

**Application No: 16/00696/FULL Full Application**

**Site:** Land To The Rear Of Toby Cottage, Back Lane, Sway, Lymington, SO41 6BU

**Proposal:** Retention of Manege (revised land levels)

**Applicant:** Mr & Mrs Payne

**Case Officer:** Lucie Cooper

**Parish:** SWAY

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**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  
DP23 Maneges  
CP8 Local Distinctiveness  
CP2 The Natural Environment

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Guidelines for Horse Related Development SPD  
Sway Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Sway Parish Council: Recommend refusal for the reasons listed below:

The applicant has not complied with the terms of the original consent. As a consequence the manege which has been constructed has adversely impacted the visual amenity of the area to the detriment of the neighbours.

Furthermore, the applicant has failed to respect the established landscape features such as the hedgerow along the north eastern boundary of the site.

## **8. CONSULTEEES**

- 8.1 Landscape Officer: - Objected to previous application (although the application was subsequently granted) and similarly raised concerns regarding cumulative impact on landscape.
- 8.2 Environment Agency: - Confirmed that the discharge of clean surface water into the water course would not require consent from the Environment Agency.

## **9. REPRESENTATIONS**

- 9.1 Four letters of representation have been received from neighbouring properties objecting to the manege. Issues raised include:
- the increase in height and difference in levels of the manege over and above what was originally proposed and approved and resultant visual intrusion and loss of outlook to neighbouring properties;
  - the increase in height stated in the current application over and above that previously approved appears to be wrong; construction of the kickboards and fencing are not as shown on the plans and add to the visual intrusion;
  - anomalies in the drainage plans in place and those originally proposed and detailed in this application and potential of increased flood risk on adjacent land and downstream from the ditch;
  - banking of soil following construction of the manege and additional impacts upon flooding to adjacent land;
  - loss of trees and soft landscape to facilitate the development and the increased visual impact of the manege which has resulted;
  - the height of the hedge required by the condition is not adequate to screen the manege but a 3m hedge would appear overbearing and difficult for neighbours to maintain;
  - the applicant should plant suitable hedging on their own land; and smells emanating from the manege surface and the impact that this has on the amenity of adjacent properties.

## **10. RELEVANT HISTORY**

- 10.1 Manege (15/00812) approved on 19 January 2016.

## 11. ASSESSMENT

- 11.1 Toby Cottage is a detached, character dwelling with a thatched roof and rendered walls. It has a longitudinal form and is positioned side-on to Back Lane in Sway. It is surrounded by other residential properties, but is outside of the Defined Village boundary.
- 11.2 There are paddocks located to the rear (south, east and west) of the property, which are under the same ownership and are separated by post and rail fencing. The site comprises approximately 4 acres in total. There are two field shelters and a stable block located within the paddocks. There are also two protected trees within the rear grounds of the property close to the dwelling house and there is dense tree cover and soft landscaping along the boundaries of the paddocks. The land slopes downwards towards the south west.
- 11.3 This application proposes the retention of a 20m x 40m manege which has been constructed within the paddocks to the south of the property. The manege was constructed following planning permission 15/00812 being granted in January 2016, however the levels of the arena have changed from those of the original consent. The applicant advises on the application form that the *'land levels were slightly different on constructing the arena as materials were needed to be brought in'* to achieve a level surface.
- 11.4 The manege is sited along the north eastern boundary close to the rear boundaries of adjacent properties on Back Lane. An existing hedge separates the paddocks from the properties. The manege is accessed via the same track through the property which serves the stables and through a gateway in the paddock fencing within the site. The manege has a rubber surfacing with timber kick boards and post and rail fencing around its perimeter.
- 11.5 Given that the extant permission for the manege, involving cut and fill of the landscape, in this location it has been established that the principle of the development is acceptable. Therefore the main issues to consider are the impact of the importation of material and minor change in level on:
- Landscape and visual amenity of the area;
  - Drainage
  - Ecology
  - Neighbouring amenity;
  - Trees.
- 11.6 The case officer report for the previous consent sets out that the siting of the manege would be approximately 27m from the closest TPO protected tree. It was stated that the installation of

the manege would result in level changes but was considered to be a sufficient distance away to mean that it was unlikely that there would be any adverse impact upon the protected trees. The changes in levels to the manege as built would not have had any adverse impact upon trees. The large mature trees and dense hedgerows within the site and surrounding area continue to positively contribute to the area's visual amenity, character and setting.

- 11.7 The hedgerow along the north eastern site boundary and adjacent to the siting of the manege offers some screening to neighbouring properties. A condition was attached to the original consent, stipulating that this hedgerow was to be retained in perpetuity and maintained at a minimum height of 2m and minimum width of 1m. This was to ensure the satisfactory appearance and setting of the development and to protect the amenity of neighbouring properties. Alongside the levels proposed at that time this was considered to offer acceptable screening of the manege from neighbouring properties. This is not considered be materially affected by the increase in the level of the manege by approximately 150mm.
- 11.8 At the time of the case officer site visit for this application a section of this hedgerow (adjacent to Ivy Lodge and Forest Croft) had been removed. The applicant advised that this hedge was removed at the request of the occupants of one of the neighbouring properties (Forest Croft). The part of the hedge that was removed was holly and is proposed to be replaced with "bare root" hedging to include dog rose and hawthorn. This is considered to be an acceptable solution and should offer an opportunity for the hedgerow to grow in due course and such replanting may be secured by an appropriately worded condition.
- 11.9 Policy CP2 requires all development to be sensitive to the wellbeing of protected species and habitats. The case officer's report for the original application set out that as the land has been in use previously as a pony paddock there is minimal chance that the wellbeing of any protected species would be further compromised by the manege, providing that no lighting is used and no additional hedgerow or tree removal will occur. The loss of hedgerow is minimal and as such is unlikely to have had any significant impact upon species or ecology, subject to no further loss and the replacement of what has been removed as proposed on the applicant's land all of which will be secured by condition.
- 11.10 With regard to the changes in levels for the manege as built, the case officer report for the previous application set out that *'it is noted that some cutting away of the land will be required to construct the manege due to the slope in the land at the site, to a maximum of 550mm as set out in the D&A Statement. However, it is not considered that this would adversely affect the landscape character of the site.*

- 11.11 The information in the Design & Access Statement sets out that the levels of the manege changed when it was constructed as material was needed to be brought in to stabilise the ground and raise the levels slightly due to the wet conditions of the ground. It sets out that the manege only requires cutting in to a depth of 400mm – 430mm at the highest point in the landscape resulting in an increase of no more than 150mm higher than the original application.
- 11.12 The information submitted with the originally approved application showed that the north western most corner of the manege (Point A) had a depth of 150mm into the ground; the north eastern most corner (Point B) had a depth of 550mm into the ground (being the most excavation required); the south eastern most corner (Point C) a depth of 400mm into the ground and the south western corner (Point D) being at ground level. However, it was established during construction that a level manege could not be achieved without filling at points C and D.
- 11.13 The information submitted with the current application shows that Point A has a depth of 430mm into the ground; Point B 400mm (resulting in a change of +150mm from the approved level), Point C 550mm fill out of the ground and Point D 730mm fill out of the ground. The site contours and spot heights plan also demonstrates this change.
- 11.14 Details submitted set out that the fencing as built is as per the dimensions included in the original application. The increase in levels obviously means that this fencing is also at a higher level (+150mm) from the original ground levels as previously proposed.
- 11.15 The NPA Landscape Officer objected to the original application on the basis that the manege was not sensitively sited within the landscape but overall it was considered that the landscape character of the area would not be adversely affected. In response to this application the Landscape officer is concerned that the removal of parts of the hedgerow and unprotected trees has resulted in the manege being more visually intrusive but this can be overcome by the proposed replacement hedge planting secured by an appropriate condition.
- 11.16 Since the grant of planning permission 15/00812 Local Land Drainage at New Forest District Council has ceased to operate. Land drainage is now split between the Lead Local Flood Authority (Hampshire County Council) who deal with ordinary watercourses and surface water drainage in relation to 'Major Developments and the Environment Agency who deal with 'Main Rivers and flooding. The relevant body in this matter, given that this is defined as minor development and the designation of the stream to which runoff discharges, is therefore the Environment Agency.

