

Application No: 16/00512/FULL Full Application

Site: Red Shoot Camping Park, Linwood, Ringwood, BH24 3QT

Proposal: Permanent siting of a mobile home.

Applicant: Mrs J Oldfield, Red Shoot Camping Park Ltd

Case Officer: Carly Cochrane

Parish: ELLINGHAM HARBRIDGE AND IBSLEY

1. REASON FOR COMMITTEE CONSIDERATION

The proposal is contrary to core strategy policies but is recommended for approval.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP10 Replacement Dwellings
CP12 New Residential Development
DP13 Agricultural, Forestry & Other Occupational Dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council: Recommend permission but would accept the decision reached by officers under delegated powers. The following comments were made:

- Parish Council believe the need for a mobile home on site to ensure

security and safety of visitors has been proven with the series of temporary permissions granted

- Recommend ten year temporary permission to allow continued monitoring by the NPA and to grant the application peace of mind. The Parish Council request that the mobile home be conditioned to the applicant only for as long as the campsite remains a viable business, and the footprint and structure to remain the same as it is currently.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

- 10.1 Application to vary Condition 1 of Planning Permission 90754 for continued siting of a Mobile Home for extended period of time (09/94398) - granted Temporary Permission on 22 October 2009
- 10.2 Retrospective application for relief of condition 1 of Planning Permission 72074 to allow continued siting of mobile home (06/90754) - granted permission on 13 November 2006
- 10.3 Renewal of temporary permission for siting of a mobile home (PP52622C) (01/72074) - granted Temporary Permission on 11 July 2001
- 10.4 Continued siting of a caravan - renew pp 48062 (NFDC/CARA/96/59622) - granted permission on 10 September 1996
- 10.5 Continued siting of a caravan - renewal of 32790 (NFDC/CARA/91/48062) - granted permission on 5 September 1991
- 10.6 Relocatable dwelling to replace existing mobile home (NFDC/90/44578) - refused on 18 April 1990
- 10.7 Continued siting of a caravan (NFDC/86/32790) - granted permission on 30 September 1986
- 10.8 Temporary siting of residential caravan (NFDC/77/08018) - granted permission on 1 August 1977
- 10.9 Use of land as holiday caravan site (RFR/CARA/XX/00021) - granted permission on 20 March 1961

11. ASSESSMENT

- 11.1 The wider application site of Red Shoot Campsite is located to the rear of the Red Shoot Inn, and comprises an area of land measuring 2.16 hectares. The site consists of a reception area, shower block, and manager's accommodation in the form of a mobile home, located to the rear of the reception block and public house. The campsite is accessed through the Red Shoot Inn car park. One residential property, 'Toms Farm' adjoins the north western site boundary; the land to the front and rear of the site is agricultural, and the land to the south east comprises Deers Leap Holiday Park.
- 11.2 This application seeks planning permission for the permanent siting of the mobile home (manager's accommodation). This application follows a series of temporary permissions, dating back to 1977. The most recent permission was in 2009 (09/94398) and prior to the adoption of the Core Strategy (2010). The previous permissions have been conditioned so as to limit the use of the mobile home to the person who is employed at the campsite and for the purposes of wardening it. The mobile home has been clad in timber, and a residential curtilage has been created through enclosing an area of land immediately to the north east of the mobile home.
- 11.3 The mobile home unit, whilst sited on a higher ground level than that of the reception building, is of a low key appearance, and benefits from extensive boundary screening. The nearest residential property is located to the north western boundary of the campsite; as such, the mobile unit in itself would not result in any adverse impact upon neighbouring amenity. The unit is situated in the vicinity of the Red Shoot Inn and its ancillary outbuildings, as well as the buildings which form part of the campsite. As such, it is not considered that the unit would appear incongruous or be significantly harmful to the surrounding landscape.
- 11.4 Policies CP14, CP16 and DP17 of the Core Strategy seek to support small scale employment development, including tourism development, outside the Defined Villages where there would be opportunity for the understanding and enjoyment of the National Park in a way that either enhances, or does not detract from, its special qualities. The proposal would be contained within the existing site boundary, and would not materially increase the level of activity on site; contrarily, the proposal would ensure the retention of the campsite by providing on site accommodation for the site manager, which in turn allows the continuation of a business which helps to contribute to the understanding and enjoyment of the National Park's Special Qualities and contributes to the sustainability of local communities.

- 11.5 As this application is for the permanent siting of a mobile home, as with any new dwelling within 400 metres of the New Forest Special Protection Area (SPA), the applicant is required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects on the ecological integrity of the SPA. As per the Development Standards Supplementary Planning Document (2012), the applicant has entered into a Unilateral Undertaking in order to make a contribution to ensure the delivery of mitigation measures and ensure that the proposal complies with the European Directive and the Habitats and Species Regulations.
- 11.6 It is noted that a similar application, albeit for a variation of condition (11/96378/VAR), was granted permission at Deers Leap Caravan Park, which is located to the immediate south east of the application site. This application sought to vary a condition to allow the permanent siting of the wardens caravan within the holiday park. It was considered that there was a recognised need for a warden to be on site in association with the use of the land, it was therefore considered reasonable to grant consent for the retention of the building for as long as the holiday use of the land continued.
- 11.7 This proposal is not one for a replacement dwelling, nor for an occupational workers dwelling. Although the structure in itself is of a temporary nature, it would be contrary to policy to allow the permanent siting of a mobile home in this location. However, it is also the case that the continued granting of temporary permissions, which, in this instance, have not always overlapped, does not represent good planning practice. Having regard to these considerations, along with the recognised and established need to accommodate a warden/manager on site in association with the use of the land as a holiday park, it is therefore considered that it would be reasonable to allow the permanent siting of the mobile home, subject to the condition that should the use of the land as a campsite cease or the mobile home unit be used by anyone other than a warden/manager, then so would the permission.
- 11.8 It is therefore recommended that the application is granted permission, subject to conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The caravan hereby approved shall only be occupied by a person employed as a warden in connection with Red Shoot Camping Park.

Reason: Policy CP12 of the New Forest National Park Core Strategy presumes against the grant of planning permission for

permanent residential accommodation in the form of mobile homes at holiday parks. However, the Authority recognises that there remains a need to continue the long standing siting of a caravan for warden's accommodation on this site and has had regard to the earlier successive planning permissions granted by both the New Forest National Park Authority and the predecessor authority.

- 2 The mobile home shall be removed from the site on the cessation of the use of the site as a holiday park, and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The caravan is justified on the basis that it is necessary for the continuation of the camping and caravanning business and the permanent retention of a caravan in this location would be contrary to the requirements of Policy CP12 of the adopted New Forest National Park Core Strategy.



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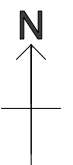
Tel: 01590 646600 Fax: 01590 646666

Date: 29/11/2016

Ref: 16/00512/FULL

Scale: 1:1250

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Application No: 16/00750/FULL Full Application

Site: 10 Copsewood Road, Ashurst, Southampton, SO40 7DL

Proposal: Raise roof ridge height to include insertion of one dormer window to front and one flat roof dormer to rear to facilitate first floor accommodation; 2no rooflights; addition of tile hanging to side

Applicant: Miss N Quiney

Case Officer: Carly Cochrane

Parish: ASHURST AND COLBURY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
DP11 Extensions to Dwellings
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Ashurst and Colbury Village Design Statement
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

Ashurst and Colbury Parish Council: Recommend permission. There were no concerns regarding floorspace and it was felt that the proposals were not out of keeping with the local area not with DP6 and the Village Design Statement. There appears to [be] no loss of amenity to neighbouring properties as the gardens are well screened.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of support received from the owners of a neighbouring property.

