

**Application No: 15/00767/FULL Full Application**

**Site:** Shirley Holms Farm, Shirley Holms, Sway, Lymington, SO41 8NH

**Proposal:** New Commoner's dwelling; new agricultural barn; new stables

**Applicant:** Mr J Moore

**Case Officer:** Clare Ings

**Parish:** SWAY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Application for commoner's dwelling requiring committee determination

**2. DEVELOPMENT PLAN DESIGNATION**

Special Area of Conservation  
Special Protection Area  
Site of Special Scientific Interest  
Ramsar Site

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
CP2 The Natural Environment  
CP7 The Built Environment  
CP11 Affordable Housing  
DP1 General Development Principles  
DP20 Agricultural and Forestry Buildings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Sway Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Sway Parish Council: Recommend permission for the reason below:

- Sway residents thoroughly support commoning
- the approval of the NFNPA Commoners Dwelling Scheme Panel and the two close neighbours is noted
- the design and style of the commoners dwelling is appropriate
- that there is assurance that this development - including the barn and any other outbuildings - could only ever be used for commoners
- the current screening to be maintained and further screening from Jealous Lane would be welcomed

## **8. CONSULTEES**

- 8.1 Ecologist: Support subject to conditions relating to development being carried out in accordance with the submitted ecology report (including securing S106 contributions for mitigation)
- 8.2 Landscape Officer: No objection subject to conditions for landscaping and restricting lighting.
- 8.3 Tree Officer: No objection, subject to conditions relating to the protection of trees/hedges during all aspects of clearance and construction.
- 8.4 Land Drainage (NFDC): No objection subject to condition relating to the surface water drainage.
- 8.5 Natural England: awaiting further comments on the need for s106 contributions, to be reported orally at the meeting.

## **9. REPRESENTATIONS**

- 9.1 Five letters of support - the proposal would allow the applicant to continue commoning.

## **10. RELEVANT HISTORY**

- 10.1 None relevant.

## **11. ASSESSMENT**

- 11.1 Shirley Holms Farm lies to the north of Shirley Holms Road and comprises a farm house and barns with paddocks to the north and west of the buildings. It is run by the applicant's mother as an equestrian centre, and is accessed from the road via two accesses, one directly adjacent to the dwelling and the other further along the road to the west. The application site is accessed via the latter of these two entrances and is approached via a track which turns west at right angles around a paddock in separate ownership. Currently the site is a single field, moderately level at its southern end, but then dropping down into a valley. The eastern and northern boundaries are formed by post and wire fencing, and the west boundary comprises trees,

including a small copse of mixed Oak and Pine in the south-west corner. Beyond that boundary is the open forest.

- 11.2 To the south of the site is a semi-detached pair of dwellings, whilst to the east is St Dominic's Priory. There is sporadic residential development at Jealous Holding to the north and woodland to the south.
- 11.3 The application is for a commoner's dwelling and associated barns. The dwelling would be located within the site to take advantage of the limited level part of the site, with a barn and stables completing a courtyard arrangement. Access to the site would use the existing gravel track, and the remainder of the land would be left as paddock. The dwelling would be a two storey red brick building under a slate roof with a single storey timber lean-to element to the rear, and would have a total internal floorspace of just under 120m<sup>2</sup>. The barn would measure approximately 18m by 9m with a roof height of just under 4m and would be constructed of plastic coated steel cladding and box profile sheeting. The stable would provide accommodation for three horses/tack room and open store and would measure just over 3.5m by 18m with a height of approximately 4m.

### **Policy background and Commoners Dwelling Scheme**

- 11.4 New residential development is very strictly controlled within the National Park under policy CP12, the exceptions being for agricultural or forestry workers, or for affordable housing, which encompasses commoners' dwellings. Specifically, there is a concern that the lack of suitable accommodation for commoners could threaten the sustainability of commoning in the future. The Commoner's Dwelling Scheme (CDS) was set up in 1992. Its purpose was to enable commoners, who met certain criteria and were prepared to enter into appropriate legal obligations, to obtain planning permission to build dwellings outside the defined villages from which they could common. The occupation of dwellings permitted under the CDS would be strictly controlled.
- 11.5 The Authority took over the CDS in 2006 and a Review of the CDS was undertaken in 2011 to consider the robustness of the legal framework, the eligibility criteria and the scale of holdings developed. A further report setting out the background to the CDS and wider concerns raised about the administration of the CDS was considered at a meeting of the Authority on 28 March 2013.
- 11.6 Applications for commoners' dwellings are considered under Policy CP11 (affordable housing) and follow a three stage process. Stage One is the consideration of an applicant's eligibility by the Commoner's Dwelling Scheme Panel (CDSP) who provide an initial recommendation as to whether an applicant should be considered as an appropriate person to apply for

planning permission under the CDS. Stage Two is the determination of the planning application by the Authority, all elements for planning application being considered in the usual way, and Stage Three is the completion of various legal agreements, obligations, transfers and leasing arrangements.

### **Stage One - satisfying the eligibility criteria**

- 11.7 As part of this Stage One process, an applicant must demonstrate that they are a genuine commoner with an established recent history of commoning in terms of the number of stock depastured (a minimum of five ponies and/or cattle for at least seven years in their own right, or the same number of stock in their own right for at least five years, plus two years with their family), their needs for housing, demonstrating that commoning cannot be carried out from their current address and that they do not have access to another property from which to common. In addition, the land must have common rights of pasture, be a minimum of two acres and be owned by the applicant.
- 11.8 The commoning history relates to stock (payment of marking fees), animal welfare and agister's references. The applicant also has to be financially capable of building the dwelling. The information relating to the commoning history is checked by the Verderers, and the Commoners Defence Association is consulted. This is the information that the CDSP considers and upon which it makes a recommendation on the eligibility, or otherwise, of an applicant, as a candidate for the CDS. In these respects, the criteria of the CDS have been met, and the CDSP were therefore supportive of the proposed arrangements subject to safeguards being in place through legal agreements.
- 11.9 The applicant, who currently resides at Shirley Holms Farm, has been running some stock (11 ponies) from this current address and also his cattle from his father's stock at Honeypot Farm in Wootton for convenience. It is a requirement of the Scheme that an applicant has to have been actively commoning for some time, albeit in less than ideal circumstances. Shirley Holms Farm is an equestrian centre with a number of horses at livery. It is understood that these horses and the wild and unpredictable Forest ponies do not mix well, and that moving this stock away from the livery horses with direct access onto the open Forest would be hugely beneficial for both "breeds". The cattle, currently housed away from the applicant's main residence, could then be supervised much more conveniently and allow the herd to be built up.
- 11.10 In respect of the requirements for the applicant, as stated above he currently lives at Shirley Holms Farm with his mother, who is not actively involved in commoning. The applicant is currently commoning from that property, but it is important to help young commoners establish their independence. Whilst the applicant's

father benefited from the scheme several years ago with a property built at Wootton, he still actively commons and is likely to do so well into the future, thus that property is not available to the applicant. The applicant is seeking to establish his own independence and allow his commoning stock to be managed separately from that of his father's stock. Whilst there are a number of properties in the parish of Sway which benefit from an agricultural occupancy condition, none are in the immediate vicinity where the applicant runs his stock and none are available to him. The applicant has also previously advised (through his application for inclusion on the Scheme) that other properties that do come up for sale in the vicinity are well beyond his price range.