- 11.17 The site lies outside Flood Zones 2 & 3 and, in relation to flooding, when assessing the proposals against the Environment Agency's standing advice, no flood risk assessment or consultation is required since the scheme does not lie within 20m of the main river and it is less than 1 hectare in area. Information submitted sets out that water from the site originally drained down the hill into the small stream/ditch at the bottom of the applicant's paddocks.
- 11.18 Drainage details for the manege were secured on the previous permission by condition and those details were submitted in relation to this condition in April 2016. NFDC Land Drainage Officers were consulted on these proposals and noted that no additional surface water would be passed to the watercourse and recommended that the surface water condition could be discharged on this basis. These details were agreed and the condition discharged on 28 April 2016 and have been implemented in order to deal with the run off from the manege.
- 11.19 In addition to these approved drainage works a trench has been dug along the entire north eastern side of the manege with a 'french drain' installed which directs water runoff from adjacent properties into a drainage pipe which also connects the soakaway across the paddocks into the stream/ditch at the bottom of the applicants land. Further drainage plans have been submitted for in order to clarify what has been carried out but these works do not form part of this application. Having regard to the concerns relating to the additional drainage to the watercourse it has been confirmed by the Environment Agency that the discharge of surface water into the stream would not require consent.
- 11.20 Concerns have also been raised regarding top soil that was removed from the area of the manege and deposited on the lower paddock of on the applicants land. The deposition of the top soil does form part of this application but in any event is not considered to be development and therefore does not require planning permission.
- 11.21 In summary the importation of material and minor increase in the level of the manege is considered to not adversely impact on the visual amenity of the area or neighbouring properties and the manege sits comfortably in the landscape. The changes do not have any greater impact on trees or ecology than the previously approved scheme.

## **12. RECOMMENDATION**

Grant Subject to Conditions

**Condition(s)**

- 1 Development shall only be carried in accordance with drawing nos: 001, JA 0001 VA Sht 1 of 1, JA-PA01-SITE-DE01 REV A, JA-PA01-SITE-DRAIN01. 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.

- 2 The manege the subject of this permission shall only be used for the exercising of horses belonging to the owner of the site (or their successors in title) and shall not be used for any commercial riding or training purposes or as an equestrian show arena.

Reason: The use of the manege on a commercial basis would cause harm by reason of increased activity and pressure on the National Park and this would be contrary to Policy DP23 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 No lighting shall be installed to illuminate the manege hereby approved.

Reason: To safeguard the visual amenities of the countryside and the amenities of nearby residential properties in accordance with Policies DP1, DP23 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 The part of the hedgerow along the north eastern boundary of the site adjacent to Forest Croft which has been removed shall be replanted with 'bare root' native hedging to include dog rose and hawthorn (at a minimum height of 120cm) within 8 weeks of the date of this decision and shall be retained and maintained in accordance with condition 5 of this permission.

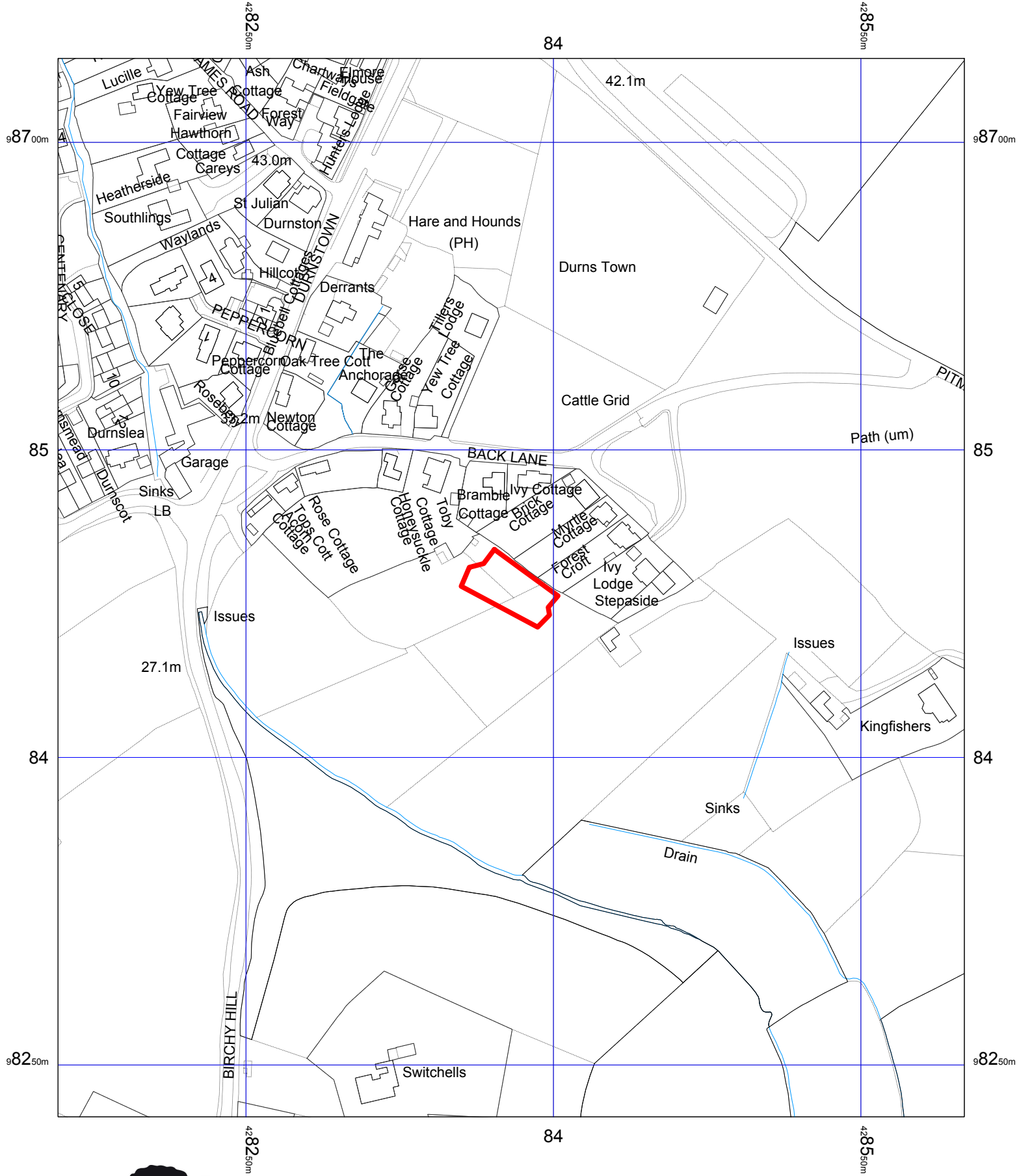
Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The hedgerow along the north eastern boundary of the site adjacent to properties Brick Cottage, Myrtle Cottage, Forest Croft and Ivy Lodge and adjacent to the manege hereby approved shall be retained in perpetuity and maintained at a minimum height of 2m and minimum width of 1m. Any trees or plants which within a period of 5 years from the completion of the development die 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 protect the amenity of neighbouring properties to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).





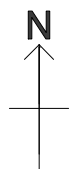
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 Date: 25/01/2017

**Ref: 16/00696/FULL**

**Scale: 1:2500**

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**Application No: 16/00892/FULL Full Application**

**Site:** White Meadow Camping, Lepe Road, Langley, Southampton, SO45 1XR

**Proposal:** Change of Use of land as seasonal camping site and erection of ancillary facilities

**Applicant:** Camping Unplugged

**Case Officer:** Katie McIntyre

**Parish:** FAWLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by Ward Councillor.

**2. DEVELOPMENT PLAN DESIGNATION**

Site of Special Scientific Interest  
Special Protection Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
CP1 Nature Conservation Sites of International Importance  
CP2 The Natural Environment  
CP8 Local Distinctiveness  
CP16 Tourism Development  
CP19 Access

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
Sec 11 - Conserving and enhancing the natural environment  
Sec 3 - Supporting a prosperous rural economy

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Fawley Parish Council: Recommend permission but would accept the decision reached by officers under their delegated powers. Considered to contribute to the local amenities.

## **8. CONSULTEES**

8.1 Ecologist: Recommends refusal

8.2 Landscape Officer: Recommends refusal

8.3 Highway Authority (HCC): No objection

8.4 Natural England: No objection in relation to SSSI subject to conditions

8.5 Tree Officer: No objection

## **9. REPRESENTATIONS**

9.1 Five representations of support:

- The site is not visible from the road.
- Camping offered is basic and provides a fuller experience of the National park.
- Provides a welcome boost to the local economy.
- Good to increase tourism in this area.

9.2 One representation of objection:

- The past 2 years the campsite has been operating numerous visitors have trespassed onto private land.
- The temporary bus stop outside the campsite was dangerous to road users.

9.3 One representation of support from the agent:

- Client would be happy to prohibit camping and vehicle parking within 10m of the woodland edge.
- would be happy to restrict dogs on leads but not to restrict dogs from the site altogether.
- The buildings are not visible from outside the site and therefore it would be hard to argue that they have any impact upon the landscape.
- There is currently no signage for the campsite but a sign would be required.
- Client would be happy to screen the bins or locate these within a timber store.
- Light would be minimal attached to the toilet/shower block and washing up area.