9.2 Three letters of objection from the occupiers of neighbouring properties. The comments made are summarised as follows:

- Ridge height will be higher, and with the dormer windows would be impossible to screen [from my property]. Should the application be passed, the dormer windows should be of obscure glass and be of restricted opening to ensure [our] current privacy.
- The application property overlooks [my] home and the proposed additions will be very intrusive; the dormer windows mean I will lose [my] privacy

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

11.1 The application site comprises a brick built, detached bungalow located to the southern side of Copsewood Road, and backing onto properties at Wingrove Road. The property is located within the Defined New Forest Village of Ashurst, however is classed as a small dwelling with an original floorspace of 59 square metres.

11.2 This application seeks planning permission for roof alterations, including changing from hip to a pitch with half hip, therefore raising the ridgeline of part of the roof to the side and creating gable ends. The ridgeline of the main roof would also be raised by 400mm. This would allow the installation of a large flat roofed dormer window to the rear, and a hipped dormer window and 2 rooflights to the front elevation, to create habitable accommodation at first floor level. All materials would match those existing, and the gable ends would be tile hung.

- 11.3 The property is a small dwelling, and is therefore limited to a maximum of 100 square metres of floorspace. The agent has submitted a cross section of the roof to illustrate the floorspace where there is headroom exceeding 1.5 metres in height. As such, it is calculated that the proposal would result in a total habitable floorspace of 94 square metres and therefore the proposal would be compliant with Policy DP11. The main issues under consideration therefore would be the extent to which the proposal would be appropriate to the character and appearance of the original dwellinghouse, the impact upon the character of the wider area and also any potential loss of amenity to neighbouring residents.
- 11.4 The built form of Copsewood Road is comprised of detached bungalows, some of which have added dormer windows to either the front, side or rear elevations to create habitable living accommodation within the roof space; however most of the properties would be classed as small dwellings. As such, properties are limited to a floorspace of 100 square metres so as to retain a modest size capable of making a contribution to the housing stock available; this in turn influences the design of the properties. There is a set degree of spacing between properties; hipped roofs contribute towards the low level built form, and there is a set front building line, with properties primarily comprising open plan front gardens. Copsewood Road is therefore considered to have a set character and appearance. This same character and appearance is also found within surrounding roads; properties along Ashdene Road, Cooper Road and much of Lakewood Road comprise bungalows or chalet bungalows (as a result of the addition of dormer windows) with hipped roofs and a set front building line and property spacing. Overall then, the set character and appearance present in Copsewood Road is also strong throughout the wider surrounding area.
- 11.5 A search of the planning history for Copsewood Road and its surrounding roads shows a number of applications for dormer windows and extensions of the roof to the rear, however none have been received (or indeed approved) which would result in a change in the form of the roof when viewed from the front. It is noted that a scheme similar to the proposed, at 23 Dene Way (ref 14/00512) was granted permission. This site is located approximately 320 metres due south of the application property. However, the case officer in the committee report noted that the dwellings in Dene Way are not of a uniform height, and it is considered that, unlike Copsewood Road, there is not a set character or appearance to the immediate area (junction with Dene Road to end of cul-de-sac of Dene Way). As such, the considerations which led to the permission being granted are different to those being considered as part of this application.
- 11.6 Pages 11 and 25 of the Design Guide SPD seek to ensure development would reflect established scale whilst avoiding

increased impact and enforced grandeur. The guidance on these pages also states the importance of respecting local building types and consolidating local character whilst avoiding the addition of conspicuous bulk and ensuring additional accommodation is allocated to ancillary and modest scale elements. Further, page 29 specifically recognises the need to avoid impact upon neighbouring properties, such as building bulk and loss of light.

- 11.7 Whilst the proposals may comply with the floorspace limitations, it is considered that the changes to the roof to facilitate the additional floorspace would result in an incongruous built form. As aforementioned, whilst a number of properties throughout the area comprise dormer windows, these do not result in the loss of the hipped roof, and therefore the built form is maintained. It is considered that the hipped roofs and spacing between properties gives the illusion of a more spacious layout, despite the respective side elevations of properties being separated by a distance of between 1 to 4 metres. The change to the roof design would result in the formation of gable ends, which would in turn result in a cramped appearance as it would reduce the spacing between properties at roof level.
- 11.8 It is considered that the proposals would result in a development which would obscure the original scale and proportions of the dwellinghouse. The proposal, with the increase in the overall scale of the roof and addition of the gable ends, would be at odds with its original form and also the scale and appearance of the other properties along Copsewood Road and surrounding areas. It is considered that the proposals would fail to adhere to the criteria of the Design Guide in that the development would increase the impact of upper floor accommodation and would not re-enforce local building styles or respect established scale. To grant permission would be to allow works which would erode the visual amenity and character of not only the dwellinghouse but the wider area by altering the appearance of the dwellinghouse in such a way that its defining features which contribute to the overall character and appearance of the area would be obscured. As such, it is considered that the proposal would be contrary to policies within the Core Strategy and Design Guide.
- 11.9 The Parish Council have recommended approval of the application, as it was not felt that the proposals were out of keeping and there would be no loss of amenity. The Parish Council have stated that the proposal would be in line with the Village Design Statement. Page 14 of the VDS states that *'the scale, form and mass of any new development should be in keeping with the surrounding buildings and be sympathetic to the character and appearance and rural outlook of the village'*. As discussed in the above paragraphs, it is not considered that the proposal would be sympathetic to its surroundings.

- 11.10 Three letters of objection have been received from occupiers of neighbouring properties, and concern has been raised with regard to overlooking and loss of privacy as a result of the proposed dormer windows. It is noted, and as aforementioned, that some properties within the area have undergone the addition of dormer windows. As permitted development rights do not allow roof alterations such as this in National Parks, these would have required planning permission if they had been constructed after the National Park designation. The properties to the rear of the application site, at Wingrove Road, are at an elevated ground level in comparison to those at Copsewood Road, and some of these properties feature dormer windows which afford views of the rear gardens at Copsewood Road. It is also considered that the side dormer windows present at properties along Copsewood Road would create the opportunity for overlooking into the rear garden areas of properties at both Wingrove Road and Copsewood Road. As such, it is considered reasonable to suggest that some properties along Copsewood Road and Wingrove Road already experience some degree of overlooking.
- 11.11 However, the proposal for the large dormer to the rear, in conjunction with the raised ridgeline height, would result in a significant number of windows at a level higher than could reasonably be expected when compared with the addition of a dormer to the existing roof of a scale as per the other properties in the area. This results in a greater propensity for overlooking into a wider range of properties. The occupiers of the neighbouring properties have submitted photographic evidence showing the relationship of the rear roof slope of the application site and their respective properties. It is therefore considered that the proposal would result in the propensity for an unreasonable level of overlooking and loss of privacy not currently experienced by these occupiers, and it is therefore considered that the proposal would be contrary to Policy DP11 of the Core Strategy.
- 11.12 It is therefore recommended that the application be refused planning permission.

