

Application No: 16/01065/FULL Full Application

Site: Land Adjacent Ganders, Goose Green, Lyndhurst, SO43 7DH

Proposal: New dwelling

Applicant: Mr A Harrison

Case Officer: Deborah Slade

Parish: LYNDHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Defined New Forest Village
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP2 The Natural Environment
CP6 Pollution
CP7 The Built Environment
CP8 Local Distinctiveness
CP9 Defined Villages
DP1 General Development Principles
DP6 Design Principles
DP12 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

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

Lyndhurst Parish Council: Recommend refusal on the following grounds:

- limited access availability due to lack of parking/turning space
- difficult access onto the busy road
- no provision for a cycle shed
- proposals would conserve or enhance the character of the Conservation Area

8. CONSULTEEES

- 8.1 Tree Officer: No objection based upon previous appeal decision subject to the submission of a landscaping and tree protection scheme.
- 8.2 Building Design & Conservation Area Officer: No objections raised.
- 8.3 Ecologist: No objection subject to securing the agreed financial contribution towards the mitigation of the Special Protection Area and conditions ensuring the implementation of the mitigation and compensation measures outlined within the submitted ecology report.
- 8.4 Highway Authority (HCC): No objections subject to conditions relating to provision of parking and turning space prior to occupation.

9. REPRESENTATIONS

- 9.1 One letter of objection received from neighbouring residents raises the following concerns:
- Reduced scale does not address previous concerns raised
 - Increased occupancy on the site would lead to longer term pressure for pruning and removing important trees
 - The reduced size of the property could lead to increased future need for extension and there would appear to be space to do so, placing further pressure upon trees
 - Separation between Ganders and the proposed dwelling would lead to increased overlooking in both directions and potential loss of light to Ganders
 - It is likely that boundary vegetation would need to be removed to provide a reasonable garden to the new property.
 - Encroachment into root protection areas

10. RELEVANT HISTORY

- 10.1 New Dwelling (15/00634) refused on 22 October 2015 (Appeal against refusal dismissed on 17 June 2016)

- 10.2 New Dwelling (15/00234) refused on 19 May 2015
- 10.3 First Floor Extension and new vehicular access (13/98543) approved on 01 August 2013

11. ASSESSMENT

- 11.1 Ganders lies within the Defined Village of Lyndhurst and is a detached two storey dwelling house located within a large, characterful garden on relatively level ground, the boundaries of which are filled with a notable amount of tree and hedge planting. The site is in a prominent position as it lies on a main approach into Lyndhurst. The site is partially screened by prominent boundary vegetation, which achieves a relatively verdant character appropriate to the edge of village location. Goose Green lies immediately across the road to the south, whilst residential properties adjoin the north and eastern boundaries of the application site. The site benefits from two access points, one to the south off the A35 and the other to the west off the A337.

Proposal

- 11.2 Permission is sought for a new 3-bedroomed dwelling within the plot, to be located adjacent to the existing dwelling but juxtaposed at 90 degrees. No vehicular access improvements would be required as the new property would make use of the existing southern access, with Ganders continuing to make use of the access to the west. There would be a distance of just under 3m between the two buildings. The new building would occupy and external footprint of just under 60 square metres. A 1.8m high fence and a hedgerow would divide the site, and some understorey planting would be removed to accommodate the new building. Reinforcement planting is proposed along the side/front elevation fronting Goose Green and Shrubbs Hill Road. Bin storage and cycle parking is proposed to the east side of the garage and this would be fenced off by a 1.8m high waney edge fence.