## 10. RELEVANT HISTORY

10.1 Temporary Stop Notice issued on 28 July 2016 (EN/16/0160):

*“Without planning permission the use of the land as a camping and caravan site including the stationing of portakabins and the erection of buildings in connection with the aforementioned use.”*

## 11. ASSESSMENT

11.1 The application site consists of approximately 6 hectares of agricultural fields which are sited outside of the defined New Forest villages within a rural area of the National Park. The site has an existing field access onto Lepe Road and the north western boundary of the site is lined with mature Oak trees. There are no pavements serving Lepe Road and the area has a strong rural character with the area surrounding the site characterised by open fields. The site is located adjacent to a SSSI and also falls within 1.1km of the Solent SPA. An area of ancient woodland is also within close proximity.

11.2 This application seeks consent for a seasonal campsite operating for 5 months together with ancillary structures consisting of a reception building, waste bins and stores, mobile caravan for manager accommodation, toilets and showers, portakabins and washing-up stations which would be spread across the north western boundary of the site. Except for the portakabins, all of the structures would be permanently located at the site even when it is proposed no camping would be taking place.

11.3 By way of background, as a result of an enforcement investigation the Authority served a Temporary Stop Notice on Camping Unplugged (the applicant) in July of last year to cease the camping at the site as well as requiring the removal of all buildings. The Temporary Stop Notice was served for the following reason and was subsequently complied with:

*The use and development operations are taking place on the land without planning permission and are contrary to adopted local and national policy. The continuation of the use and any further development operations are harmful to the character and amenity of the area.*

11.4 The relevant issues which need to be considered are:

- The extent to which the policies of the New Forest National Park Core Strategy support the introduction of new tourist accommodation in this location;
- The impact upon the character and appearance of the area and the special qualities of the National Park;
- Ecology;
- Trees; and
- Highway Safety

Principle of the development and the impact upon the character and appearance of the area and the special qualities of the National Park:

- 11.5 The New Forest is already well-provided for in terms of holiday accommodation, with many campsites, hotels, dwellinghouses and outbuildings across the Forest being rented as holiday lets. For these reasons policy CP16 (Tourism Development) seeks to ensure any new tourist accommodation would be small scale and allocated to the four defined villages (Brockenhurst, Sway, Ashurst and Lyndhurst). The only circumstances in which permission would be granted for tourist accommodation outside the defined settlement boundaries would be where it forms part of a well-founded farm diversification scheme. These schemes would be achieved through the extension or re-use of existing buildings.
- 11.6 In this case, the application site lies outside of the defined villages, does not relate to a farm diversification scheme and does not involve the re-use of existing buildings. Having regard to this it is considered that the proposal would be contrary to the requirements of Policy CP16 of the New Forest National Park Core Strategy. The supporting statement submitted with the application acknowledges the proposal would fail to meet the requirements of Policy CP16. It should also be noted that Policy DP18 precludes new campsites within the New Forest National Park for the very reason that campsites are already well-provided for in and around the New Forest. The supporting text notes that *“although many sites are seasonal they can have a significant impact on the New Forest environment”*.
- 11.7 Alongside the fundamental policy issues referred to above it is also considered the proposal would adversely impact upon the landscape and the special qualities of the National Park, introducing incongruous development that would erode the rural character of the area and result in a gradual suburbanising effect to the detriment of the special qualities of the National Park contrary to policy CP8.
- 11.8 It is recognised that it is not proposed that the camping pitches would be formally laid out at the site and it is also noted that no electric hook ups are proposed. There would however be a number of structures required in order to support the camping use. The bins, stores, mobile caravan and reception building would be located to the right of the access as you enter the site. An area of decking would be to the front of the reception. Eight large bins would also be located in this area; these would not be sited in a compound. To the left of the entrance a number of buildings would be spread across the site consisting of two washing up stations, two portakabins, eight portable toilets and two blocks of showers. These buildings and structures are

considered to be of a poor design and proportions having a utilitarian appearance with domestic elements at odds with the agricultural character of the site. Furthermore it would result in the proliferation of buildings across the site to the detriment of the character and appearance of the area and the wider landscape. The proposal would also have a harmful impact upon the tranquility of this area due to increased signage, external lighting and the general level of activity at the site. National Parks are afforded the highest status of protection with regards to landscape and scenic beauty as is confirmed by paragraph 115 of the NPPF. It is considered for the above reasons the proposal would have a detrimental impact upon the wider landscape and the visual amenities of the locality contrary to local and national planning policies.

11.9 The supporting statement submitted with the application states that providing Natural England issue a license to the applicant, camping up to 60 days in a year, but no more than 42 days consecutively, could occur on the land in any event in accordance with the Section 296 of the 1936 Public Health Act. The Authority is not aware that any such license has been granted and the agent/applicant has not provided such a certificate. Notwithstanding this, the application proposes a significantly greater number of days a year (153 days) than that which would be permitted by a Natural England license in any case. Moreover, exempted campsites are exempt from planning control because there are administered by an organisation as low-key sites which have minimal impact on the character and appearance of the locality. They do not permit permanent structures on the land which this application seeks consent for. The 'light touch' of these exempted sites would not be maintained if permanent structures associated with the use were to be permitted. The principle therefore of permanent facilities, such as those the subject of this application is unacceptable. There are many such exempted sites across the New Forest National Park which could make similar arguments in favour of providing permanent facilities, leading to the proliferation of buildings and the further suburbanisation and erosion of the special qualities of the New Forest National Park which would not be acceptable.

11.10 The application also seeks consent for the siting of a caravan which would be used as manager's accommodation. No justification has been provided with the application as to why this form of accommodation is required. Policy CP12 seeks to ensure that any new residential development would be restricted to the four defined villages of the New Forest which the application does not lie within. This policy also states that permission will not be granted for new residential caravans or mobile homes, except in accordance with policy DP13. No justification has been submitted with the application demonstrating an essential need for a rural worker to live permanently on-site in accordance with policy DP13. It would not therefore be appropriate in this instance to

warrant a departure from the strict presumption against new residential uses in the open countryside of the New Forest National Park. The proposal would therefore be expressly contrary to policy CP12.

Ecology:

- 11.11 The site is immediately adjacent to the North Solent SSSI and the southern tip of the site falls within this designation. It is also within close proximity to the Solent SPA, New Forest SPA/SAC and Ramsar as well as the North Solent NNR. The Authority's Ecologist has raised an objection to the proposal due to the significant effects from disturbance impacts likely to arise from the development contrary to policies CP1 and CP2 and the National Planning Policy Framework.
- 11.12 The Authority is the competent authority in accordance with the Conservation of Habitats and Species Regulations when assessing the impact upon internationally designated sites. Policy CP1 seeks to ensure that in the case of any proposals which may affect the integrity of an internationally important site for nature conservation, that 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.
- 11.13 The ecology report submitted with the application does acknowledge the proximity of the site to the New Forest and Solent SPAs. The report concludes that as these habitats are not located within the areas adjacent to the site, the regularisation of the campsite would not have a harmful impact. The report fails to consider however the potential impact of increased recreational activity can have upon bird populations in protected sites. The very fact that the proposal is for a campsite where people come to the New Forest to recreate has not been addressed. The Authority has adopted the Solent Disturbance Mitigation Project Explanatory Note and this states that in accordance with policy CP1 the Authority will seek contributions from all forms of development, including tourist accommodation, where there would likely be an adverse effect on the ecological integrity of the European Sites. This does not however preclude applicants offering on-site, or other bespoke mitigation measures. This is also similar for the New Forest SPA. No specific measures for mitigation accompany the application and thus without such supporting information, it has not been demonstrated that any additional impact associated with increased pressures arising from the change of use proposed would be mitigated against. The proposed development would therefore be contrary to the requirements of Policy CP1 of the adopted New Forest National Park Core Strategy.
- 11.14 The site also lies adjacent to, and forms part of, the North Solent SSSI. Natural England have raised no objections with regards to

the potential impact upon the SSSI subject to a number of conditions including:

- The collection of no firewood in any woodlands;
- Visitors must keep to footpaths through the woodlands; and
- Dogs must be on leads through the woods.

These conditions are not considered to meet the conditions test as set in the National Planning Practice Guidance as they are not precise or enforceable and as such would not be appropriate. It cannot therefore be ascertained that the proposal would not have an adverse impact upon this nationally designated site. The ecology report submitted with the application even states that as *"White Meadow Caravan Park is adjacent to areas of oak dominated ancient woodland, it is likely that visitors will access the nearby woodland for recreational purposes"*.