12. RECOMMENDATION

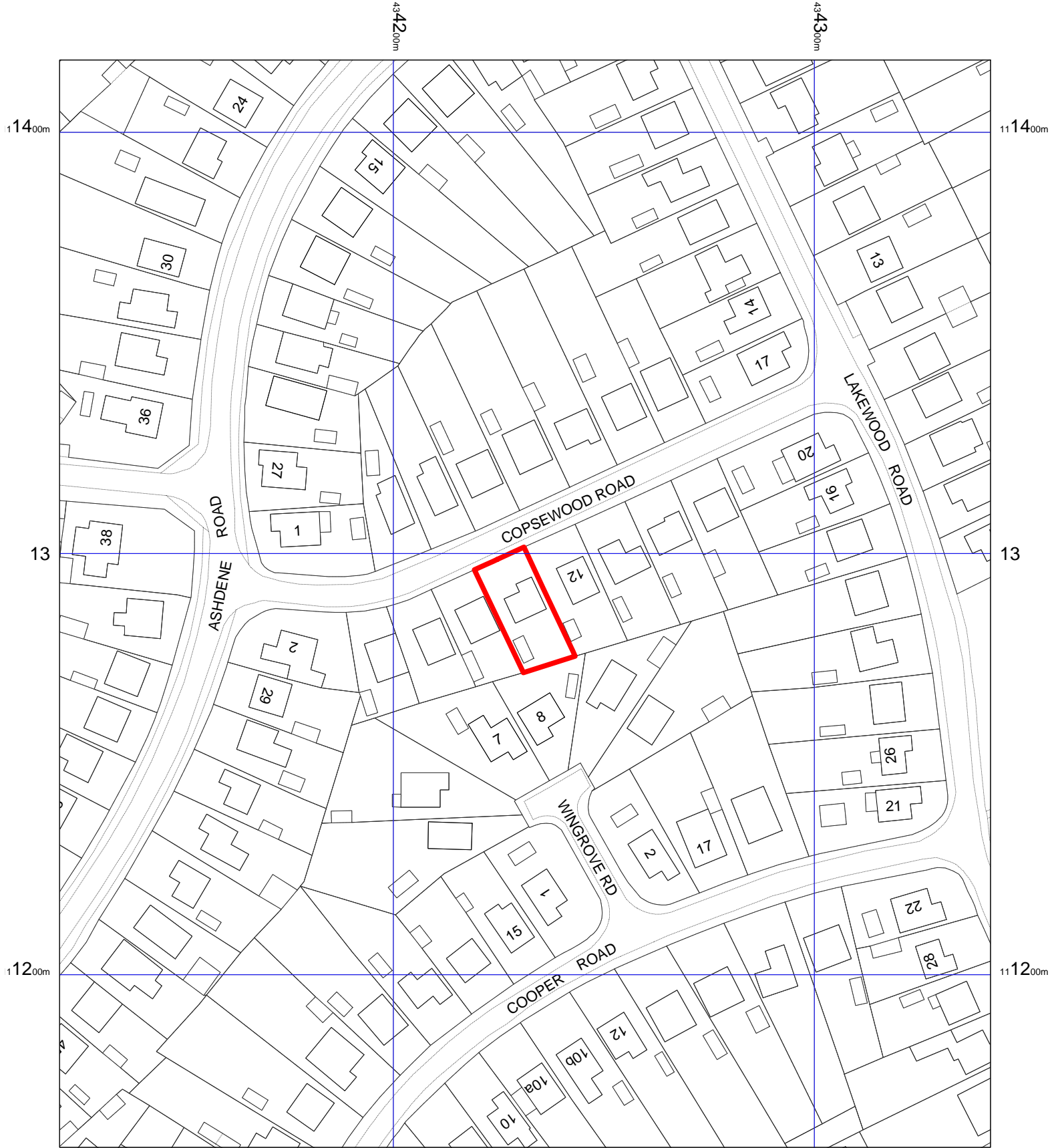
Refuse

Reason(s)

- 1 The proposed extension, by virtue of its incongruous scale, form, massing, design and appearance, would result in a harmful form of development which would be at odds with and have an adverse impact upon the character and appearance of both the existing dwellinghouse and the surrounding area. Cumulatively, similar development would result in a change in the character and appearance of the area which would have a detrimental impact

upon and is out of character with the modest residential scale of the area.

- 2 The proposal would give rise to adverse impacts upon neighbouring amenity with regard to overlooking and loss of privacy which are not considered to be reasonable. The development would therefore be contrary to Policies DP1, DP6, DP11 and CP8 of the New Forest National Park Local Development Framework Core Strategy and Development Management Policies DPD; contrary to the requirements of the New Forest National Park Local Development Framework Design Guide Supplementary Planning Document; and contrary to sections 7 and 11 of the National Planning Policy Framework.



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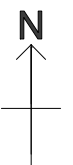
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Application No: 16/00757/FULL Full Application

Site: Monks Cottage, Pilley Bailey, Pilley, Lymington, SO41 5QT

Proposal: Two storey rear extension; balcony; fenestration alterations
(Demolition of existing extensions)

Applicant: Ms S Lindsell

Case Officer: Deborah Slade

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

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

Boldre Parish Council: Recommend refusal. Feels there to be excessive fenestration in this proposal which is out of keeping with the original 'Forest

Cottage' and could lead to light pollution in this sensitive area so close to the Open Forest. Consider a slate roof to match the existing cottage would be more appropriate than the seemingly timber proposal (as per the Boldre Parish Design Statement).

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objections subject to condition.

9. REPRESENTATIONS

9.1 Objection received from the neighbouring property, The Rosary, on grounds of overlooking/ loss of privacy from the north-facing glazed link.

10. RELEVANT HISTORY

10.1 Increase in ridge height to part of outbuilding; external alterations (13/98539) approved on 26 July 2013

11. ASSESSMENT

11.1 Monks Cottage was originally a traditional New Forest cottage which was extended quite extensively prior to 1982. It is in need of internal modernization, but it is noted as being a building of local or vernacular interest by the Forest South East Conservation Area Character Appraisal.

11.2 A replacement dwelling was originally proposed to the Authority, however, this was resisted, and the applicants were encouraged by officers to look at retaining and restoring the original cottage with more modern extensions to the rear.

11.3 The proposed extensions would incorporate around a 12% floorspace increase over what was there in 1982. The front of the cottage would be more sympathetically restored, with the extension adopting a contrasting 'barn-like' form. Glazing would be mitigated to the north elevation by way of a slatted screen. To the south, which is more enclosed by the applicants' garden, there would be patio doors at ground and first floor level, with a first floor terrace.

11.4 The main issues to consider are whether the extensions would be appropriate to the dwelling and its curtilage; whether the proposal would preserve or enhance the Conservation Area, and whether neighbouring amenity would be upheld.

11.5 The site falls within character area 'I' of the Conservation Area Character Appraisal ('Bull Hill and Pilley'). Monks cottage is not mentioned specifically, but forms part of a small group of 19th Century encroachment cottages near to the forest verge. The

site is visible primarily via the front elevation, but oblique views of the northern aspect of the dwelling are visible from the forest to north of the site.

- 11.6 The proposed rear extension will have its own distinct character to complement and contrast with the historic dwelling, but it is considered that it will allow the original to remain pre-eminent on site due to the glazed linked extension which sits in-between the two structures. The variety of roof lines, extent of the building spans and building sizes has helped to avoid monolithic impact as highlighted by the New Forest National Park's Design Guide SPD. Whilst the extension appears quite long, particularly the north elevation, it would be lower in eaves and ridge height than the main cottage, and very simple in appearance and materials. The CGI images submitted with the application show how the length of the extension will not be apparent from key views. The terrace and southern glazing would not be apparent from the public realm. The glazed link would be modest in span and so the glazing in the link would be concealed behind the main building. There are trees, hedgerows and fields to the back of the site, and the more extensive glazing would be on the side elevation facing into the applicant's own garden.
- 11.7 The Parish Council also raise concern about the proposed use of timber cladding to the roof, and suggest that slate would be more appropriate. However, slate would undermine the rural/agricultural design of the extension and formalise/ domesticate the structure, which could make it appear more prominent or unexpected in the landscape. The Boldre Village Design Statement confirms that "use of natural and traditional materials in new buildings is encouraged where appropriate" and the use of timber is a natural material which is considered to be appropriate for the type of structure being proposed.
- 11.8 The potential for overlooking of 'The Rosary', the adjacent neighbour to the north, has been assessed on site. There is already one clear-glazed window on the existing first floor north-facing elevation of Monks Cottage. This affords limited views of the private amenity space of The Rosary. In addition, a slatted glazed screen is proposed at first floor level, further along the elevation. The neighbours of The Rosary consider that this would cause significant overlooking of their back garden, by virtue of its position further along the building. The applicant contends that the slats, combined with the set-back of the floor behind the screen, would prevent overlooking. The slats would be 44mm x 100mm in diameter, with gaps of only 50mm between the slats, so there would be very little view out of the window into the neighbouring garden. The internal first floor would be over 2m away from the glazed screen. There would be a void in-between, as this is the stair well area. There would be a distance of around 24m between the glazed screen and the neighbour's sitting-out area at the back of the house. In addition, a planting scheme is

proposed comprising pleached trees along the boundary with the Rosary. This can be secured by landscaping condition. Overall, it is considered that the potential for additional overlooking would not be significant.