- 11.11 In this regard, officers are satisfied that there is a local need for the applicant to live close to his commoning activity in this location.
- 11.12 Commoners' dwellings differ from other forms of affordable housing in so far that they are financed and built by the applicant (rather than a housing provider) and for this reason, an applicant has to demonstrate how they propose to meet the costs of building the dwelling as part of the Stage One process. Furthermore, it is not always practical to locate new commoners' dwellings on sites in or adjoining villages. There are also other criteria which have to be met such as the applicant having to own the land and having access to sufficient back-up grazing for use in association with the commoning enterprise.
- 11.13 The commoning credentials of the applicant were considered by the CDSP whose advice is that the applicant meets the relevant criteria. Officers agree with this assessment but it is open to Members to consider the applicants eligibility as part of the wider planning application process.

### **Stage Two - planning considerations**

- 11.14 The appearance and size of the proposed dwelling is very similar to other recently approved commoners' dwellings, and in that respect is considered satisfactory. It would have a traditional "New Forest cottage" appearance, be built of red brick under a slate roof, with a single storey timber outshut. The dwelling would also have an internal floorspace limited to 120m<sup>2</sup> which is considered appropriate for a dwelling of this type. It would be appropriately located, sufficient distance from Kestrel Cottage and Harlequin, the two properties to the south, so as not to cause any undue overlooking or impact on the private amenities of the occupiers.
- 11.15 As set out in para 11.3 above, two additional buildings are proposed: a stable block and a barn. The applicant has not provided any specific information to demonstrate why these particular buildings are required, but it is usual for commoners to

have other buildings for the storage of machinery, and also to allow sick stock to be removed from the forest when required. The holding as a whole has to be capable of supporting a commoner. In terms of scale, the proposed barns are fairly modest and not dissimilar in size from barns required by other commoners. The height of the buildings, not exceeding 4m, would ensure that their impact would be limited. In distant views (from the north and Jealous Holding) the whole complex would be seen as an adjunct to the existing barns at Shirley Holms Farm and also against the backdrop of trees along the boundary. A condition is also recommended that the barns would have to be constructed prior to the dwelling.

- 11.16 Natural England are supportive of commoning as a means of preserving the ecological habitat of the New Forest, provided that there is a direct link between the commoning activities at the proposed dwelling and management of activities of a European site. Although the applicant has advised that he would be prepared to make a contribution towards mitigation of the adjoining New Forest SPA, to date none have been sought from other similar schemes. For these reasons, it is not considered necessary to require a separate financial contribution to mitigate the effects of the proposed dwelling (such a contribution would ordinarily be required for new dwellings within 400m of the New Forest SPA).
- 11.17 A Phase 1 Ecological Survey was carried out and identified the potential for nearby trees to support roosting bats. There is no proposal to fell any of these trees and therefore no bats should be unduly affected. There is little evidence of other protected species within the site, such as reptiles and badger setts, but it is proposed to include owl boxes within the barns and trees to ensure that these populations would have valuable nesting sites.
- 11.18 Contributions have not historically been sought in relation to open space provision or off-site transport works for commoners' dwellings, due to the specific nature of the applications and that the applicant would already be providing a significant investment into the scheme, in any event, for the benefit of the wider National Park and commoning. Whilst the Development Standards SPD does confirm that such contributions would ordinarily be required, it is not considered reasonable to seek this on the current application, for the same reasons as above.

### **Stage Three - legal agreements**

- 11.19 Should the Authority be minded to approve the application, the third stage of the process requires the completion of a detailed legal agreement to ensure that the dwelling and the grazing land remains available for commoning in perpetuity. The applicant has accepted the terms of the agreement.

## 12. RECOMMENDATION

Subject to the further views of Natural England and the prior completion of a section 106 agreement to address the details raised in 11.19 above, the Executive Director of Strategy & Planning be authorised to grant planning permission 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 Development shall only be carried in accordance with Drwg nos STA/316/001, STA/316/002, STA/316/003, STA/316/004, STA/316/005, STA/316/006 and STA/316/007.

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 buildings in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

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

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

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

- 4 The dwelling hereby permitted shall not be occupied until the barns hatched green on the approved plan have been completed.

Reason: The dwelling and barns together are only justified on the basis that they are necessary to provide accommodation for a commoner and to enable the practice of commoning to be successfully undertaken in accordance with Policies CP11 and DP20 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The occupation of the dwelling shall be limited solely to a commoner eligible under the Commoner's Dwelling Scheme, and to any resident dependants.

Reason: The dwelling is only justified on the basis that it is necessary to provide accommodation for a commoner in accordance with Policy CP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010). The proposal would otherwise be contrary to Policy CP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 The buildings hatched green and the subject of this permission shall only be used for agricultural/commoning purposes and for no other commercial, business or storage purposes whatsoever.

Reason: The buildings are only justified on the basis that they are necessary for agriculture/commoning and in accordance with Policy DP20 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

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

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

- (a) the existing trees which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.



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

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

- 9 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report (Lindsay Carrington Ecological Services Ltd Ecology Appraisal September 2015) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

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 The trees/hedges 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 (John Shutler Tree Services Arboricultural Report dated 21/09/2015).

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).

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

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

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

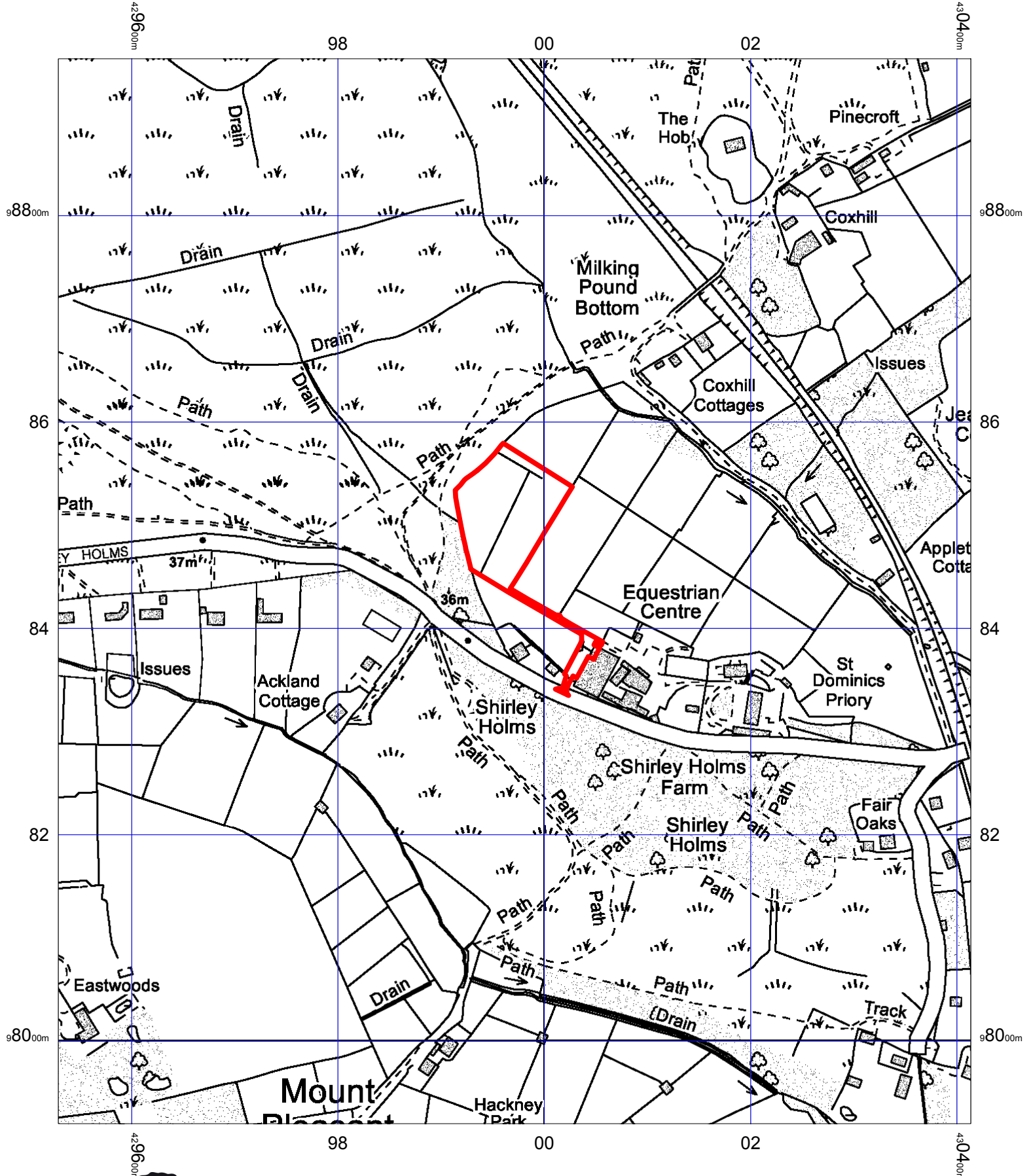
- 12 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

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).