#### Trees:

- 11.15 There is a line of hedgerow trees adjacent to Lepe Road which contributes positively to the rural character of the area. The Authority's Tree Officer has confirmed that the proposed structures would not have a harmful impact upon these trees. Within close proximity to the site is also a belt of Ancient Woodland which could be vulnerable to soil damage due to compaction caused by vehicles and tents. It has been suggested that tents should not be located within 15m of the woodland edge. This is not something the Authority could condition.

#### Highway Safety:

- 11.16 Vehicular access to the site would be via the existing field gate onto Lepe Road. The Highways Engineer at Hampshire County Council has raised no objections to the proposal on highway safety grounds.

#### Conclusion:

- 11.17 The development would therefore result in the introduction of a new tourist business and residential use within the open countryside to the detriment of the rural character of the New Forest National Park. It would involve the siting of incongruous structures and the proliferation of buildings which would erode the local character resulting in a gradual suburbanising effect to the detriment of the tranquility and visual amenity of the locality. It has not been demonstrated that the proposal would be part of a farm diversification scheme or how it would contribute towards the understanding and enjoyment of the New Forest National Park without harm to the Park's special character. The application also does not put forward adequate measures to avoid or mitigate against the potential harmful impact upon the ecological of the SPAs or habitats and species of biodiversity importance. For



these reasons it is recommended that planning permission is refused.

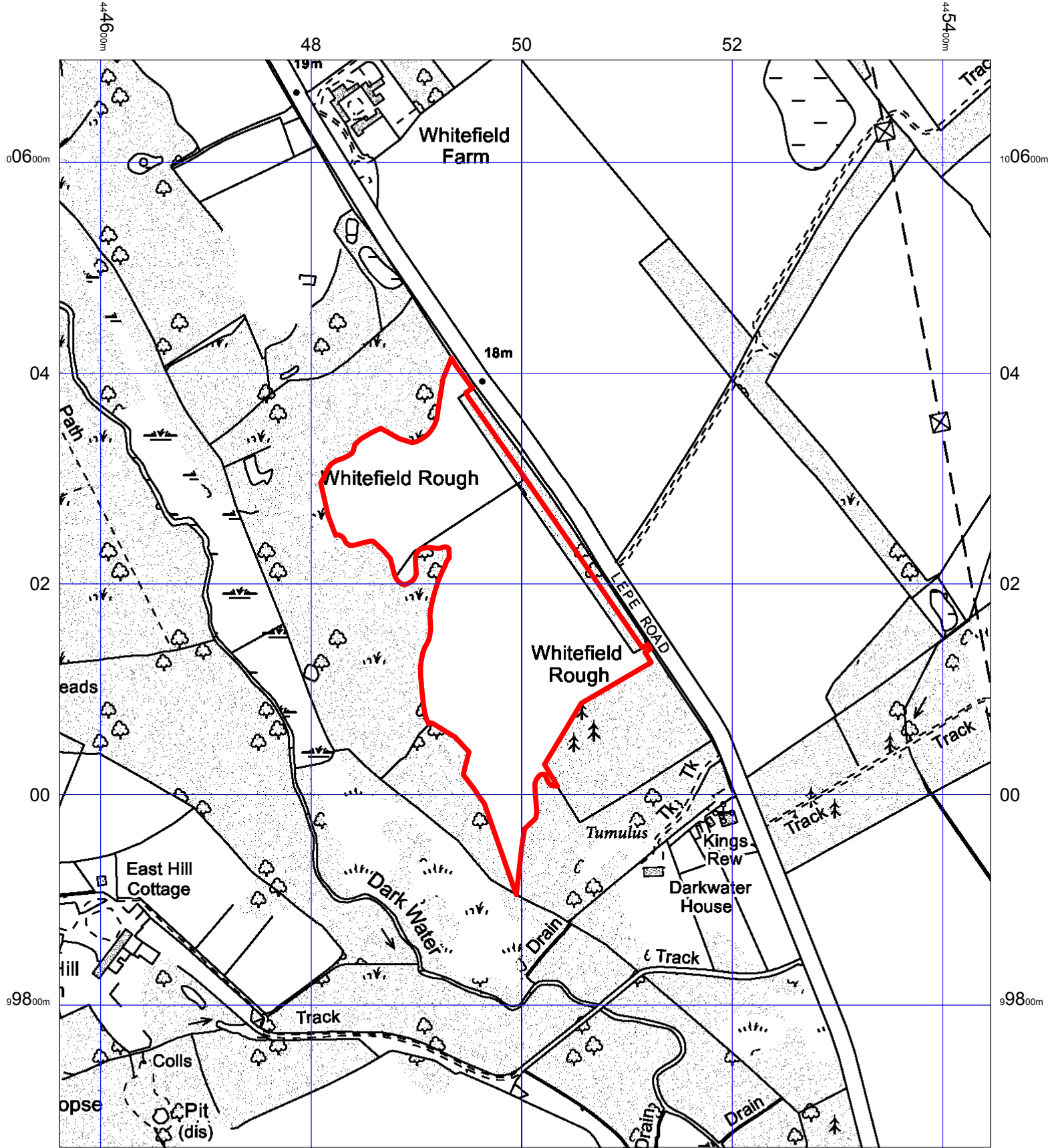
## 12. RECOMMENDATION

Refuse

### Reason(s)

- 1 The proposed development would result in the introduction of a tourism related business use in the New Forest National Park, outside any of the defined New Forest villages in the open countryside detrimental to the rural character of the New Forest National Park. The proposal would not form part of a farm diversification scheme and the application fails to demonstrate how it would contribute towards the understanding and enjoyment of the New Forest National Park without harm to the Park's special character. The proposal is therefore contrary to policies DP1, CP8 and CP16 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and the National Planning Policy Framework.
- 2 The proposal would result in a new residential use in the open countryside of the New Forest National Park to which no justification has been provided. The proposal is therefore contrary to Policies CP12 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and the National Planning Policy Framework.
- 3 The proposed development would have a harmful impact upon the tranquility and visual amenity of the locality and result in the proliferation of buildings within the open countryside which would erode the Park's local character resulting in the gradual suburbanising effect to the detriment of the special qualities of the National Park. The structures would appear incongruous in their setting being of a poor design to the detriment of the character and appearance of the area and the wider landscape. 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) and the National Planning Policy Framework.
- 4 No information has been submitted to demonstrate that adequate measures would be put in place to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest Special Protection Area (SPA) and the Solent SPA. Therefore there would be insufficient information to assess the potential impact upon the SPAs and the proposal would therefore be contrary to the requirements of Policy CP1 of the New Forest National Park Core Strategy and Development Management

Policies (DPD) (December 2010), the Development Standards SPD and the National Planning Policy Framework. Furthermore, insufficient information has been submitted with the application to determine that the proposal would not have harmful impact habitats and species of biodiversity importance contrary to policy CP2 of the New Forest National Park Authority Core Strategy and Development Management Policies (December 2010) DPD and the National Planning Policy Framework.



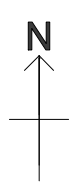
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 Date: 25/01/2017

**Ref: 16/00892/FULL**

**Scale: 1:5000**

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**Application No: 16/01026/FULL Full Application**

**Site:** Lakeside, West Common, Langley, Southampton, SO45 1XJ

**Proposal:** Alteration and single storey extension to existing outbuilding to create 1no. 2 bedroom holiday let

**Applicant:** Mr Cavell

**Case Officer:** Katie McIntyre

**Parish:** FAWLEY

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**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  
DP6 Design Principles  
CP12 New Residential Development  
CP16 Tourism Development  
DP19 Re-use of Buildings outside the Defined Villages  
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**

Fawley Parish Council: Recommend permission

## **8. CONSULTEEES**

- 8.1 Tree Officer: No objection subject to a condition
- 8.2 Highway Authority (HCC): No objections
- 8.3 HCC Access Development Officer (Planning): No comment received

## **9. REPRESENTATIONS**

- 9.1 One objection received:
- Another attempt to develop a stable and pig sty into housing.
  - Set a precedent.
  - Has not overcome previous reasons for refusal.
- 9.2 One comment received:
- Outbuilding used to be 2 stables and a pig sty. It has no foundations and is totally inappropriate for anything else but what it was constructed for.