- 11.9 The neighbour to the south, Cobblers Paddock, is separated by a paddock and stables, which lie within the ownership of the applicant. Due to the intervening distance, this dwelling would not be affected by the proposal. All other neighbouring properties are of sufficient distance from the proposal as to be unaffected.
- 11.10 No trees would be affected by the proposal and it is unlikely that protected species or their habitats would be affected, as the development would be contained within the grassed garden area immediately around the house. However an informative note should be added to any consent granted to alert the applicants to their responsibilities under protected species legislation.
- 11.11 Overall it is considered that the proposal would preserve the character of the conservation area and it is recommended that consent 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 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).

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

Drawing nos: PP-001, PP-003 A, PP-005, PP-006.1, PP-006,

PP-007, PP-008 D, PP-008.1C, PP-009 SHT 01, PP-009.1 SHT 02, PP-010 D, PP-011 C, PP-012 B, PP-013 B, PP-014 B, PP-022 B.

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.

- 4 No first floor windows or rooflights other than those hereby approved shall be inserted into the northern elevation building unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties and the character of the building in accordance with Policies DP1 and DP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 No external lighting shall be installed on the dwellinghouse 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).

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

Typical joinery details including windows, doors, eaves, verge, bargeboards.

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 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 and shrubs 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 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).

- 8 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

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

- 9 No floor shall be inserted into the void as shown on drawing PP-008 D and the louvres hereby proposed across the northern window shall remain in situ at all times.

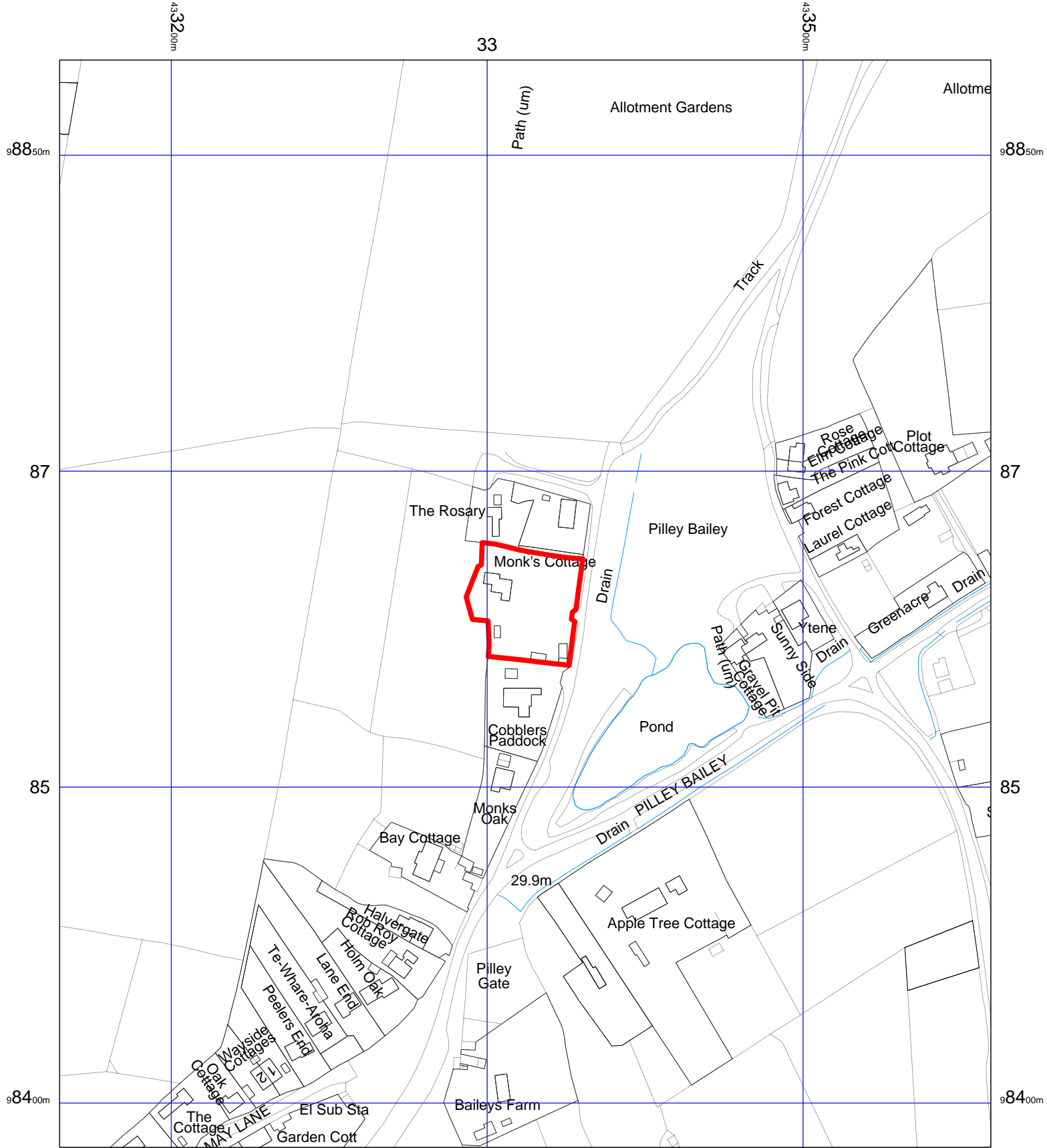
Reason: To protect the residential amenity of the adjacent dwelling in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal

requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0845 600 3078, or the project's own ecologist.

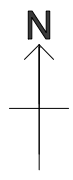
- 2 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has recommended changes which have been accepted by the applicant to ensure the development is compliant and does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



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Ref: 16/00757/FULL
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Application No: 16/00773/FULL Full Application

Site: 2 Hurstly Cottage, Lower Sandy Down Lane, Boldre, Lymington,
SO41 8PP

Proposal: Replacement outbuilding to create home office

Applicant: Mr J Hogan

Case Officer: Carly Cochrane

Parish: BOLDRE

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
CP8 Local Distinctiveness
DP12 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement
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

Boldre Parish Council: Recommend refusal. The inclusion of a shower room is totally unnecessary in an office and in conjunction with the utility room renders this proposal as virtually self-contained.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of representation was received from the occupier of the adjoining property, in support of the application.

10. RELEVANT HISTORY

10.1 Two storey side extension (02/76908) approved on 20 February 2003

11. ASSESSMENT

11.1 The application site comprises the right hand facing, two storey dwellinghouse in a pair of semi-detached properties, located to the northern side of Lower Sandy Down. The dwellinghouse is set back from the highway by approximately 45 metres with a number of trees and shrubs along its front boundary and within the front garden. As such, the dwellinghouse is not visible within the street scene. The rear amenity area measures approximately 30 metres in depth; however the land to the rearmost 22 metres slopes up from the ground level of the dwellinghouse, and comprises a wooded area. There is an existing detached outbuilding to the rear of the main dwellinghouse, located approximately 1.5 metres from the rear elevation of the dwellinghouse and upon the level ground surface. There is no planning history for this outbuilding, however it is considered to be of an incidental use, with a utility room, storage space and log store. There are also a number of detached outbuildings within the front garden area.