- 13 All materials and machinery to be used in the carrying out of the development hereby approved 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).



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

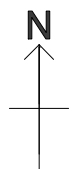
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**Application No: 15/00875/FULL Full Application**

**Site:** 12 Cedar Mount, Lyndhurst, SO43 7ED

**Proposal:** Two storey side extension; conservatory; cladding to first floor  
(demolition of existing garage and conservatory)

**Applicant:** Mr Donohoe

**Case Officer:** Emma MacWilliam

**Parish:** LYNDHURST

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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**

CP8 Local Distinctiveness  
DP1 General Development Principles  
DP11 Extensions to Dwellings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal:

- Although the Tree Officer is satisfied that the significant tree will be protected, the cladding is not appropriate particularly as this semi-detached property occupies a prominent position on the street scene.

## **8. CONSULTEEES**

8.1 Tree Officer: No objection subject to condition

## **9. REPRESENTATIONS**

9.1 None received

## **10. RELEVANT HISTORY**

10.1 Conservatory (99/67237) approved on 8 October 1999

10.2 Addition of garage (NFDC/97/60851) approved on 3 April 1997

## **11. ASSESSMENT**

11.1 The application site lies within the defined New Forest village of Lyndhurst and is approached via a development of similar properties in mature and reasonably spacious surroundings. The property itself is semi-detached with an attached side garage. There is very large protected Oak tree growing in the rear garden of this plot and a Yew tree on the north eastern side boundary.

11.2 This application proposes a two storey side extension, demolition of the garage to the side of the property and to rebuild the existing conservatory as a single storey rear extension. The extension would be finished from matching materials at ground floor level and the first floor would be treated with horizontal cladding. A similar extension was approved at No. 20 Cedar Mount under planning permission 09/93970.

11.3 The site lies within the defined New Forest Village boundary of Lyndhurst and is not a small dwelling. The floor space limitations of Policy DP11 do not therefore need to be taken into account. The issues to be assessed are whether the proposed extension would be appropriate to the site and its surroundings, and whether there would be any adverse impacts on neighbours, parking and trees.

11.4 The proposed extension would be set back from the existing front elevation and would have a lower ridge height than the main building. As such it would be considered subservient to the property. Consequently the form of both the semi-detached properties would not be adversely elongated. Given the comparative size of the plot and its location within Cedar Mount it is considered that the development can be accommodated without detriment and the scale would be in-keeping. It is therefore considered that the design, scale, siting and form of the extension would be appropriate to the existing dwelling and its curtilage and would not detrimentally affect the character and appearance of the area.

- 11.5 The concerns of the Parish Council regarding the use of the horizontal cladding are noted; however this has already been agreed at No. 20 as part of planning permission 09/93970. Therefore cladding is already present in Cedar Mount. It is not considered therefore that its use would adversely impact upon the character and appearance of the area. The materials and external finishes can be agreed by condition.
- 11.6 The proposals would not give rise to any adverse impact upon neighbouring amenity by way of materially harmful loss of light, outlook or privacy due to the siting of the extensions, their design and the layout and use of windows.
- 11.7 The development would not be considered to compromise vehicular access in the vicinity. Whilst the development would result in the loss of the garage space, adequate parking would be retained on the site frontage for three cars. This meets the Development Standards SPD requirements for a four bedroom house in this location. There is also unrestricted on-street parking in the vicinity.
- 11.8 The Tree Officers were consulted as part of this application with regard to potential impact upon trees, mainly the large protected Oak tree growing in the rear garden. Initially the Tree Officer advised that a method statement would be required to show how the proposed extension could be built without adverse impact on the protected Oak tree in the garden. This was most particularly in relation to the single storey extension to the rear of the dwelling.
- 11.9 Following this the applicant advised that the existing conservatory on the rear of the property has its own foundations and low level brick faced cavity wall with glazing over. The proposal within the current application would utilise the existing foundations and build on top of the low level wall and there would be a minimal amount of additional brickwork. The existing glazed roof would be removed and replaced with a solid roof structure. The applicant has confirmed that there will be no disruption or cutting into the ground as it is proposed to use/ retain what is currently in place.
- 11.10 In addition, the applicant advises that it is proposed to lay grass/ground reinforcement protection during the overall construction process and suitable fencing around the trunk of the tree in question to ensure that there will be no ground level works nor will there be any impact to the tree or its roots.
- 11.11 The Tree Officers have advised that they are satisfied with this provided a condition is attached to any planning permission to ensure there are no works or storage of materials within the root protection areas of the Oak tree in the rear garden and the Yew tree on the north eastern side boundary.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

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

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

- 2 No development shall take place until samples or exact details of the cladding materials and finishes have been submitted to and approved in writing by the New Forest National Park Authority. Other external wall and roof materials shall match those of the existing building as set out on the application form and Design and Access Statement.

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

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

- 3 The trees on the site which are shown to be retained on the approved plans, most particularly the Oak tree in the rear garden area and the Yew tree on the north eastern side boundary, shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the correspondence submitted in the letter from AH Design dated 7th January 2016.