Background

- 11.3 Policy CP12 permits new residential development within the Defined Villages as set out in policy CP9. Policy CP9 supports small scale development proposals to meet local needs within the Defined Villages provided that proposals conform with other Policies in the Core Strategy. As such the principle of the development is acceptable subject to the proposal conforming with local and national planning policy.
- 11.4 This application has been submitted in order to address the concerns which led to the previous submission (reference 15/00634) being dismissed on appeal. The main issue which led

the Inspector to turn this earlier scheme down related to the observation that as the main areas of glazing would be on the south and west elevations it was therefore probable that when the trees are in full leaf shading would be severe and future pressures to remove these trees (along with development encroachment into root protection areas) would be harmful to the character of the wider area. Although the Inspector dismissed the appeal for this reason he considered that, although the new property would be more visible from the road than Ganders, its design would mean that it would integrate satisfactorily into the street scene. Furthermore the dense tree screen on the majority of the boundary means that the house would not be particularly dominant in views from Goose Green. The principle of introducing a new dwelling in this location would therefore not be harmful to the Conservation Area subject to an appropriate design and the retention of appropriate boundary vegetation.

Consideration of Issues

- 11.5 In order to address previous concerns the overall footprint of the dwelling has been significantly reduced from 100 square metres to 60 square metres reducing overall pressure upon trees and encroachment into root protection areas. In addition to this pruning has taken place (acknowledged by both the applicant and the Tree Officer) to the shrubs and hedges around the perimeter of the site which has made a considerable difference to any shading which may have been experienced. There are no trees to be removed and the Tree Officer considers that, with the retention of the existing trees and shrubs on site, the proposed dwelling could be accommodated without any overbearing presence or shading. Based upon the findings of the recent appeal decision the previous concerns are therefore considered to be addressed. The application has also been accompanied by a landscaping plan which shows an intention to carry out additional planting along site boundaries. However additional information would be required in respect of planting maturity and density (and maintenance) and it would therefore be appropriate to request this through a pre-commencement condition.
- 11.6 The design, form and fenestration of the proposed dwelling remain largely unchanged from the previous application, which was considered by the Inspector to be appropriate to the locality. Furthermore the overall reduction in size would reduce its impact further. In terms of neighbouring amenity the distance between the proposed dwelling and Ganders of three metres is considered appropriate in terms of mitigating any potential harm through shading, overlooking and visual intrusion, particularly in light of the reduced scale of the building. The Highways Authority consider the scheme to be acceptable in terms of access and safety requirements.
- 11.7 With regards to the objections raised by the occupant of the

neighbouring property in relation to scale and amenity considerations the overall footprint of the property has been significantly reduced (by 40%) from the previous scheme and this earlier proposal was not turned down on the grounds of scale or neighbour impact despite the significantly larger size proposed at the time. Similarly loss of amenity was not an issue raised in the appeal decision and the current proposal is no closer to the neighbouring property than the previous scheme. The neighbours' concerns relating to the longer term implications for trees have been noted, however the Tree Officer considers the scheme acceptable in light of the findings of the Planning Inspector in respect of application 15/00634.

Conclusion

- 11.8 It is considered that the proposed development would not be detrimental to the established planting belt which currently encloses the application site and that it would not be overly obtrusive or harmful to views into the site from Goose Green. The previous concerns which led to the appeal against the refusal of application 15/00634 are therefore considered to have been addressed. The proposal would successfully preserve the character and appearance of the Conservation Area in accordance with Policies CP7, CP8, DP1, CP2 and DP6 of the New Forest National Park Core Strategy.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 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.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
- 3 The development hereby permitted shall not be occupied until the

arrangements for parking and turning within its curtilage (as set out on the approved plans) have been implemented.

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

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

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

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

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

- 5 Prior to the commencement of development ecological mitigation for the New Forest Special Protection Areas, Special Areas of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's adopted Development Standards (SPD) and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD, Development Standards SPD and the SRMP.

- 6 No windows/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority.

a) Typical joinery details including window/doors, eaves.

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

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development

Management Policies (DPD) (December 2010).

- 7 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 Section 6 of the ecological report hereby approved (Ecosupport Limited, August 2015). 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).