11.2 This proposal seeks planning permission for the replacement of the outbuilding to the rear. The existing outbuilding measures approximately 6.4 metres in width (9 metres to include a lean to which has already been demolished), 4.2 metres in maximum depth and 3.5 metres in height to the ridge. The proposed replacement outbuilding would measure approximately 6.4 metres in width, with an open sided log store resulting in a total width of 9.1 metres. The ridgeline would be of diminishing scales, and measure approximately 4.5 metres at its highest point (located closest to the dwellinghouse), and 3.2 metres at its lowest point, comprising the log store. The replacement outbuilding would be timber clad with Douglas Fir, with a natural slate roof and timber windows and doors. There would be no changes to any boundary treatments, and the outbuilding would not be located closer to the shared boundary with the adjoining neighbour than that existing. Internally, the replacement outbuilding would provide a home office and utility room, accessed via separate doors.

- 11.3 Boldre Parish Council has recommended the application for refusal. The application as originally submitted included a shower room within the home office area. It was considered that this was unnecessary within the home office, and in conjunction with the utility room would result in self-contained accommodation. As such, the shower room was removed from the proposed floor plans. The Parish was informed of the amended plans, however did not wish to change their comment.
- 11.4 The proposal is located to the rear of the main dwellinghouse, which in itself is not visible from Lower Sandy Down by virtue of the length of the front garden and vegetation at the boundary. The proposal would therefore not be visible within the street scene. The proposal would replace an existing outbuilding, in the same location, and be of a similar overall scale. The rear of the property is well screened by woodland, and as such is it not considered that the proposal would result in any adverse impact upon the character or appearance of the area.
- 11.5 The New Forest National Park Local Development Framework Design Guide Supplementary Planning Document (2011) (herein referred to as the 'Design Guide') notes the use of traditional materials, including timber cladding and natural slate. The Design Guide encourages the use of diminishing scales to respond to the different uses, which in turn minimises bulk, and states that outbuildings should harmonise with the main building. The use of a slate roof would match that upon the main dwellinghouse, and the timber cladding would result in a subservient character. Overall, it is considered that the proposal would be in accordance with the guidance.
- 11.6 The proposal would not be sited any closer to the shared boundary with 1 Hurstley Cottage than that existing. A letter of support has been received from this neighbour, and it is noted that there is an outbuilding of a similar footprint to that existing within the rear garden area of number 1. The outbuilding would be incidental in its use, and it is considered reasonable to attach a condition to ensure it remain as such. Resultantly, it is not considered that the proposal would result in any adverse impact upon neighbouring amenity.
- 11.7 As aforementioned, the proposed outbuilding is a replacement of an existing outbuilding which has clearly been in situ for a significant number of years, and there is no material difference in the floorspace or its use. It is considered reasonable to condition that outbuilding should only be used incidental to the main dwellinghouse, and should not comprise any habitable accommodation in accordance with Policy DP12 of the Core Strategy. This is a standard condition applied to most new and replacement outbuildings, and is considered appropriate to control the use. It should also be noted that it is likely that the proposal

would fall within the limitations of Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015.

11.8 Finally, there are a number of trees located close to the replacement outbuilding. A Tree Survey Drawing has been submitted alongside this application, detailing the species, their locations and crown spread. The application site is not located within a Conservation Area, and the replacement outbuilding would be sited upon the footprint of the existing outbuilding. Further, the Tree Officer considered that, should any damage be caused to the roots of the nearest tree (T6 on Drawing No 0223/4) during construction, it is not of any public amenity value. As such, it is not considered that there would be any significant adverse impact with regard trees.

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

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

2 Development shall only be carried out in accordance with

Drwgs: 0215/2, 0215/3B, 0215/4B, 0223/1, 0223/4.

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.

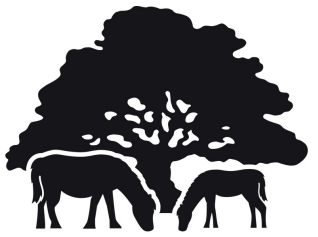
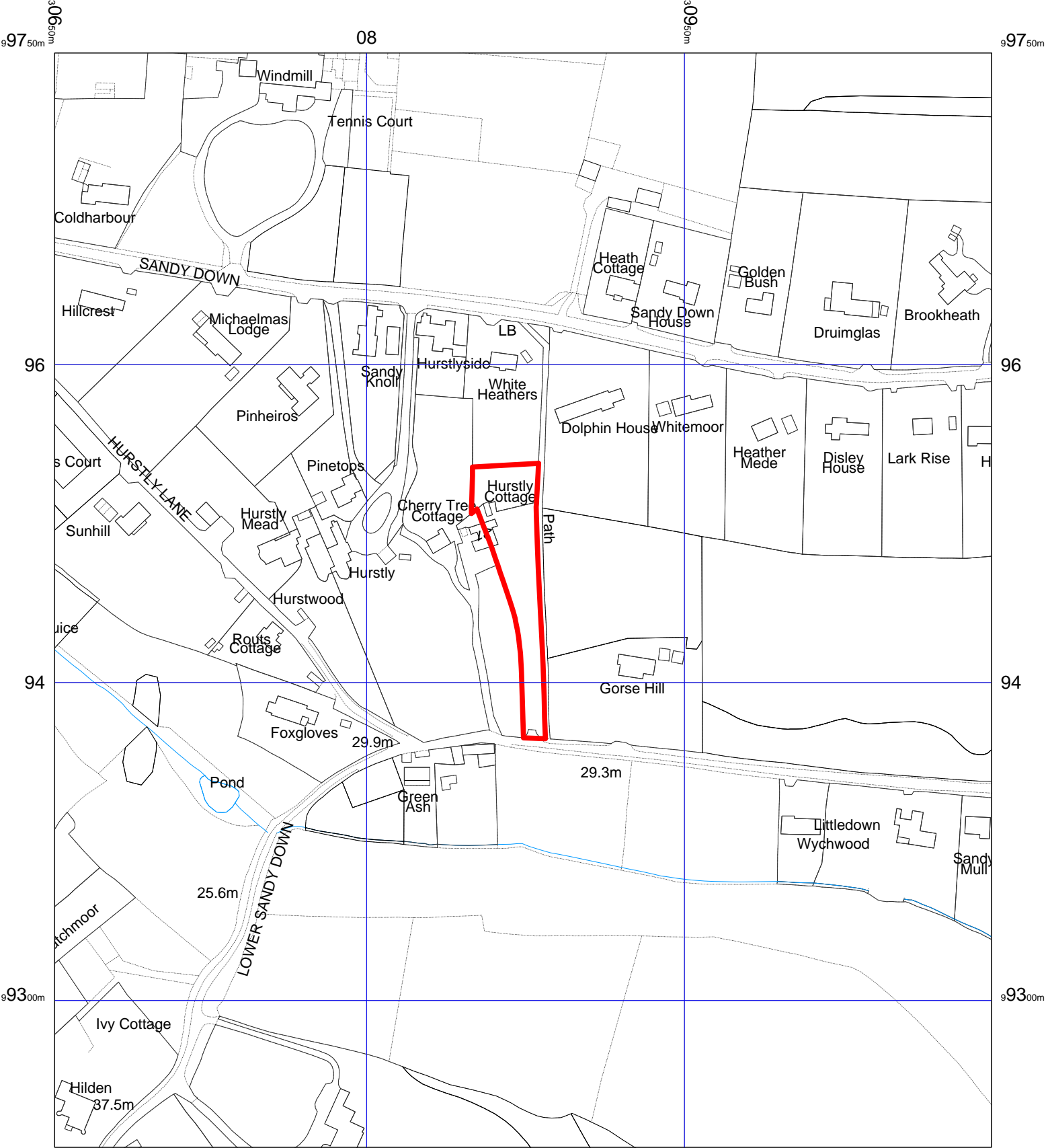
3 Unless otherwise first agreed in writing by the New Forest National Park Authority the external facing and roofing materials shall be as stated on the application form hereby approved.