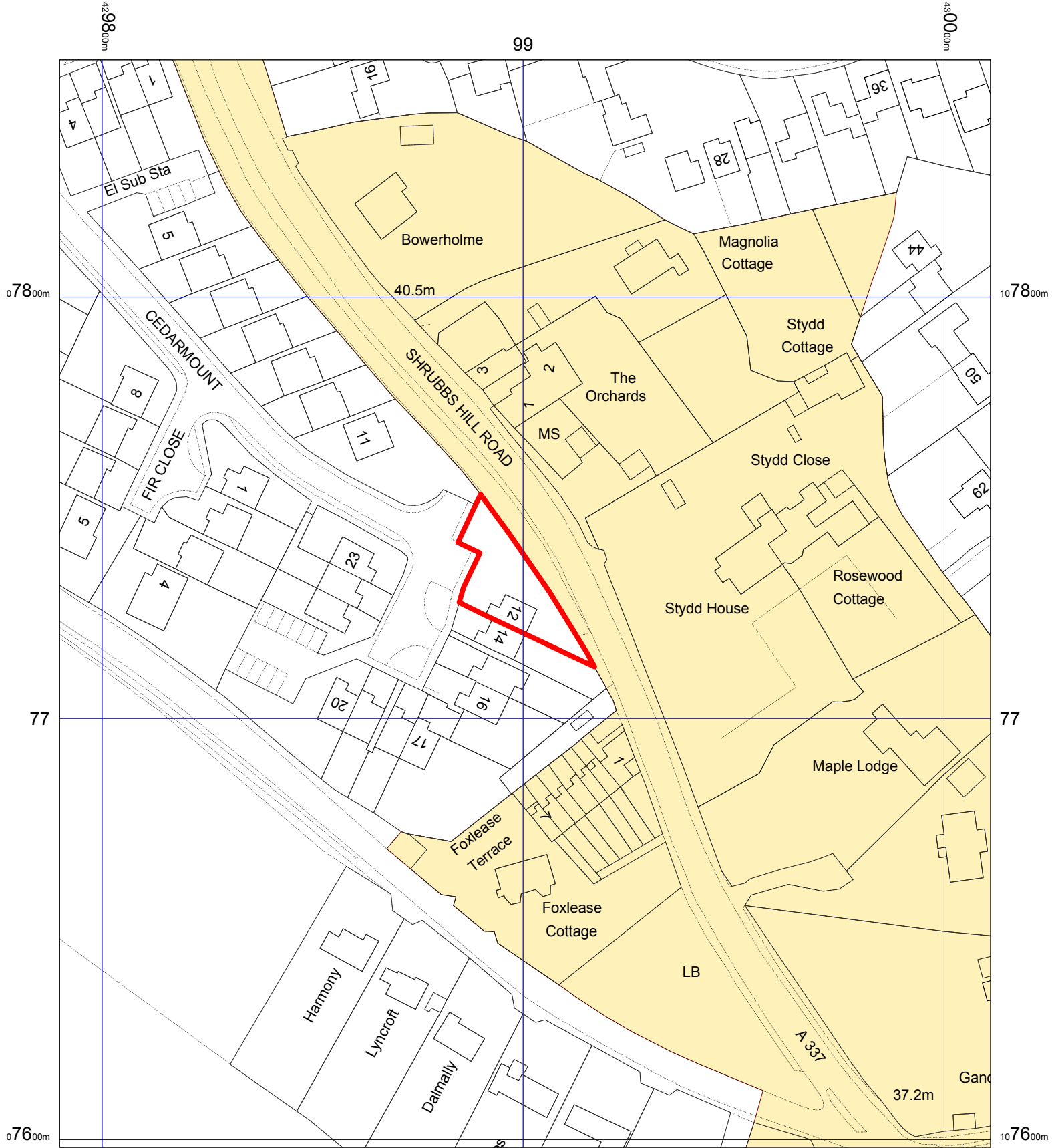
No works or storage of materials shall occur within the root protection areas of the above mentioned trees.

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).

- 4 Development shall only be carried in accordance with Drwgs: 1501-01-01A, 1501-01-02B, 1501-01-04 and 1501-01-05. 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.





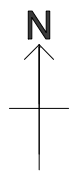
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 Date: 03/02/2016

**Ref: 15/00875/FULL**

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**Application No: 15/00916/VAR Variation / Removal of Condition**

**Site:** Land Rear Of Primrose Cottage, Cuckoo Hill, South Gorley, Fordingbridge, SP6 2PP

**Proposal:** Application to vary conditions 1 and 2 (Named Operator) of Appeal Decision T/APP/B1740/A/89/131065/P7 relating to planning application 89/41215

**Applicant:** Mr J Barrell

**Case Officer:** Katie McIntyre

**Parish:** ELLINGHAM HARBRIDGE AND IBSLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
Site of Special Scientific Interest

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
CP14 Business and Employment Development  
CP15 Existing Employment Sites

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Ellingham, Harbridge & Ibsley Parish Council: Recommend refusal:

- The current level of activity on the site is inappropriate intensification of

use of this rural, green belt site and grossly exceeds the very specific conditions listed in the appeal decision, which were intended to mitigate the impact of operations on the two (very close) neighbouring residential properties.

- There are serious concerns about: the size, location, smell and potential hazards associated with the mulch stack, together with the current purpose of this storage activity; the reported escalation of chainsaw and other tree cutting operations on site; the apparent waste management activities being carried out.
- The access track to the site is not registered as a BOAT (Byway Open to All Traffic) and it is considered inappropriate for such large vehicles to be using it up to 16 times a day.
- The site's activities were previously separated into two areas (red and blue), it would be a good opportunity to review all of the current activities and where they are carried out on site.

## **8. CONSULTEES**

8.1 Land Drainage (NFDC): No comment

8.2 Environmental Protection (NFDC): No comment received

## **9. REPRESENTATIONS**

- 9.1 Two representations of objection received:
- The conditions need to also apply to the land edged blue on the submitted block plan.
  - Increase in vehicle movements.
  - Access to the site is not suitable.
  - Mulch storage is greater than that envisioned by the Inspector.
  - Unsuitable site for the business.
  - Increase in noise.
  - Change in the use of the site.

## **RELEVANT HISTORY**

### **10.**

10.1 89/41215 - use of land for log cutting, storage and mulch storage - appeal allowed on 9 March 1990

## **11. ASSESSMENT**

11.1 The application site consists of an area of land measuring approximately 0.3ha which was granted permission in 1990 by the Planning Inspectorate to be used for log cutting, log storage and mulch storage. The site is accessed via a single-width unmade track which serves two other residential properties and is also a bridleway. The permission granted in 1990 was subject to several conditions that limited / controlled aspects of the use including the following personal restrictions:

*"The uses hereby permitted shall be carried on only by Mr J Barrell and should be used for a limited period being the period during*

*which the site is occupied by Mr J Barrell."*

*"When the site ceases to be occupied by Mr J Barrell the uses hereby permitted shall cease and all materials and equipment brought on to the site in connection with the uses shall be removed."*

This application seeks consent to vary the above two conditions in order to allow another tree and landscaping contractor (Robert Heron) who leases the land from Mr Barrell to operate from the site.

- 11.2 By way of background, as stated the use of the application site for log storage, log cutting and mulch storage was granted consent in 1990 at appeal. At that time the site was owned and operated by Mr Barrell who also owned the adjacent land (edged blue on the submitted block plan) which was used as a nursery primarily for the growing of Christmas trees. It is important to note that the land edged in blue did not form part of the appeal as this land was being used in accordance with permitted development rights relating to forestry and as such did not require planning permission; this situation has not changed and this application does not relate to this parcel of land.
- 11.3 Mr Barrell employed between 5 to 12 people when his business was at its peak during the early 1990s. The Inspector concluded that the use of the application site for the cutting and storage of logs and mulch had no detrimental impact upon the character and appearance of the Green Belt and that subject to conditions to stop the use intensifying there would also be no unreasonable impact upon the amenities of the neighbouring properties. Since this decision the site has continued to be operated by Mr Barrell, however it is recognised by the applicant that the level of activity at the site over the past ten years has declined from its peak in the early 1990s as Mr Barrell was focusing more upon his tree consultancy business rather than his contracting business.
- 11.4 Since early 2015 the site has been leased by another landscaping contractor (Robert Heron) who employs 3-4 people. During the week they generally arrive at the site around 7.30am to collect equipment required for the day and return to the site by 6pm. This application has been submitted to regularise the occupation of the site by Mr Heron following a recent enforcement investigation. The agent has confirmed within the supporting statement that all other conditions (use of the site, restriction on hours of use for machinery, no retail sales and a restriction relating to the hours of burning) are still being complied with and seeks no changes to these. The agent contends that the current level of activity at the site is less than that when Mr Barrell was operating at his peak.
- 11.5 The relevant issues to consider are whether the proposed variation of the conditions to allow Robert Heron to operate from

the site would have a greater impact upon the character and appearance of the area and the amenities of the nearby residential properties than if Mr Barrell were to be operating at the premises in accordance with the permission.