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

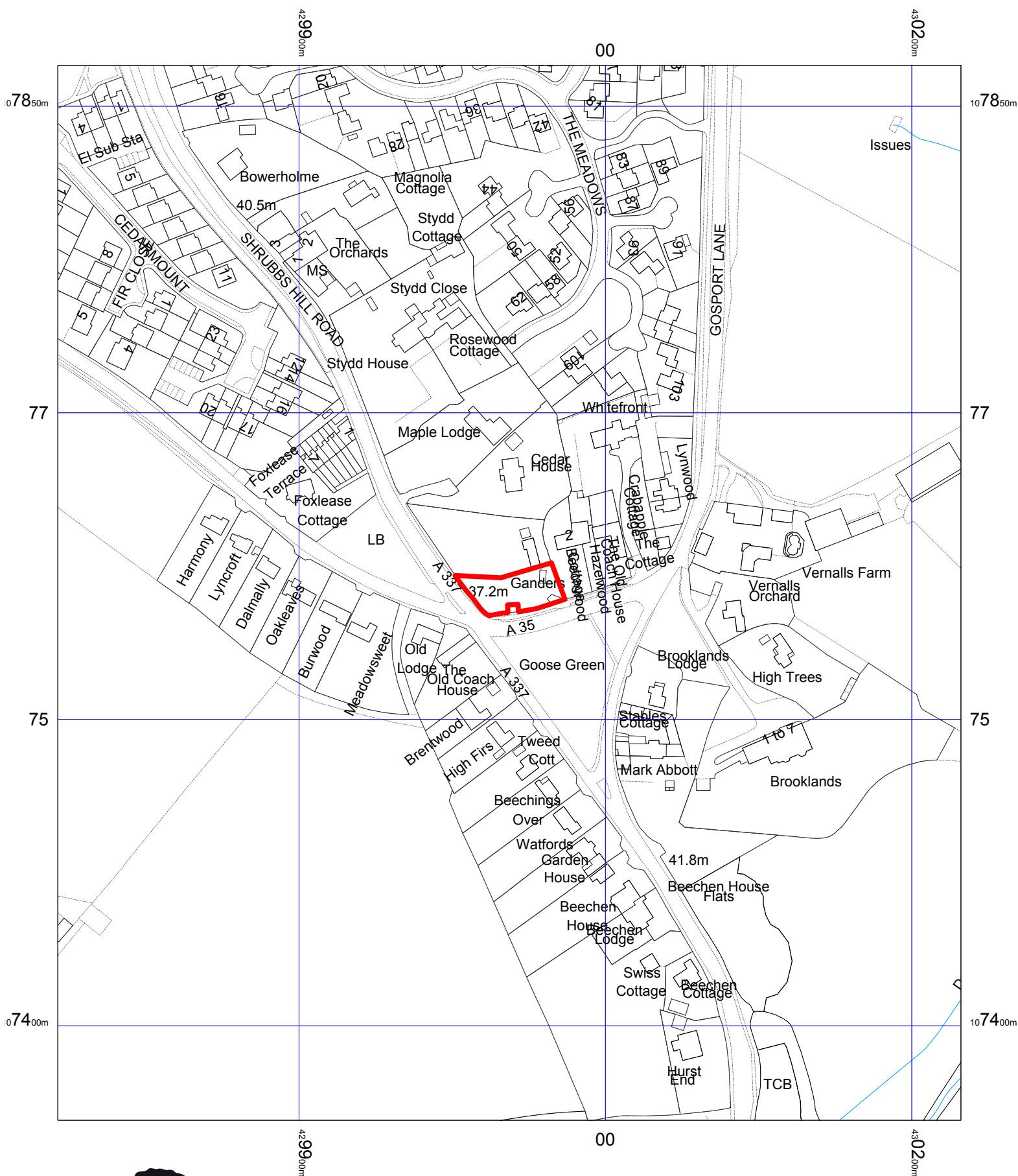
- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) specifications for hard surfacing and the materials to be used;
- (e) a method and programme for its implementation and the means to provide for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

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

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

- 9 Development shall only be carried out in accordance with Drawing nos: 14159.30A, 14159.31A, 14159.32A, 14159.33A, 14159.34A, 14159.35A, 14159.36A, 14159.37A, DS/38315 and Drawing No.1. 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

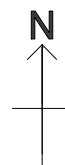
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