## **10. RELEVANT HISTORY**

- 10.1 Extension to outbuilding; change of use to convert an existing outbuilding to form new dwelling ancillary to the existing house as a granny annexe (13/98922) refused on 21 January 2014
- 10.2 Extension to outbuilding; change of use to convert an existing outbuilding to form new dwelling ancillary to the existing house as a granny annexe (12/97867) refused on 23 November 2012
- 10.3 Bungalow (outline application with all matters reserved) (05/83686) refused on 7 March 2005

## **11. ASSESSMENT**

- 11.1 The application site consists of an existing outbuilding which lies to the south east of the main house and has been subdivided from the main garden by close boarded fencing. The outbuilding is accessed via the same vehicular access which serves the main dwelling and is considered to be an attractive structure with a traditional rural appearance. The site lies outside of the four defined New Forest villages and is situated in a rural area surrounded by fields and other dispersed dwellings. The lane leading to the application site is also a public right of way. This application seeks consent to alter and extend this outbuilding in order to create a 2 bedroom holiday let. No objections have been

received from the Highways Engineer with regards to access or parking and building's relationship with the neighbouring properties is such that it is not considered there would be an adverse impact upon their amenities.

- 11.2 The New Forest is already well-provided for in terms of holiday accommodation, with many dwellinghouses and outbuildings across the Forest being rented as holiday lets. The prevalence of holiday lets, particularly in sensitive countryside areas of the National Park, results in the erosion of rural character and tranquility, introducing an abundance of domestic use and paraphernalia. For these reasons Policy CP16 states that tourism development will only be supported outside of the defined New Forest Villages (Sway, Lyndhurst, Ashurst and Brockenhurst) where it is through the re-use of an existing building as part of a farm diversification scheme provided it is done in a way which provides opportunities for the understanding and enjoyment of the special qualities of the National Park and in a way that enhances, or at least does not detract from, those special qualities. Policy DP19 also supports the re-use of buildings outside of the defined villages subject to a number of criteria including that the proposal must not involve a residential use and that the building must be structurally sound and capable of conversion without significant extension or detriment to itself or its surroundings.
- 11.3 The proposed holiday unit would not form part of a well-founded farm diversification scheme and as such the proposal would be directly contrary to policy CP16. No information has been provided with the application as to whether the building is considered to be structurally sound or if it would be possible to convert this outbuilding, which was originally used as stables and a pig sty, without significant re-building. Furthermore, in order to accommodate the proposal it would be necessary to extend the outbuilding consisting of a single-storey extension which would have a footprint of approximately 3m by 5.7m. This addition would appear at odds with the traditional form and detailing of the existing building by virtue of its design as well as resulting in a more domesticated appearance and increasing the buildings overall visual impact within the landscape and as seen from the public right of way. The proposal would therefore also fail to comply with the requirements of policy DP19.
- 11.4 Policy CP12 confirms that new residential development is only permitted within the four defined villages which the application site does not lie within. The proposal would result in the introduction of a new 'C3' residential unit (holidays lets are considered to be a C3 use) which would be expressly contrary to policies CP12 and DP19. It should be noted that there have been several previous applications at this site to which planning permission has already been refused for the conversion of this outbuilding into new residential accommodation.

- 11.5 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 residential development 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.
- 11.6 The applicant acknowledges the proximity of the site to these SPAs however does not propose any specific measure for mitigation and no legal agreement has been submitted which is the only way a financial contribution towards habitat mitigation can be secured. Without such supporting information it has not been demonstrated that any additional impact associated with increased pressures arising from new residential development would be mitigated against. The proposed development would therefore be contrary to the requirements of Policy CP1 of the adopted New Forest National Park Core Strategy.
- 11.7 There is a group of protected trees on the east side of this site. The alterations and extension to the existing outbuilding would not adversely affect these trees. The location of the tree protection fencing shown in submitted Land Survey drawing No. cav sht 1 would provide sufficient protection for these trees during construction of this proposal.
- 11.8 It was apparent from the site visit that a close boarded fence has been erected around the host dwelling subdividing the outbuilding from the main property. This is shown on the submitted site plan by the blue line. The dwelling is also currently up for sale but the sale particulars only seem to relate to the main dwelling and not the outbuilding or the land around it. Further investigation may therefore be required as to whether the subdivision of the plot has resulted in a new planning unit being created and officers are currently looking into this matter.
- 11.9 In conclusion, it is considered the proposed change of use would result in a new unit of tourist accommodation within the open countryside whereby it has not been demonstrated that the proposal would be part of a farm diversification scheme. The proposal would involve the enlargement of the existing building at the site in order to accommodate the proposed use thereby increasing the building's visual impact upon the landscape. No information has been provided as to whether the existing building is structurally sound. The application does not put forward adequate measures to avoid or mitigate against the potential harmful impact upon the ecological of the SPAs. For these reasons it is recommended that planning permission is refused.

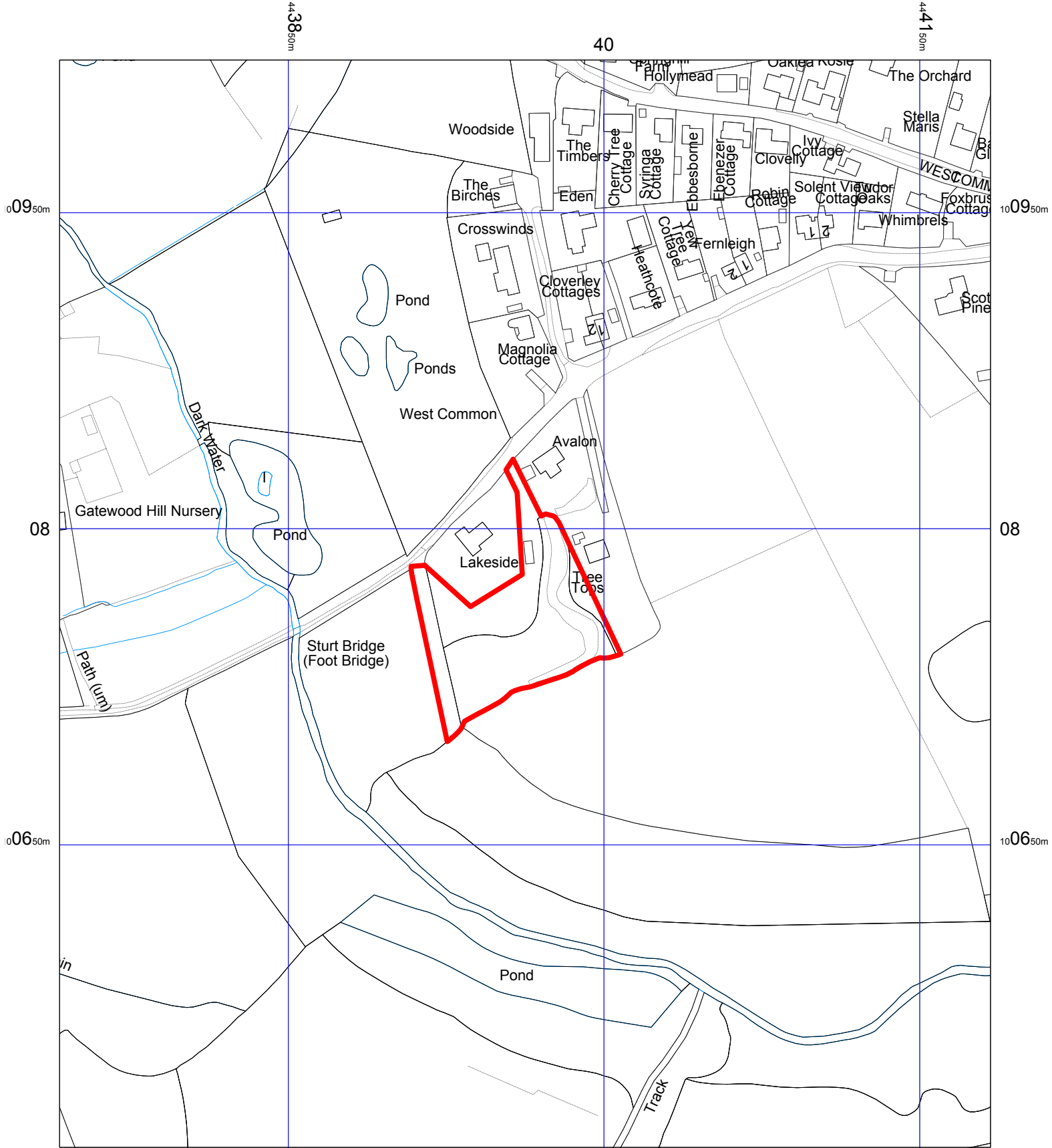
## 12. RECOMMENDATION

Refuse

### Reason(s)

- 1 The proposed change of use would result in one new unit of self-contained residential accommodation in the open countryside, detrimental to the rural character of the New Forest National Park. The proposal would not form part of a farm diversification scheme and the application fails to demonstrate how it would contribute towards the understanding and enjoyment of the New Forest National Park without harm to the Park's special character. Moreover, it would involve the enlargement of the outbuilding by virtue of an extension which would appear at odds to the existing building due to its poor design, increasing its visual impact within the landscape and resulting in a more domesticated appearance. The proposal is therefore contrary to policies DP1, CP8, CP16, CP12 and DP19 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and the National Planning Policy Framework.
  