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 building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



**NEW FOREST
NATIONAL PARK**

New Forest National Park Authority
Lymington Town Hall, Avenue Road,
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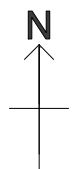
Tel: 01590 646600 Fax: 01590 646666

Date: 30/11/2016

Ref: 16/00773/FULL

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Application No: 16/00804/FULL Full Application

Site: Land To The North East Of Vinneys Close, Brockenhurst, SO42 7AB

Proposal: Erection of 4 houses and 6 flats with associated car parking and landscaping; access alterations; cycle stores/sheds

Applicant: Martlet Homes

Case Officer: Clare Ings

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Defined New Forest Village
Listed Building

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP11 Affordable Housing
CP7 The Built Environment
CP8 Local Distinctiveness
DP1 General Development Principles
DP6 Design Principles

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
Sec 12 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal. Initial comments:

- concerns over flooding than the existing Vinneys Close and this must be fully considered and mitigated
- concerns that the ecological appraisal may not have identified all evidence of wildlife
- would like to see the spoil generated on site to provide a ramp to the pedestrian railway bridge, thus reducing vehicle movements and improving access
- concerns over increased traffic and vehicle movements causing a nuisance
- is there potential for these dwellings to be built to higher than current standards in order to reduce long-term running costs for the occupants.
- concern over the mix of housing units in that six one-bedroomed flats are proposed

Concerns over wildlife have been addressed; concerns remaining are

- flooding issues
- mix of housing units

8. CONSULTEES

- 8.1 Tree Officer: No objection subject to condition.
- 8.2 Building Design & Conservation Area Officer: Comments made on the original plans submitted and suggested changes. These have now been submitted and are generally along the lines discussed. No objection.
- 8.3 Ecologist: No objection, subject to conditions and SPA mitigation contribution.
- 8.4 Highway Authority (HCC): No objection, subject to conditions.
- 8.5 HCC Access Development Officer (Planning): No comments received.
- 8.6 Housing Development NFDC: Support the mix of housing; there is sufficient evidence to demonstrate a need for one-bedroom flats.
- 8.7 Environment Agency: The site lies outside its external checklist.
- 8.8 Landscape Officer: Initial concerns over use of 1.8m high close board fencing and metal gates have been addressed through the submission of amended plans. An external lighting plan should be submitted.

9. REPRESENTATIONS

- 9.1 Five representations received making the following comments:
- concern over drainage - the land is low lying and liable to flood

- implications of construction traffic making use of adjoining bridleway which also has a blind bend
- loss of protected trees
- site is unsuitable for development
- additional traffic through existing Vinneys Close, access should be directly onto Mill Lane or use made of the existing bridleway
- threat of development on wildlife
- all the affordable housing in Brockenhurst is concentrated in one location
- would like to see a dedicated footpath through the site to the adjoining bridleway

10. RELEVANT HISTORY

- 10.1 10 affordable housing units comprising 4 one bed flats; 23 two bed house; 3 three bed house (05/84765) - granted permission on 30 March 2007. Application on adjoining land.

11. ASSESSMENT

- 11.1 The application site lies immediately south of the main Bournemouth to Waterloo railway. It comprises an irregular shaped parcel of land, relatively open and level, currently undeveloped, bounded to the west by an existing development of affordable housing, and to the east by a bridleway culminating in a footbridge over the railway. The southern part of the site is more wooded, and the boundaries themselves comprise trees and hedgerow to the bridleway, a more wooded southern boundary and fencing to the existing development. Opposite the site on Mill Lane lies North Lodge, a listed building, and Thurstons Cottage, which uses the bridleway as its main access point. The site lies outside the defined village boundary, and adjacent to the conservation area.
- 11.2 The proposal is for a development of 10 affordable units, submitted on behalf of The Hyde Group, a Registered Social Landlord. The scheme would be arranged around a central courtyard, with the built form predominantly two storey but with single storey parking/ garaging elements. The accommodation provided would be a mix of one bed flats (6), two three bed houses and two two-bed houses. A total of 15 parking spaces/ garages would be provided. Access would be through the existing development to Mill Lane, together with a pedestrian access to the bridleway. The southern portion of the site would be left undeveloped as an unaltered ecological area, and divided from the rear gardens of the dwellings by fencing.
- 11.3 The key considerations are:
- the principle of the development,
 - its design - external appearance and layout
 - its impact on the wider landscape, trees and ecology

- its impact on the amenities of neighbouring properties
- its impact on traffic and drainage

The principle

- 11.4 As stated above, the site lies outside the defined village boundary for Brockenhurst and therefore the only potential for residential development would be for affordable housing. The scheme has been put forward by The Hyde Group, a well-established provider of affordable housing in the local area. The development would meet a defined housing need following discussions between the applicant, (HARAH (Hampshire Alliance for Rural Affordable Housing) and the New Forest District Council's housing team. The mix of housing, including the one bed flats, is considered appropriate, particularly as information from NFDC indicates 31 people waiting for single bedroom accommodation on the housing list. The scheme is therefore considered acceptable as an "exceptions" site, and would comply with policy CP11.
- 11.5 As the proposal is for affordable housing, for both rent and shared ownership, the occupancy of the scheme would be controlled by a S106 Agreement. The Agreement would ensure that the dwellings would be occupied by persons with a local connection to the parish in perpetuity. The applicant has accepted the need to enter into the agreement.

Design considerations

- 11.6 The layout is similar in form to the adjoining affordable housing scheme of buildings arranged around a courtyard, with echoes of a farm courtyard, and which is considered generally appropriate in this context. There were original concerns with the regularity of the roof elements but, through negotiation, amended plans have been received which do not alter the basic layout or number of units, but vary the eaves and ridge heights of the built form, and introduce gables, all of which would give a greater visual variety which would contribute to an acceptable overall external appearance. Other detailed changes to fenestration and variations in materials would also contribute to this scheme. Thus the proposal is considered appropriate in this location and would not harm the setting of the adjoining conservation area.
- 11.7 Other elements, such as the boundary treatment of fencing and walls have also been slightly altered through on-going discussions, avoiding the over-use of close-boarded fencing, and the overall appearance of the proposal would avoid having an over suburban appearance.
- 11.8 Whilst the development is likely to be seen in views from Mill Lane, these will be partially reduced by the existing trees along the Mill Lane frontage and the set back of the proposal well within the site. As a result, the proposal is not considered to have a

detrimental visual impact in the wider landscape. However, external lighting if not appropriately controlled, could have an impact on dark skies particularly in this location on the edge of Brockenhurst. It is therefore considered that the use of low bollard lighting for the access and parking areas would be appropriate, and a condition is recommended that the lighting scheme would be submitted to and approved prior to the development commencing.

Impact on Trees and Ecology

- 11.9 The development does not propose the felling of any trees which loss would have a significant impact of the visual amenity of the area. However, a tree protection plan has been submitted, and the development would be conditioned to ensure that this protection would be in place during the development of the scheme.
- 11.10 The development would result in the loss of more widespread habitats of lower conservation value, but which would be off-set to a certain extent by the retention of the area to the south of the development being left as a wildlife area, envisaging a succession to scrub and woodland. This could function as a buffer, but the information relating to its future management and protection for it to be fully assessed as offering compensation for other habitat loss is limited. However, the proposal would also offer other opportunities for ecological enhancement, such as bat tubes and artificial bird nesting structures, and these would be secured by condition. In addition, as the site lies within 400m of the New Forest SPA and within 5.6km of the Solent SPA, it will be necessary to secure a financial contribution towards mitigation, and this latter requirement would form part of the S106 Agreement.