- 11.6 Two representations of objection have been received from the occupants of the neighbouring properties 'Chibdens' and 'Primrose Cottage' raising concerns in relation to the intensification of activity at the site since its occupation by Mr Heron with regards to noise, traffic movements and the amount of materials stored at the site. It has also been requested that all the conditions applied by the Inspector are reconsidered and that the conditions apply to both the application site and the adjacent land marked blue on the submitted block plan. The neighbours recognise that the change in user is a minor issue however it is their opinion that the site is unsuitable for such a business use and has a detrimental impact upon the village. The Parish Council have also objected to the application raising similar concerns to local residents.
- 11.7 The Inspector considered that the "*activities taking place at the site although not strictly forestry, by their nature are related to forestry and to a degree would be expected to be found in countryside areas*". Furthermore, the site is "*well screened from view from the main road and it does not have a serious impact on the character and appearance of this part of the green belt*". It is not considered that a change in the occupier of the site has had any greater impact upon the character and appearance of the conservation area than if Mr Barrell were operating from the site as there has been no change in the lawful use of the site. Similarly, providing the conditions controlling the use, such as restriction on hours of use for machinery and hours of burning are complied with, it is also not considered that a different occupier at the site would have a greater impact upon the amenities of the neighbouring properties. The Agent has confirmed in the supporting statement that conditions 3-7 of the consent are acceptable to Mr Heron and that no changes are sought to these. The enforcement investigation also found no evidence that these conditions were not being complied with. It is not therefore considered that a variation to the conditions requested to allow Mr Heron to operate from the site would have a greater impact than if Mr Barrell were to operate his tree contracting business from the land.
- 11.8 The Parish Council have requested that all the conditions of the consent are reviewed, however this application does not seek to vary these conditions and as such it would not be appropriate to review these conditions imposed by the Inspector given this application would not affect these or their implementation as has been requested by the Parish Council. Similarly, it would not be reasonable for this application to impose conditions on the land edged in blue as this parcel of land does not form part of the

application site. Furthermore, the operations which are being carried out on this land are permitted by virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 and do not therefore require planning permission and as such are outside the scope of planning control.

- 11.9 Concerns have also been raised by local residents in relation to the traffic associated with the site and the number of vehicle movements. The access to the site is via an un-made single width track and the vehicles using this track are by the nature of the lawful use larger than that associated with a residential use. There are however no restrictions relating to the permission with regards to the number of daily vehicle movements permitted or the size of vehicles and the Inspector considered the location of the site, including its access, to be suitable for this use. Furthermore, similar sized vehicles would use this access track if Mr Barrell were to be operating from the site and as such it is not considered a refusal on this basis could be sustained.
- 11.10 To conclude, the use of the site for log cutting, log storage and mulch storage has been deemed acceptable by the Planning Inspectorate. On balance it is not thought that the variation of the conditions to allow Robert Heron to operate from the site would have a greater impact upon the character and appearance of the conservation area or the amenities of the nearby residential properties than if Mr Barrell were to be operating at the premises. It is therefore recommended permission is granted.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

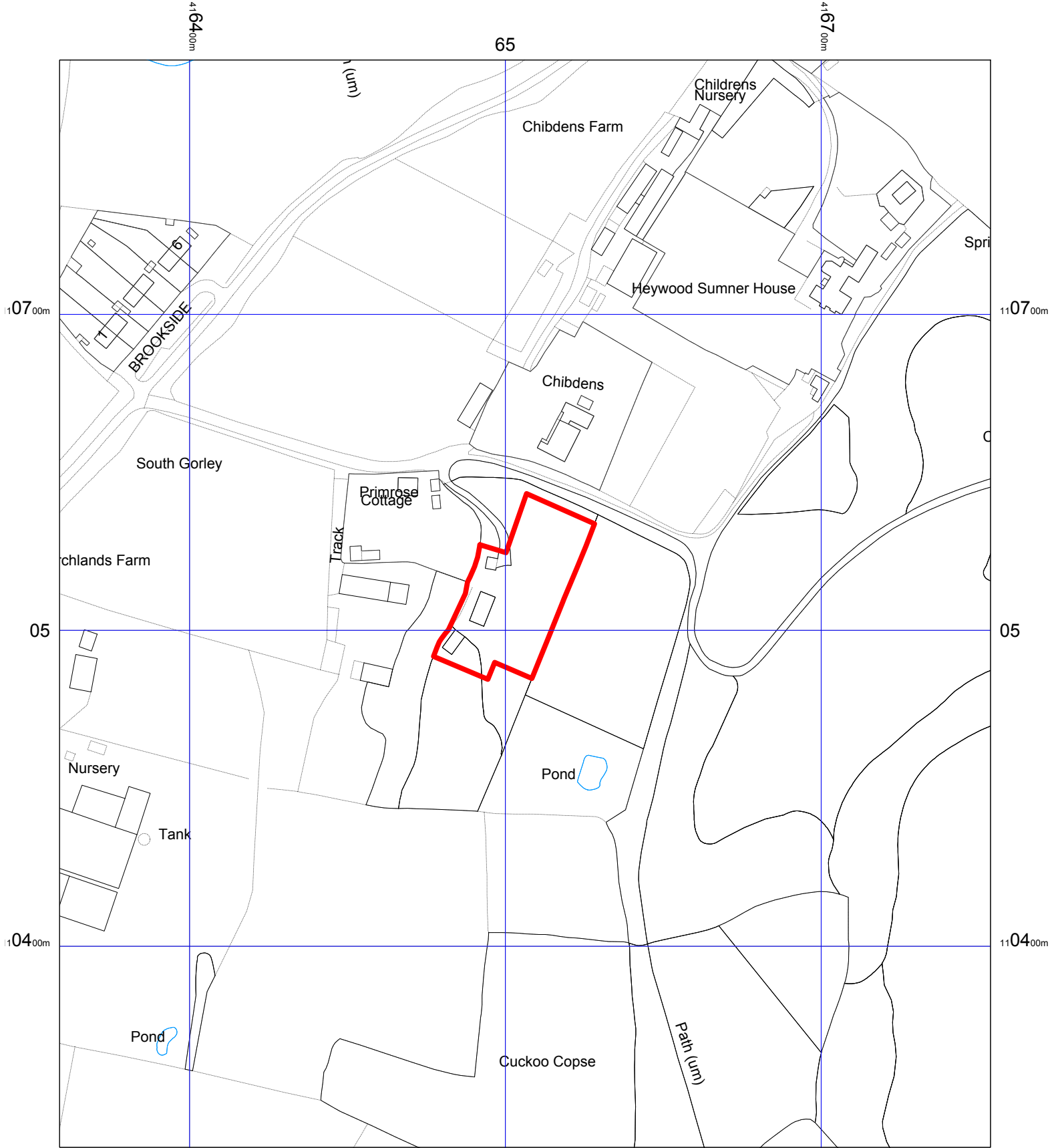
- 1 The uses hereby permitted shall be carried on only by Mr J Barrell and/or Mr R Heron and should be for a limited period being the period during which the site is occupied by Mr J Barrell and/or Mr R Heron.

Reason: To ensure an acceptable impact upon the special qualities of the New Forest National Park and the amenities of the neighbouring properties in accordance with policy DP1 of the Core Strategy and Development Management Policies DPD.

- 2 When the site ceases to be occupied by Mr J Barrell and/or Mr R Heron the uses hereby permitted shall cease and all materials and equipment brought on to the site in connection with the uses shall be removed.