- 2 No information has been submitted to demonstrate that adequate measures would be put in place to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest Special Protection Area (SPA) and the Solent SPA. Therefore there would be insufficient information to assess the potential impact upon the SPAs and the proposal would therefore be contrary to the requirements of Policy CP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), the Development Standards SPD and the National Planning Policy Framework.





**NEW FOREST  
NATIONAL PARK**

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

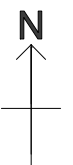
Tel: 01590 646600 Fax: 01590 646666

Date: 25/01/2017

**Ref: 16/01026/FULL**

**Scale: 1:2500**

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**Application No: 16/01028/FULL Full Application**

**Site:** Fernlea, Sway Road, Brockenhurst, SO42 7SG

**Proposal:** Change of use to house of multiple occupation for use of up to 12 people

**Applicant:** Mrs C Simons

**Case Officer:** Deborah Slade

**Parish:** BROCKENHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP12 New Residential Development  
DP1 General Development Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Development Standards SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 3 - Supporting a prosperous rural economy  
Sec 6 - Delivering a wide choice of high quality homes

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: object to this proposal for the same reasons as for the previous application, the reduction in numbers to 12 persons has not allayed any of the previous concerns. Whilst the councillors were very sympathetic to the intention to provide accommodation for local hotel workers, they are concerned at the potential for noise disturbance to the neighbouring dwellings and increased vehicular movements on the site, possibly at unsocial hours. The potential for increased parking on Sway

Road was also a concern. Once HMO status is granted it would be permanent and future use could be even more disruptive to the neighbours than this proposal.

## **8. CONSULTTEES**

- 8.1 Highway Authority (HCC): No objections provided the gates are widened to 4.5 metres and cycle parking is provided.
- 8.2 New Forest District Council (Employment & Tourism Officer): Supports the proposal as it will support local businesses and will be an economic benefit to the Forest.

## **9. REPRESENTATIONS**

- 9.1 16 letters of objection received, mainly from adjacent residents:
- Concern about who will live there
  - Increased noise
  - Increased traffic movements and insufficient parking and turning space on site
  - Highway safety problems
  - Environmental impacts
  - No supervision of residents
  - Will not provide for Forest residents
- 9.2 Objection received from the Friends of Brockenhurst on grounds of noise and traffic at unsociable hours; impact upon the residential amenity of surrounding neighbouring properties; impact upon the SPA. The proposal is not aimed at the residents of the National Park.
- 9.3 Nine letters of support received, mainly from local businesses who need such accommodation for staff:
- Staff work long hours and need to live close to their work
  - The hotel industry does not pay well enough for staff to live in the New Forest. It is hard to retain senior staff due to the cost of living in the area
  - There is very little other suitable accommodation in the New Forest.

## **10. RELEVANT HISTORY**

- 10.1 Change of use of House of Multiple Occupation (HMO) for use by up to 12 people (16/00854) withdrawn on 29 November 2016
- 10.2 Change of use to domestic residence (Use Class C3) (16/00580) approved on 1 September 2016
- 10.3 Rear conservatory (08/93620) approved on 15 January 2009

## 11. ASSESSMENT

- 11.1 Fernlea is a 12-bedroom premises, formerly in lawful C2 use as a care home. In 2016, consent was granted to change the building to a single dwellinghouse (C3 use) and then it was converted to a small House of Multiple Occupation (C4 use) under permitted development rights. It is presently lawfully used by up to 6 people as a HMO. The building provides accommodation for young professionals who could not otherwise afford to live in Brockenhurst, many of whom work in hotels in the vicinity of the site.
- 11.2 However the building is already large, having 12 bedrooms, and consent is therefore sought to allow up to 12 people to live in the house. There would be no physical changes necessary to the building to provide for this, although access and parking arrangements would be amended to enable better vehicular access to and from the site.
- 11.3 The main issues to consider are whether the proposal would affect neighbouring amenity or the character of the area; whether this would deliver a form of "affordable" housing for hotel workers; whether it would consequently support local businesses.
- 11.4 As the site comprises a large building which has historically (and until very recently) been used for quite intensive institutional purposes, it is not considered that the proposal would result in a significant increase or impact of activity. Fernlea was most recently used as a specialist residential facility for up to 12 young adults aged 16 to 25 with autistic spectrum disorder, including Asperger's syndrome, associated learning difficulties and complex emotional and behavioural needs. The neighbouring sites comprise Daisybank Cottage, a B&B which accommodates up to 16 people, and the long back gardens of residential properties along Woodlands Road. Fernlea is already equipped with kitchens, utility spaces and a communal lounge so is fully equipped to provide for 12 people in a shared living arrangement. There is sufficient parking space at the back of the site and the nature of the residential activity proposed is not likely to cause undue noise or disturbance to surrounding residential properties, or any other tangible impact upon residential amenity. The building is under-used at present by enabling only 6 of the 12 bedrooms to be used, and the future of the building is likely to be of an institutional nature due to its existing scale and type of accommodation.
- 11.5 The character of the area will change very little as a result of the proposal. The only visible changes will be the removal of 2 parking spaces from the front of the site, and their displacement to the back of the site, and the widening of the front access to allow two cars to pass. This would result in the gate being moved

slightly further back into the site with no consequential impact upon the streetscene. The exact details of the new gates to be provided can be secured by planning condition.

- 11.6 The Authority's policies acknowledge the difficulty of providing and retaining affordable housing in suitable locations. There is also increasing pressure on existing business premises to provide staff accommodation, as evidenced by several recent planning applications at hotels and licensed premises across the Forest. This proposal would make use of a suitable, existing building to meet a particular local need for staff accommodation, and would consequently help to support local businesses to retain staff, thus meeting the Authority's duty to foster economic and social well-being without detracting from the Park's purposes. Allowing accommodation here reduces pressure for accommodation at individual sites throughout the forest.
- 11.7 The application is supported by several local businesses who wish to make use of the proposed accommodation, such as Careys Manor, Forest Park Hotel, Thatched Cottage Hotel, Rhinefield House Hotel and Cottage Lodge Hotel which the applicant runs. The current occupants work at Elmers Court, Lymington and in various restaurants in Brockenhurst. Presently there are only 2 cars between 6 people. The site would provide sufficient on-site parking as required by the Development Standards SPD, and is located where there are good rail and bus links. Cycle parking facilities are also available at the site in an existing outbuilding.
- 11.8 Concern has been raised by local residents about the 'lack of supervision' of the residents. The residents will not require supervision; they have no special requirements and would live in the house in a normal residential fashion. Whilst some may undertake shift work this will not have any significant impact upon the amenity of neighbouring properties. The building overall will be managed by the applicant who is based a short distance up Sway Road at Cottage Lodge Hotel.
- 11.9 Given that the building already provides 12 bedrooms it is not considered that it would be reasonable to require SPA mitigation in this instance. As the accommodation already exists, it is only reasonable to assume that it will be in some way inhabited.
- 11.10 Concern has been raised by residents that 12 people will escalate into a greater number of people living at Fernlea. However it is usual with such HMO cases to condition the number of residents; this can be enforced in the normal way. It is therefore recommended that consent is granted subject to conditions.

## 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 development hereby permitted shall not be occupied by the 7th - 12th person until the arrangements for parking and turning within its curtilage (including cycle parking) have been implemented in accordance with drawing 196.01 B. Prior to the installation of any new gates, the details of these shall be submitted to and approved in writing by the Local Planning Authority.

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.

- 3 The number of occupiers within the property shall not exceed 12 persons.