Impact on the amenities of adjoining occupiers

- 11.11 There is unlikely to be any significant impact on the amenities of the adjoining occupiers in terms of either overlooking or overshadowing given the distance of the proposed development from those properties.

Impact on flooding

- 11.12 Concerns have been raised by the Parish Council and local residents over the issue of the site being potentially at risk from flooding due to its low lying nature, and that the land levels should be raised in order to address this issue. Whilst the site does not lie within Flood Zones 2 and 3, it would appear that the concerns are with the water table in this area. No comments have been received from the Environment Agency as the site falls outside its external checklist, and standing advice would therefore apply, but the applicant's contractors have advised that although the top

layers of soil/strata are impermeable, the lower levels are much more permeable and therefore will drain a lot better. In addition, their survey indicates that the ground water table is 2M below ground level, and that with the implementation of the proposed drainage strategy, this will allow surface water to drain away.

Impact on traffic

- 11.13 The proposed access to the site would be through the existing Vinneys Close and therefore using the existing junction with Mill Lane. Although this would add additional traffic movements to that junction, it is considered that this presents the best option for accessing the site, as additional openings onto Mill Lane would result in the loss of significant trees. No objections have been received from the Highways Authority, who also acknowledge that sufficient parking has been provided.
- 11.14 Concerns have been raised over the possibility of using the adjoining bridleway for construction traffic. The applicants have suggested this as a possible option, but no firm details as to whether this would be route has been given. The bridleway lies outside the red edge of the application, and therefore it would not be possible to condition that it should or should not be used. The advice from the Highways Authority is that if this were proposed, it would be subject to an agreement with them.

Conclusion

- 11.15 The site has been put forward as an "exceptions" site for affordable housing to meet an acknowledged need, and therefore would comply with policy CP11 of the Core Strategy. The design, layout and mix of units would be acceptable in this location, and would not adversely harm the amenities of adjoining occupiers. Details to protect trees and ecology are either in placed and would be secured through condition. Permission is therefore recommended.

12. RECOMMENDATION

Subject to the prior completion of a section 106 agreement to:

- a) control the occupancy of the affordable dwelling to persons with a local connection
- b) retain the affordable housing in perpetuity
- c) secure financial contributions to help mitigate potential harm to the Solent and New Forest SPAs

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 out in accordance with (list plans). No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 No 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).

- 4 Prior to the commencement of development ecological mitigation for the Solent and 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.

- 5 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the

ecological report (ECOSA Ecological Appraisal dated July 2016) approved as part of this planning application.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 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 (Broad Oak Tree Consultants Limited Arboricultural Implications Assessment dated 11 July 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).

- 7 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).

- 8 The development hereby permitted shall not be occupied until the arrangements for parking (cars and cycles) and turning within the site 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.

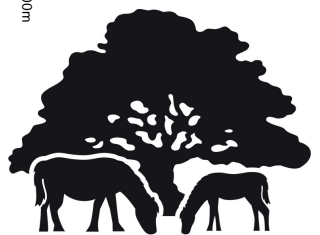
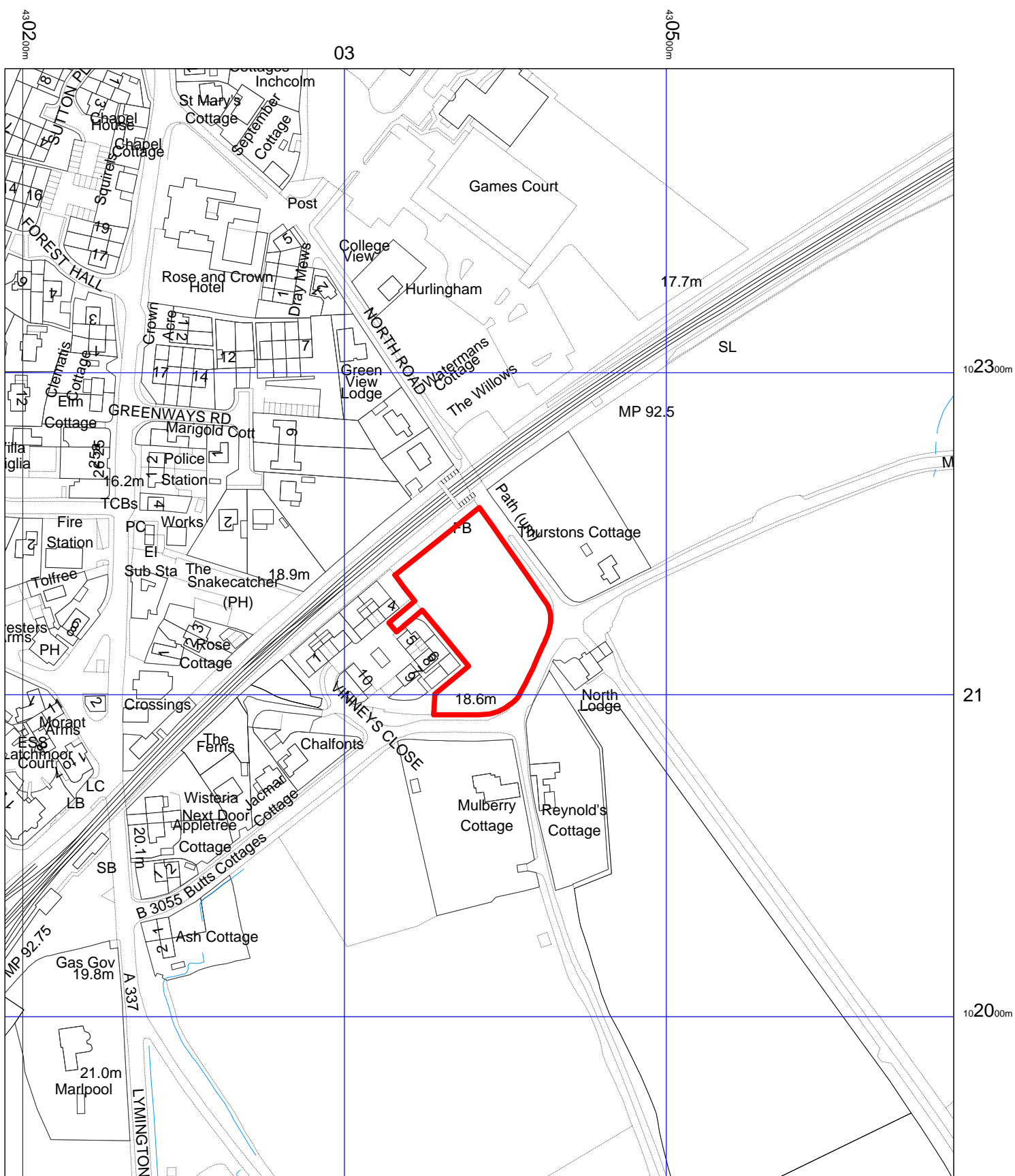
- 9 Development shall only be carried out in accordance with Drwgs: 01, 02, 03, 04, 05, 08, 09, 10, 11 and 1297_PP_300 (or such plans as may be substituted). No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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.

- 10 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).