Reason: To ensure an acceptable impact upon the special qualities of the New Forest National Park and the amenities of the neighbouring properties in accordance with policy DP1 of the

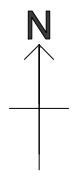




New Forest National Park Authority  
 Lymington Town Hall, Avenue Road,  
 Lymington, SO41 9ZG  
 Tel: 01590 646600 Fax: 01590 646666  
 Date: 03/02/2016

**Ref: 15/00916/VAR**  
**Scale: 1:2500**

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**Application No: 15/00933/FULL Full Application**

**Site:** Hollins Nursery, Sway Road, Pennington, Lymington, SO41 8LJ

**Proposal:** Creation of new vehicular access

**Applicant:** Mr J Shield

**Case Officer:** Ann Braid

**Parish:** LYMINGTON AND PENNINGTON

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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**

CP2 The Natural Environment  
CP8 Local Distinctiveness  
DP1 General Development Principles  
CP19 Access

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lymington & Pennington Town Council: Approval recommended.

**8. CONSULTEES**

8.1 Tree Officer: No objection subject to a condition requiring implementation of recommendations within the submitted tree report

- 8.2 Highway Authority (HCC): No highway objection subject to a condition requiring visibility splays to be retained free of obstructions.
- 8.3 Land Drainage (NFDC): No objection, although consent would need to be sought if any ditch or watercourse is to be altered.

## **9. REPRESENTATIONS**

- 9.1 Four letters of objection have been received, three from the same objector. These raise the following objections;
- The proposal does not meet Highways safety standards,
  - This is a rural highway where there is no footway and a ninety degree blind bend in close proximity to the proposal,
  - A driveway wide enough to service the site cannot be constructed without having a negative impact on the well-established trees and other vegetation,
  - Work to remodel the bank has already been undertaken at the site.

## **10. RELEVANT HISTORY**

- 10.1 Determination as to whether Prior approval is required for Proposed change of use of Agricultural building to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotel or assembly and leisure (15/00476) refused on 10 August 2015
- 10.2 Creation of new vehicular access (14/00861) withdrawn on 16 January 2015
- 10.3 Determination as to whether Prior approval is required for Proposed change of use of Agricultural building to a flexible use within shops, financial and professional services, restaurants and cafes, business, storage or distribution, hotel or assembly and leisure (14/00636) refused on 2 October 2014

## **11. ASSESSMENT**

- 11.1 This application relates to a nursery site, which has fallen into disrepair and is no longer operating. The site is elevated from the road, but is flat and is located immediately to the north of the National Park boundary which runs alongside Sway Road. To the east of the application site lies a detached residential property, which is the house associated with the Nursery. There are trees and hedgerow along the southern boundary with the highway.

- 11.2 Consent is sought for an access to the classified road. The access would be located about 30 metres from the south-western corner of the nursery site. Work has been undertaken to clear the boundary and cut away the bank to achieve the necessary visibility splays, but this has stopped pending the outcome of the current application.
- 11.3 The main issue to be assessed is whether the proposed access would be detrimental to highway safety, or to the wellbeing of important trees and whether it would have an unacceptably harmful impact upon the rural landscape character of the New Forest National Park.
- 11.4 The Highway Officer has assessed a speed survey undertaken on behalf of the applicant and has concluded that as visibility splays may be provided in accordance with Highways requirements, the use of the proposed access would not cause undue danger or inconvenience to road users. The bank would need to be stabilised to prevent loose material migrating onto the highway and works to the highway and the adjacent bank would need to be carried out in accordance with the necessary licence agreement with the highway authority. There is no Highway objection to the proposal provided visibility splays of 2.4 metres by 39 metres to the west and 2.4 metres by 45 metres to the east are provided and maintained (each measured at a point 1 metre within the carriageway).
- 11.5 There are protected trees on the front boundary of the site. These provide a good level of public amenity. The site of the access is not within the root protection area of the trees and a method statement has been submitted, which, if followed, would ensure that the trees are not compromised as a result of the proposal. There is no tree objection to the proposal.
- 11.6 With regard to the visual impact of the proposed access, the removal of the bank and vegetation and the excavation of the site of the access has already had an unacceptably harmful impact upon the rural landscape character of this part of the New Forest National Park, particularly with regard to the street scene and the rural character of the site.
- 11.7 Furthermore the nursery has operated in the past using the shared access with the dwelling to the east of the nursery, and no essential requirement for the additional access has been put forward. Consent has recently been refused for prior approval of the flexible use of the buildings at Hollins Nursery for business use, and the site does not lie in an area where business uses would be encouraged. The existing buildings at the site are in such an extreme state of dilapidation that their re-use would be unlikely.
- 11.7 The creation and maintenance of formalised visibility splays of the

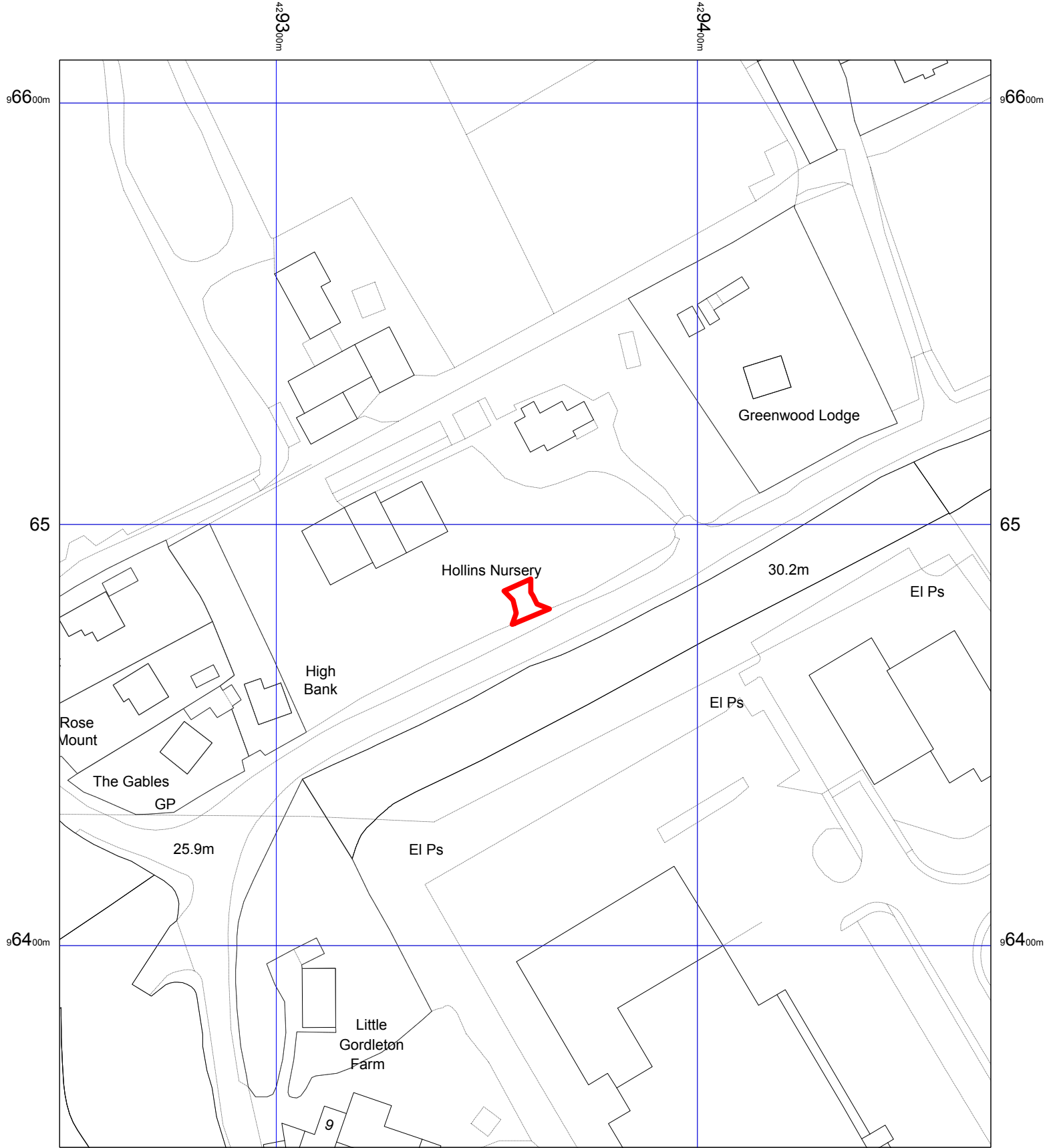
required distance and condition, as well as cutting through the bank to change its character, would significantly affect the visual amenity of the site, increasing its visibility and decreasing the height and vegetated appearance of the front boundary of the site. The frontage would change from one with a rural vegetated nature to one which would be characterised by hard engineering and an open more suburban appearance to the detriment of the character of the area. The overall scale and harmful urbanising impact of the development would not therefore appear appropriate to the existing level of business use at the site and the development would therefore be contrary to Policies DP1 and CP8 of the New Forest National Park Core Strategy.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The proposed access would constitute an undesirable and unjustified form of development in this part of the New Forest National Park, which would have an adverse visual impact upon the character of the area, changing the streetscene from a rural, vegetated bank to a more open, suburbanised street frontage. There is no provision in the New Forest National Park Core Strategy for development of this type, and it has not been demonstrated that the new access would be essential to enable the continuation of an existing agricultural activity. The proposal would set an undesirable precedent for similar proposals thereby leading to further erosion of the visual amenities of the area. The proposed development would therefore be contrary to policies DP1 and CP8 of the New Forest National Park Core Strategy.



