

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

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- 10.2 Creation of new vehicular access (14/00861) withdrawn on 16 January 2015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

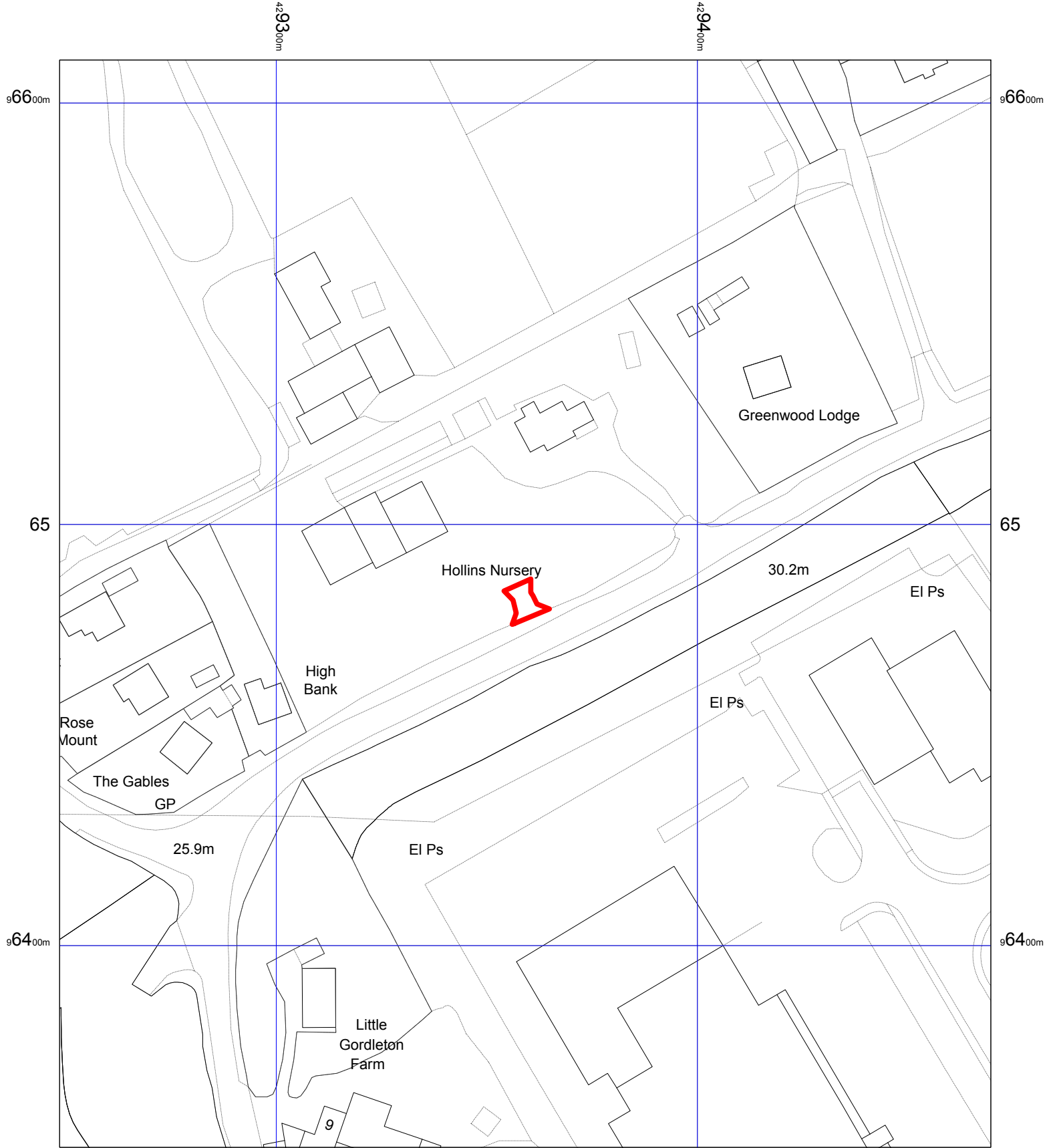
required distance and condition, as well as cutting through the bank to change its character, would significantly affect the visual amenity of the site, increasing its visibility and decreasing the height and vegetated appearance of the front boundary of the site. The frontage would change from one with 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 Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG
 Tel: 01590 646600 Fax: 01590 646666
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