the ecological integrity of the SPA. These measures may be covered by a legal agreement by way of a unilateral undertaking to provide a financial contribution, but no such undertaking has been received.

12. RECOMMENDATION

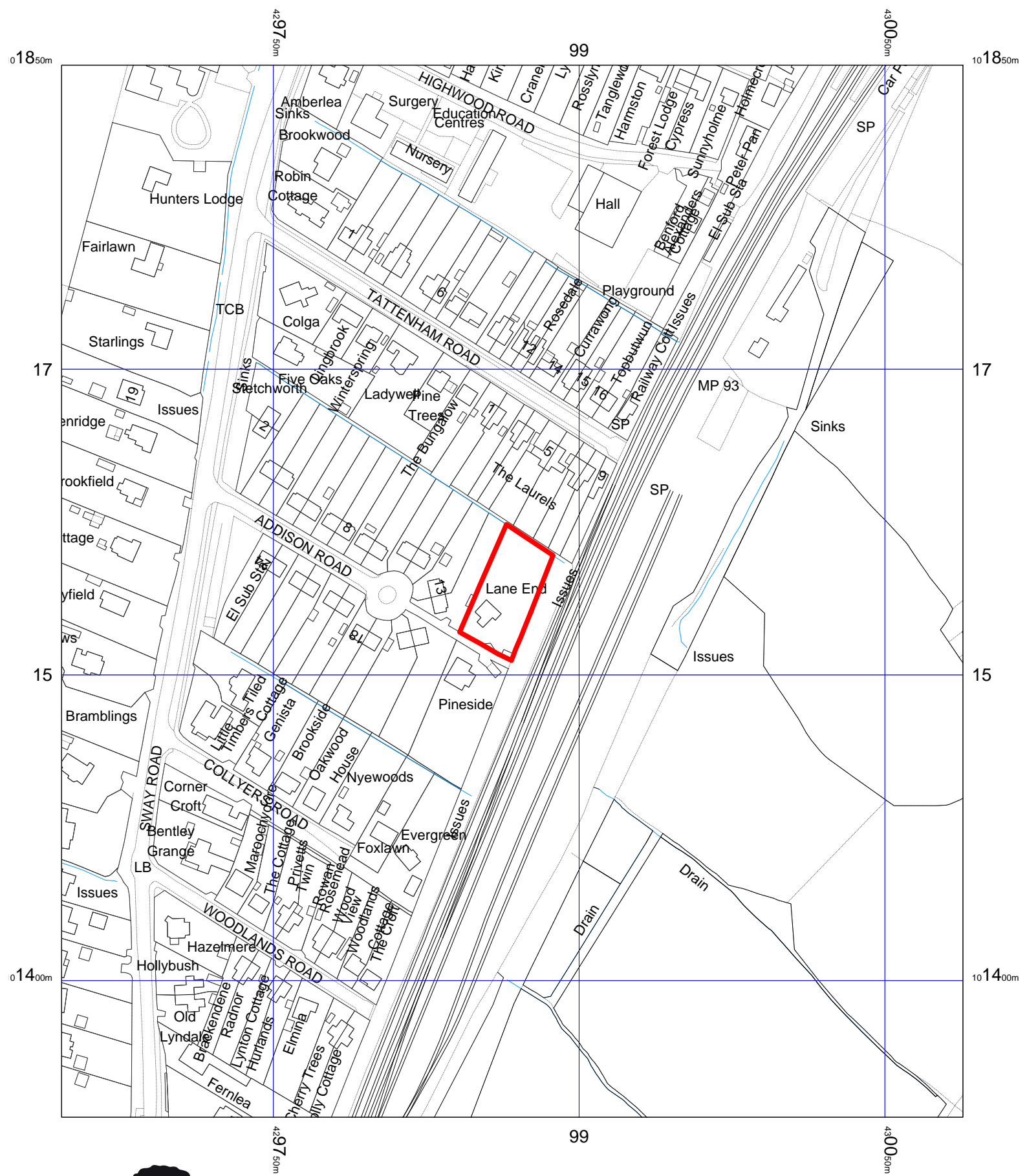
Refuse

Reason(s)

- 1 The proposed dwelling, by reason of its siting, would be out of character with the prevailing pattern of development in the vicinity resulting in a poor relationship with adjoining properties to the detriment of the character and appearance of the area. Furthermore, due to the plot size the development would result in a form of development which would be out of character with the more spacious nature of surrounding development. The proposal is therefore contrary to policies DP1, DP6 and CP8 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), Design Guide SPD, Ashurst and Colbury Village Design Statement SPD and the National Planning Policy Framework.

- 2 As a result of the development's layout, design, and proximity to important mature trees that are protected by a Tree Preservation Order, the proposed development would unduly threaten the long term future of these trees through likely future pressures from future occupants of the dwellings to have the trees significantly cut back or removed due to the trees' likely perceived dominance and shading effects. As such the proposal would be harmful to the visual amenities of the area contrary to policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD December 2010.

- 3 The development does not provide for any financial contributions or measures to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest and Solent Special Protection Areas (SPAs) as required by Policies CP1 and DP15 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 400m of the New Forest SPA and 5.6km of the Solent SPA are required to avoid or mitigate any potential adverse additional residential impacts upon the ecological integrity of the SPAs, as set out in the Development Standards SPD (adopted September 2012).



New Forest National Park Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG
 Tel: 01590 646600 Fax: 01590 646666
 Date: 01/06/2017

Ref: 17/00355/FULL
Scale: 1:2500

© Crown copyright and database rights 2017 Ordnance Survey 1000114703