**NEW FOREST  
NATIONAL PARK**

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

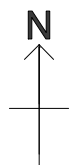
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Date: 03/02/2016

**Ref: 15/00933/FULL**

**Scale: 1:1250**

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**Application No: 15/00939/FULL Full Application**

**Site:** Home Farm Bungalow, Bramshaw, Lyndhurst, SO43 7JH

**Proposal:** Alterations and extensions to form new first floor

**Applicant:** Mr R Crosthwaite-Eyre

**Case Officer:** Ann Braid

**Parish:** BRAMSHAW

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**1. REASON FOR COMMITTEE CONSIDERATION**

Application from Authority Member's immediate family.

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

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

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Bramshaw Parish Council: Recommend permission, but would accept the officer's decision under delegated powers.

**8. CONSULTEES**

8.1 Building Design & Conservation Area Officer: No objection subject to conditions

## **9. REPRESENTATIONS**

9.1 None received

## **10. RELEVANT HISTORY**

10.1 None

## **11. ASSESSMENT**

11.1 Home Farm Bungalow is a single storey red brick property located within the complex of farm buildings that comprise Home Farm. There is an enclosed area of grass at the front. The bungalow backs onto the farm yard to the rear. The roof of the dwelling is slate, and the windows are uPVC Georgian style. To one side of the property is an attached store and toilet extension which links the dwelling to the adjacent dairy building. Attached to the rear of the dairy is a two storey building, which has permitted development rights to be converted for residential use. The Dairy and other farm buildings to the north east of the application site, including the farm house, are recognised as being locally significant buildings within the Forest Central (North) Conservation Area.

11.2 Consent is sought to demolish the front projection of Home Farm Bungalow, and extend the dwelling to provide a first floor over the existing accommodation. The resulting dwelling would measure 6.6m in height to the ridge, which would be slightly higher than the dairy building, but no higher than the two storey office building to the rear of the dairy. The upper floor windows would be dormers, two facing the front and one at the rear, and the stair well and upper floor bathroom would be lit by roof lights.

11.3 The issues to be assessed in this case are whether the proposed alterations would be appropriate and sympathetic to the existing dwelling and its curtilage, and whether the proposal would have any adverse impact upon the character of the Conservation Area or the locally significant buildings which make up Home Farm. There are no dwellings nearby, and there would be no adverse impact on residential amenity.

11.4 Policy DP11 requires all extensions to be appropriate to the existing dwelling and its curtilage, and to add no more than 30% to the habitable floor area of the property that existed at the site in 1982. In this case, the proposed extensions would not add more than 30% to the habitable floor area of the dwelling, and the proposal would therefore comply with this part of the Policy. With regard to the existing dwelling and its curtilage the policy requires

an assessment of the scale and character of the original dwelling as the starting point in determining whether the proposal would be appropriate. In this instance, there is no doubt that the character of the property would be changed as a result of the proposal. The addition of an upper floor would increase the visibility of the dwelling in its setting. However, as the existing front projection of the dwelling would be removed, the resulting dwelling would be set further back in the site from the lane, which would reduce its apparent scale viewed from the front, and the change of character from bungalow to a more traditional Forest cottage form would not be out of keeping with the site and its surroundings.

- 11.5 The existing dwelling makes little contribution to the character of the Conservation Area. In its favour, its low key appearance and scale mean it currently has little impact within its setting and views within the Conservation Area of the group of buildings are dominated by the traditional farm buildings. The proposed development would result in a dwelling which, whilst it would undoubtedly have more visual impact, would be an attractive dwelling of traditional style and proportions, which would be set back in the site. The use of high quality materials for both the roof and the windows would result in a building that would contribute positively to the character of the important group of buildings and the wider Conservation Area. The development would not erode the local character of the National Park, and as it would preserve and enhance the Conservation Area it would be acceptable in accordance with Policies CP7, CP8 and DP1.
- 11.6 No trees or protected species would be affected by the proposed works. The site is located close to the designated Site of Special Scientific Interest (SSSI), and a construction management statement has been submitted with the application. This sets out the means by which waste and storage and other impacts such as run-off would be managed on site to minimise any adverse impact the development may have on the SSSI. A condition may be imposed requiring works to be carried out in accordance with the management statement.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

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

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



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

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

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

- 3 No development shall take place until typical joinery details, including window/doors, eaves, verge, bargeboards have been 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 protect the character and appearance of the Conservation Area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.

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).