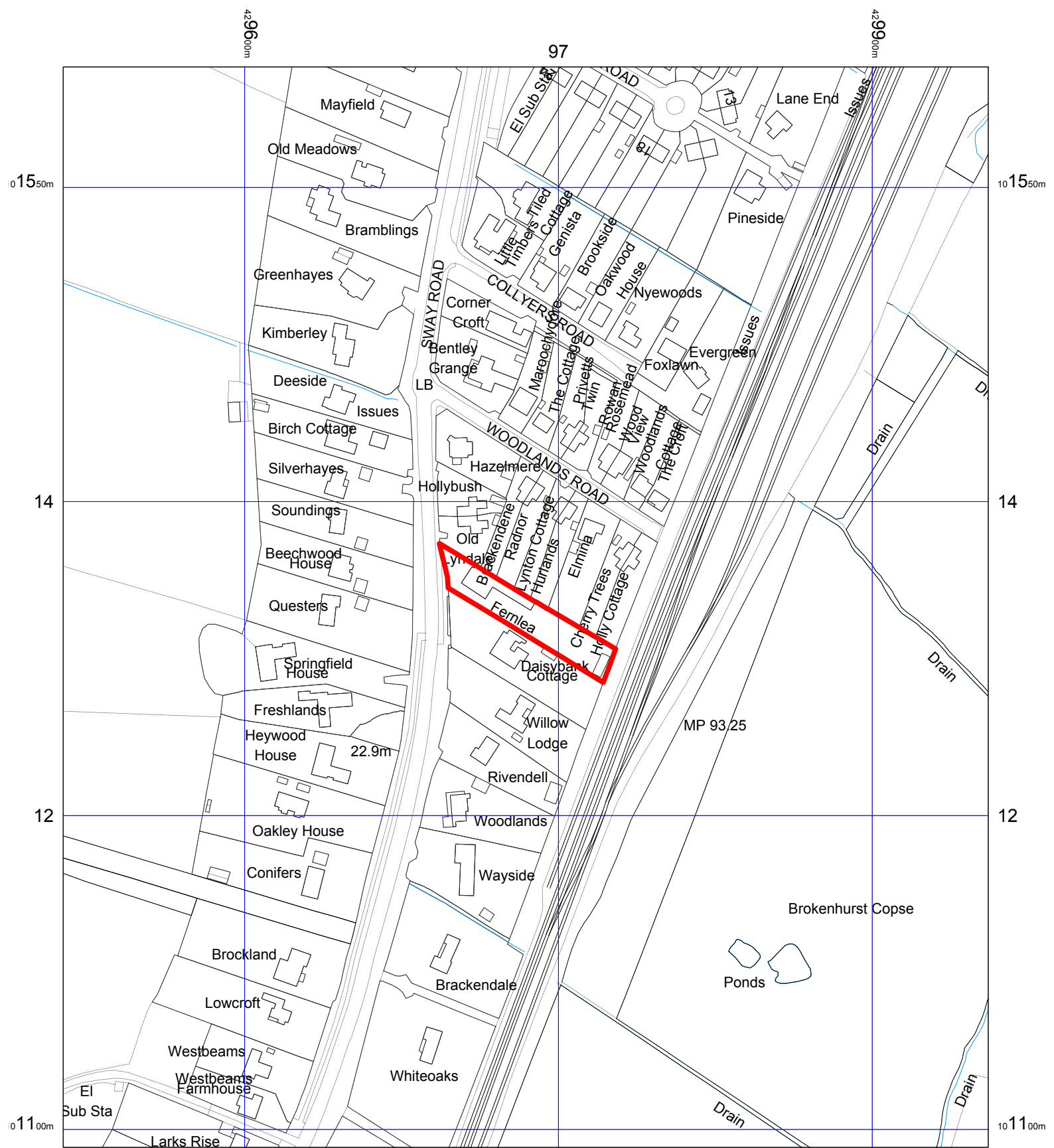
Reason: In the interests of protecting the residential amenity of local residents from intensification of use and to define the nature of the consent for the avoidance of doubt; in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

Drwgs; 196.01 Rev B, 196.02.

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

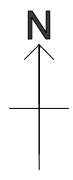
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.



New Forest National Park Authority  
 Lymington Town Hall, Avenue Road,  
 Lymington, SO41 9ZG  
 Tel: 01590 646600 Fax: 01590 646666  
 Date: 02/02/2017

**Ref: 16/01028/FULL**  
**Scale: 1:2500**

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**Application No: 16/01077/FULL Full Application**

**Site:** Land Adjacent To Wootton Old Farm, Brownhill Road, Wootton, New Milton, BH25 5TT

**Proposal:** Stables and hay barn

**Applicant:** Mr I Downie

**Case Officer:** Carly Cochrane

**Parish:** BROCKENHURST

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**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  
CP8 Local Distinctiveness  
DP22 Field Shelters and Stables

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Guidelines for Horse Related Development 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**

Brockenhurst Parish Council: Recommend refusal. Whilst there is no objection to the principle of a replacement field shelter with two stables and a hay store, object to the location as the increased size and intensified use of the new building will have a detrimental impact on the amenity of the neighbouring dwelling. An alternative location should be sought for the new building.



## 8. CONSULTEES

No consultations required

## 9. REPRESENTATIONS

9.1 Two letters of representation have been received from the occupiers of neighbouring properties in support of the application. The comments made are summarised as follows:

- Development is sufficiently positioned away from the neighbouring property as not to shade them
- Horse shelter is already of considerable size and has been there for years in more or less continual use.
- Various stables have used [the field shelter] for many years
- Cannot see any problem with the proposal
- Paddock has always been used for equestrian purposes

9.2 One letter of representation has been received from the occupiers of a neighbouring property, raising objections to the application. The comments made are summarised as follows:

- No rationale behind the decision for the location; no reason it should be so close to [our] property. DP22 clearly states that stables should be located close to existing buildings (in this case Wootton Old Farm) i.e. close to the western edge of the paddock. Would be more convenient as there is a fence gate on the western edge of the paddock.
- Consider that concerns raised as part of the previous application have not been reasonably addressed; they have been exacerbated.
- Footprint of proposed development (including the concrete apron and hoggin) is almost 80sq.m; this exceeds the footprint of [our] house. This is clearly an extremely large development in an obtrusive location.
- Proposed to locate the development on the northeast edge of the paddock 25m from [our] fence line. This will result in a massive invasion of privacy by virtue of the human activity, at least twice a day, creating a very intrusive environment.
- There would be significant light pollution from the proposed stable and hay store.
- Noise pollution due to use of vehicles to access the stables and hay store

Further comments have been received from the occupier of a nearby property; the comments are considered neutral, and the comments and suggestions made broadly reflect those mentioned above.

9.3 A letter of representation has also been received from Friends of the New Forest; the comments made are summarised as follows:

- Object to this application as it did to the earlier application
- Policy DP22 states stables should be close to existing buildings in order to conserve the natural beauty of the National Park.
- Inconvenience is not an exceptional circumstance and the stables should be located close to existing farm buildings.

## 10. RELEVANT HISTORY

- 10.1 Field shelter and hay store (demolition of existing field shelter) (16/00887) withdrawn on 13 December 2016

## 11. ASSESSMENT

- 11.1 The application site comprises an agricultural field measuring an area of approximately 0.8 hectare, located to the east of the dwellinghouse of Wootton Old Farm, however separated by the driveway of the neighbouring property of Wootton Ruff (to the western boundary). Brownhill Road runs parallel with its southern boundary; the eastern boundary is shared with that of the neighbouring property of The Potts, and beyond the tree lined northern boundary is agricultural land. The field access is located to the south eastern corner, close to the boundary with The Potts, as is the water source. The land is enclosed along all boundaries by a post and rail fence, and there is an existing field shelter adjacent to the eastern boundary.
- 11.2 This application seeks planning permission for the removal of the existing field shelter and erection of 2 stables and a hay store, laid out in an 'L' shape and contained within one building measuring approximately 10.8 metres in width, 5.5 metres in maximum depth and 3 metres in height to the ridge, with an overall footprint of 45m<sup>2</sup>. There would be a concrete 'apron' to the front, and the building would be constructed of timber with a black onduline roof. The building would be sited approximately 25 metres west of the boundary with The Potts, and between 3 and 5 metres from the rear boundary, so as not to impact upon the Root Protection Area of trees within the adjacent property. No external lighting is proposed. The proposed area of hoggin to the front of the buildings has been removed from the application through negotiation.
- 11.3 The area surrounding the application site, including that which is served by Brownhill Road, Wootton Farm Road and Rhinefield Road, is agricultural in character. Land is primarily separated by post and rail or post and wire fencing, creating a spacious appearance. There are a significant number of agricultural and domestic outbuildings within the area, including a variety of stables, field shelters, barns and garages, most of which, by virtue of the rural style boundary fencing and even ground levels, are

visible from the gravelled roads which separate the land.