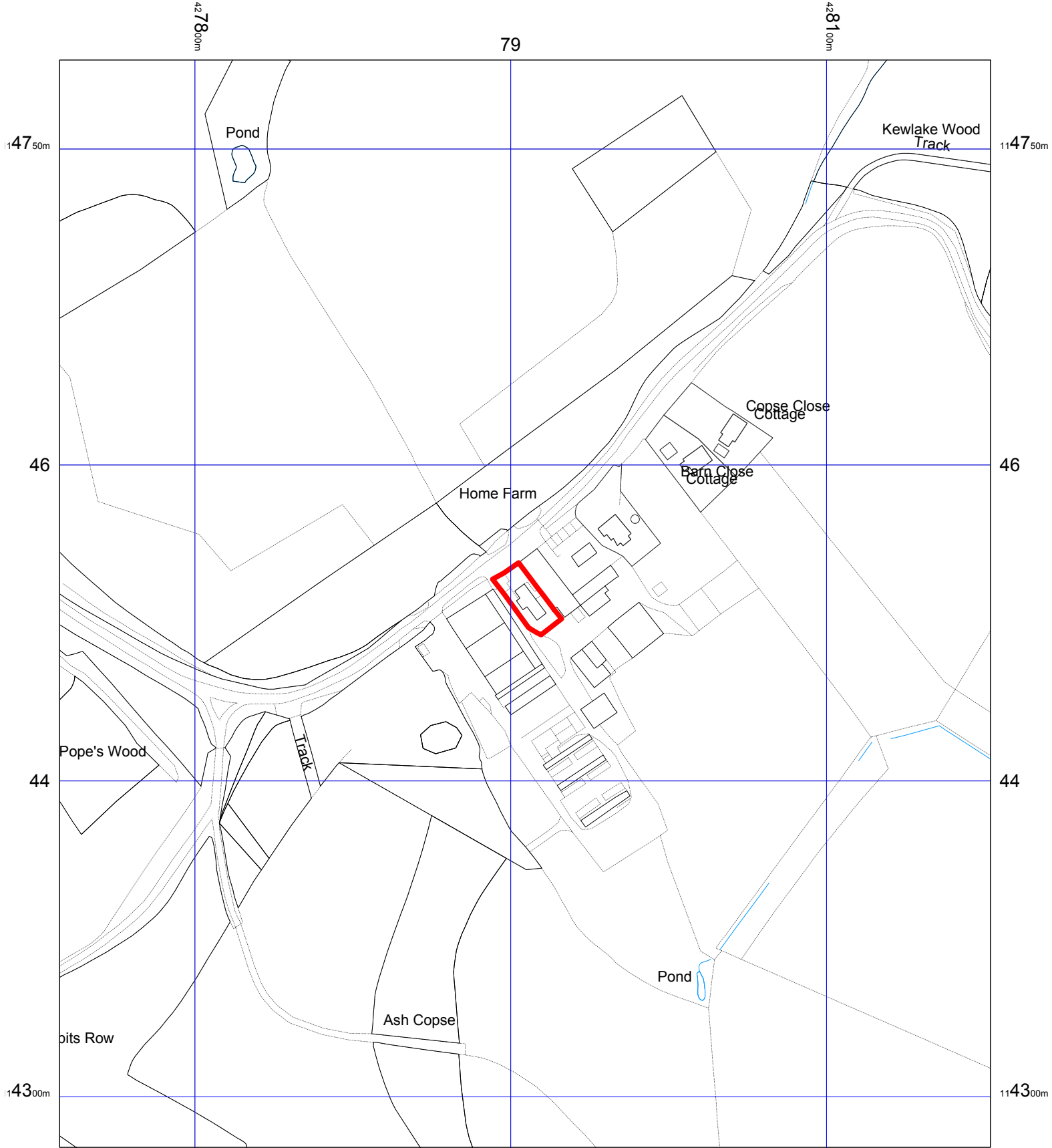
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise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

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside, and in the interests of the character of the Conservation Area, and to comply with Policies CP7, DP6 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 All materials and machinery to be used in the carrying out of the

development hereby approved shall be stored within the red line application site, in accordance with the measures set out in the submitted Construction Management Statement prepared by Gerald Steer Chartered Architect 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).



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

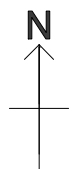
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Date: 03/02/2016

**Ref: 15/00939/FULL**

**Scale: 1:2500**

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**Application No: 15/00944/FULL Full Application**

**Site:** Forest View, Forest Road, Nomansland, Salisbury, SP5 2BN

**Proposal:** Attached garage; replacement porch; render; creation of patio

**Applicant:** Mr & Mrs Dowse

**Case Officer:** Katie McIntyre

**Parish:** REDLYNCH

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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  
DP11 Extensions to Dwellings  
CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Redlynch Parish Council: Recommend refusal:

- As the property has already utilised its 30% allowance due to extensions which were added in 2001 it is contrary to policy DP11; a condition restricting its use is not acceptable
- The proposal represents overdevelopment of the property frontage and

will detract from the character and appearance of the property and therefore contrary to policy DP1

- Concerns raised over excessive parking on the New Forest Crown Land in this area, and the location of the proposed garage could add to this problem.

## **8. CONSULTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 None received

## **10. RELEVANT HISTORY**

10.1 SDC/01/00920 - Two-storey extension, porch and raise roof and chimney approved on 29 June 2001.

## **11. ASSESSMENT**

11.1 The application site is a detached property that is sited outside of the defined villages and fronts the open forest. The surrounding properties are varied in design and are a mixture of bungalows and houses finished in facing brick and render. This application seeks consent for an attached garage, replacement porch, rendering of the property and a raised patio to the rear.

11.2 The relevant issues to consider are:

- The impact upon the character and appearance of the area and whether the additions would be appropriate to the existing dwelling and its curtilage; and
- Impact upon the amenities of the neighbouring properties.

11.3 The Parish Council have raised concerns in relation to the proposal as it is thought the proposal would result in the overdevelopment of the plot and would detract from the character and appearance of the area. Furthermore, the proposal would not be compliant with policy DP11 and the addition of the garage could add to the issues of parking on the open forest in this location.

11.4 The application proposes various elements including a replacement porch, an attached garage, a patio area to the rear and the rendering of the property. The Parish Council have not raised any concerns in relation to the porch which would be of a similar size and style to that in situ and it is not considered that this element of the proposal would have a greater impact upon the visual amenities of the locality. Similarly, due to the mix of styles of properties within the immediate vicinity it is also not thought the proposed rendering would adversely affect the character and

appearance of the area.

- 11.5 With regards to the attached garage this would be located to the side of the dwelling and have the same form and profile as the host property. The garage has been designed so that the addition steps down in scale from the core of the property having a lower eaves and ridge height appearing incidental and subservient to the dwelling in scale and appearance. This subservient appearance would ensure that the addition would not dominate the host property, appearing as an extension rather than a continuation of the building, as recommended by the Authority's Design Guide. It is appreciated the addition would enclose the existing gap between 'Forest View' and 'Pasadena' which, in some circumstances, can be detrimental to the character of an area; however in this instance, as there is no uniformity in plot sizes, gaps or property designs, together with the fact that the addition would sit comfortably in relation to the host dwelling, it is not thought this would be harmful to the locality or the visual amenities of the locality or result in the overdevelopment of the plot.
- 11.6 In terms of the floorspace restriction as set out in policy DP11, the property has already utilised its 30% allowance due to extensions which were added to the property in 2001. The proposed replacement porch would not however result in a net increase in floorspace above that already in situ. With regards to the attached garage, usually attached outbuildings are included within the floorspace calculation as per the policy's supporting text. Where however a garage would not form part of the main volume of the property, such as in the case proposed, the Authority does offer flexibility providing the applicant is willing to accept a condition restricting its use to non-habitable accommodation. In this instance the constraints of the site are such that it would not be possible to build a detached garage in another location. This is because the ground level drops significantly to the rear and there is insufficient space to the front of the property. Any structure to the front of the property would also adversely impact upon the street scene. The width of the plot is also such that there is insufficient space to the side of the dwelling to accommodate a detached building. The attached garage due to its subservient design would read as being ancillary to the main volume of the property and no internal access is proposed from the garage into the main house. The applicant is also willing to accept a condition restricting its use. It is therefore considered that in this instance there would be unique circumstances specific to the site in question to allow a flexible and pragmatic approach to allow a garage to be accommodated at the site whilst restricting its use to ensure it does not later become an integral part of the property.
- 11.7 The Parish Council have raised concerns with regards to parking. The provision of a garage at the site would not however result in the net loss of parking spaces and as such it is not considered a

reason for refusal on this basis could be sustained.

- 11.8 In terms of neighbour amenity, the garage would be sited adjacent to the double garage serving Pasadena and as such it is not considered this would adversely impact upon the amenities of this property. It is also not thought the patio to the rear would result in undue loss of privacy due to the boundary screening in situ.
- 11.9 It is therefore concluded that overall the application complies with local and national planning policy and it is recommended that planning permission is granted.

## 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 in accordance with drawing numbers ID/01/15/005, ID/01/15/006, ID/01/15/003 REV A, ID/01/15/004 REV A, ID/01/15/001 REV A and ID/01/15/002. 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, the garage hereby permitted, shall not be converted into habitable living accommodation and no internal access shall be provided into the main dwelling unless express planning permission has been granted.
- Reason: To ensure the habitable floorspace of the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