- 11.4 Application reference 16/00887 was for the same development but of a larger scale and in the location of the existing field shelter. This was withdrawn following objections from the Parish Council, occupiers of a neighbouring property, and from the Friends of the New Forest. The comments and objections related to the proposed size, location, and intensified use of the field, and also queried whether there was a material change of use of the land, along with fire safety concerns. Subsequently, significant discussions were undertaken between officers and the applicant with regard the location and size of the proposal in order to overcome the objections. The current application is the product of these discussions.
- 11.5 The Authority's Guidelines for Horse Related Development Supplementary Planning Document (herein referred to as the Horse Related Development SPD) highlights the difference between the use of land for grazing, and the more intensive use of recreational horse keeping, and a judgement can normally be made on the basis of the area of grazing land available per animal. As a guideline, the more intensive 'keeping of horses' generally occurs when there is less than 0.5 hectare of land per horse; this figure is the median point between the 0.4 and 0.6 hectares recommended by DEFRA's Code of Practice. The area of land subject to this application measures 0.8 hectares; there would be 2 stables, and it is stated within the application that there would be a maximum of 2 animals on site. This would comply with the DEFRA guidelines, and as such, it is not considered that this proposal would facilitate a change of use of the land. Any increase in the number of animals could constitute a change of use of the land for which permission would be required.
- 11.6 Concern has been raised with regard the siting of the proposal when assessing it against Policy DP22 of the Core Strategy, which states that stables 'should be located close to existing buildings'. In this instance, the existing building of the field shelter would be demolished, and there are no other agricultural or other buildings within the site. The closest building is that of dwellinghouse and outbuildings at the neighbouring property of The Potts. Following objections raised by the neighbours, the proposed stables and hay store have been moved away from the shared boundary, and is proposed to be sited approximately 25 metres to the west, and close to the rear boundary; the proposal was previously 8 metres from the boundary as per the existing field shelter. It is also noted that the vehicular access into the field from Brownhill Road is located to the south east of the site, as is the water source and trough. There is a further gate providing access into the field, via the driveway for Wootton Ruff, however it is understood that the applicants do not have right of way over this driveway and therefore cannot reasonably be expected to use this access. The proposal would be set against the backdrop of a

row of trees which are within the ownership of the land to the rear, so as to appear as inconspicuous as possible in accordance with the Horse Related Development SPD. As such, and being that there are in fact no other buildings within the site for the proposal to be located close to, it is considered that the proposal would be sited in a location which would be appropriate, and the proposal would comply with Policy DP22.

- 11.7 As previously mentioned in paragraph 11.3 of this report, there are a number of other buildings within the area, which complement the agricultural character. The proposal would be constructed of timber, and set against the backdrop of a row of trees so as to soften the appearance of the buildings within the landscape. As such, it is not considered that the proposal would result in any significant adverse impact upon the character or appearance of the area.
- 11.8 Objections have been raised by the occupiers of the neighbouring property and Parish Council with regard the location of the proposal with regard adverse impact upon amenity. Suggestion has been made that the proposal should be sited to the western side of the field, and thereby closer to the dwellinghouse of Wootton Old Farm, however as discussed in paragraph 11.6 of this report, the location of the proposed building is considered acceptable. The remaining concerns relate to the proximity of the proposal to the neighbouring property, and the subsequent light and noise pollution, and loss of privacy from those using the stables and hay store. No external lighting has been proposed, and an appropriate condition can be attached to ensure that none shall be installed. The building has been designed in an 'L' shape, with the longest length facing the shared boundary so as to screen the majority of activity from the neighbouring property. The buildings are within easy walking distance of the property of Wootton Old Farm, and no access track has been proposed.
- 11.9 With regard loss of privacy and the propensity for the applicants to have sight of the garden area of The Potts, it is noted that a post and rail fence comprises the boundary treatment, and there is no other screening between the property of The Potts and the application site. As such, it is considered reasonable to suggest that any activity within the field, and likewise any activity within the rear, side and front garden areas of The Potts, would be equally visible from either side of the boundary. Indeed, the rear garden of The Potts is partially visible from Brownhill Road. The use of the field is considered agricultural and not recreational, and as such the level of activity should be commensurate with this use. Overall, it is not considered that the proposed development would result in unreasonable adverse impacts upon neighbouring amenity with regard loss of privacy.
- 11.10 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP22, and

**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: 01, 02, 03-1, 03-2, 04, 07.

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

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

- 3 No external lighting shall be installed on the site.

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).

- 4 The buildings the subject of this permission shall only be used for the stabling of horses belonging to the owner of the site (or their successors in title) and shall not be used for any commercial riding, breeding, training or livery purposes.

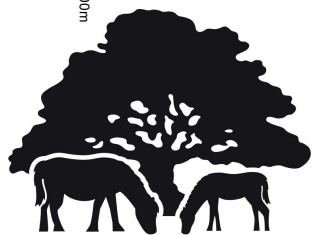
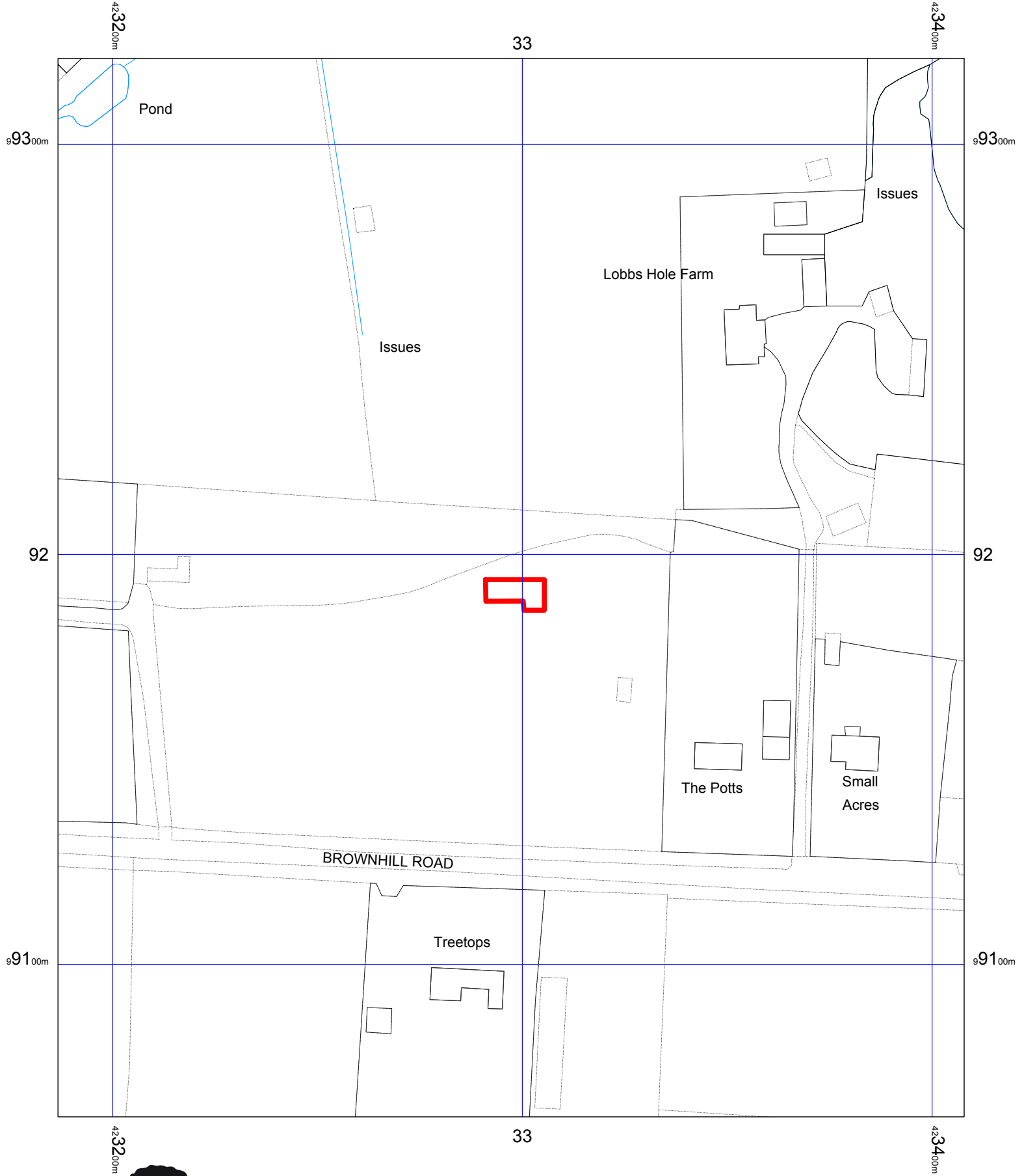
Reason: The introduction of a commercial equestrian use in this location would cause harm by reason of increased activity and pressure on the National Park and this would be contrary to Policy DP22 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 No mobile field shelter, structure or building other than that shown on the approved plans shall be erected or situated on the land edged RED on the approved plans without express planning permission having first been granted.

Reason: To ensure the development would not lead to a more intensive use of the land and to limit the proliferation of any new structures in the landscape in accordance with Policies DP21 and DP22 of the adopted 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 order revoking or re-enacting that order, no hard standing shall be formed at the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance in accordance with 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  
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Lymington, SO41 9ZG

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