**NEW FOREST
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Lymington Town Hall, Avenue Road,
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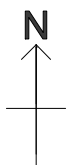
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Application No: 16/00807/FULL Full Application

Site: Elmwood House, Sandy Down, Boldre, Lymington, SO41 8PN

Proposal: Replacement outbuilding

Applicant: Mr & Mrs Bell

Case Officer: Katie McIntyre

Parish: BOLDRE

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
DP12 Outbuildings
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

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

Boldre Parish Council: Recommend refusal:

This proposal seems excessively large for a summer house and further from the pool than the house as a changing area being therefore

somewhat impractical for the stated use. The size and situation on existing gravel mean this could easily be yet another separate unit of accommodation.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 10/94932 - retention of outside swimming pool - granted on 18 May 2010

10.2 09/94770 - replacement outbuilding - granted on 3 February 2010

10.3 98/63484 - ground and first floor additions - granted on 2 May 1998

11. ASSESSMENT

11.1 Elmwood House is a large detached property set within substantial grounds located in the small settlement of Sandy Down outside of the defined New Forest Villages. The area is characterised by residential detached properties set in large grounds. There is a public footpath running along the western boundary and beyond the rear boundary is a large area of woodland. This application seeks consent for a replacement outbuilding.

11.2 The Parish Council have objected to the proposal raising concerns in relation to the size of the summer house and its siting. Concerns have also been expressed in relation to whether the building could become a separate unit of accommodation.

11.3 Consent has previously been granted for the outbuilding proposed however this consent was not implemented and has since expired (our reference 09/94770). No alterations are proposed to the design or size of the outbuilding which would have a footprint of 9.7m by 6.1m and a ridge height of 5.6m. The building would serve a summer house, changing room facilities for the outdoor swimming pool and a store. It would be constructed of timber waney edge boarding with a clay plain tile roof to match the host dwelling. In 2010 consideration was given by the Authority to the scale and design of the outbuilding proposed and the amenities of the neighbouring properties. It was concluded that the proposed replacement building would improve the appearance of the site and although it would be fairly large, with a high roof, this would be proportionate to the dwelling and would match its style. The

use of the outbuilding was also considered to be incidental. Furthermore, as the outbuilding would not be situated immediately adjacent to any neighbouring dwelling any impact upon residential amenities would be minimal.

11.4 There have been no significant changes to the character of the site or the relationship with neighbouring properties since the granting of permission in 2010. Furthermore the policy requirements have remained the same with the now adopted policy DP12 being very similarly worded to superseded policy NF-H5 of the New Forest District Local Plan First Alteration. Both of these policies require outbuildings to have an incidental use, be sited within the residential curtilage, and to have an acceptable impact upon the character and appearance of the New Forest. The Parish Council also raised no objections to the proposal when it was submitted in 2010.

11.5 To conclude, as there have been no material changes to the character of the site, the relationship with neighbouring residential properties or with regards to policy requirements, it is considered it would not be reasonable for the Authority to raise an objection to the proposal given it has previously considered to be acceptable. It is however recommended that the same conditions as those attached to the earlier consent are applied to any permission granted which includes a condition requiring the outbuilding to remain incidental use.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

2 Development shall only be carried out in accordance with drawing numbers: 01 Rev A and 02. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

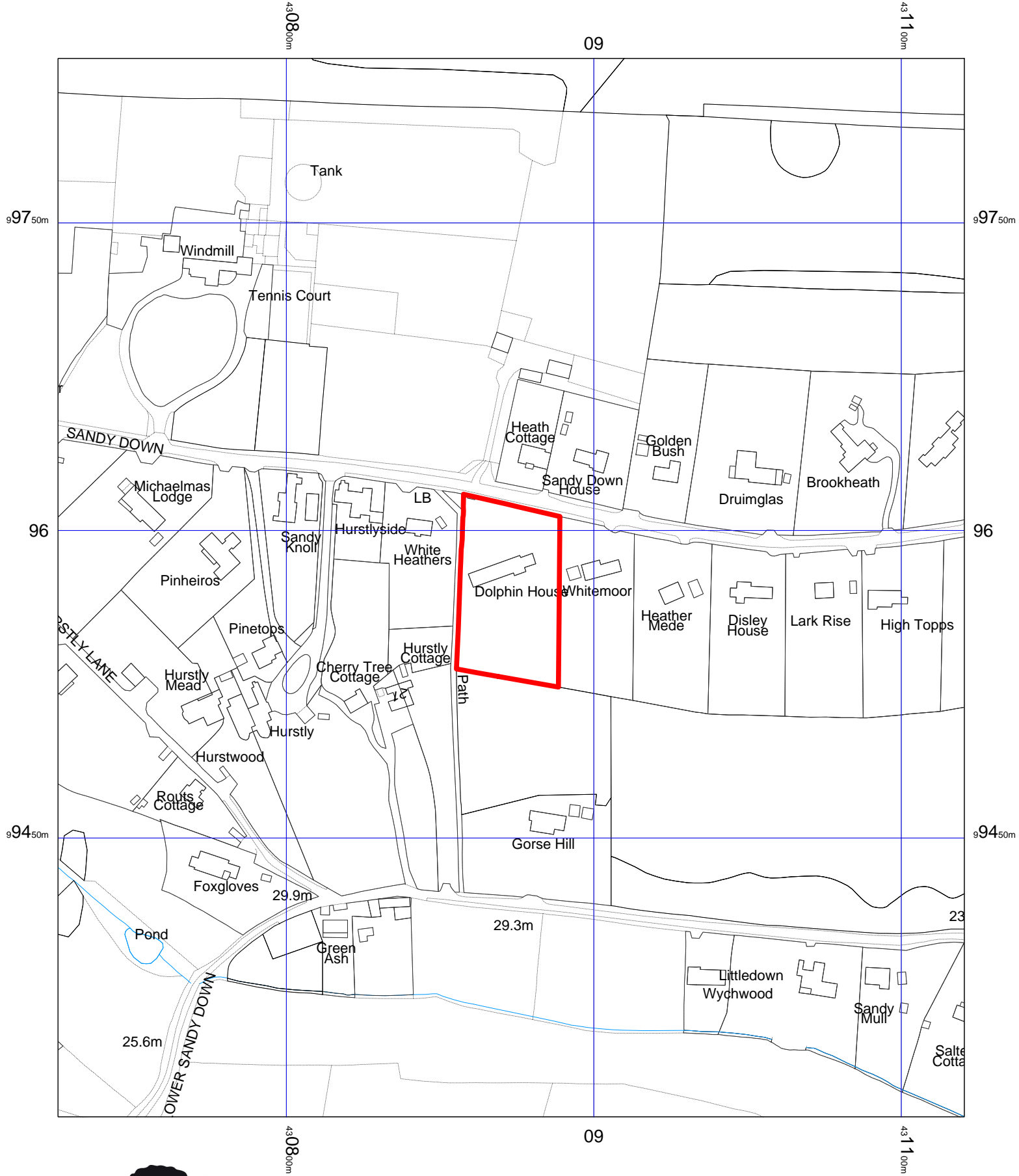
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 3 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 The external facing materials to be used in the development shall match those used on the main dwelling, unless otherwise agreed in writing by the New Forest National Park Authority.

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



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

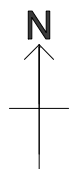
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Application No: 16/00828/FULL Full Application

Site: Paysanne, Godshill Wood, Fordingbridge, SP6 2LR

Proposal: Dwelling; detached garage with office over; sewage treatment plant
(demolition of existing dwelling and outbuilding)

Applicant: Dr Gotham & Ms English

Case Officer: Deborah Slade

Parish: GODSHILL

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP11 Extensions to Dwellings
DP6 Design Principles
CP7 The Built Environment
CP2 The Natural Environment
DP12 Outbuildings
DP10 Replacement Dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment
Sec 7 - Requiring good design

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Godshill Parish Council: Objection:

- The Parish Council considers that the proposal exceeds the 30% due to an attached outbuilding on the original dwelling;
- There is concern about light spillage to the south and from the garage rooflights
- There is concern about the maintenance and position of the sewerage tank proposed;
- Surface water drainage has not been adequately considered
- More details of the temporary access should be provided
- There is insufficient access and turning for construction vehicles to reach the site
- Plans for the garage are unclear
- If approved, planning conditions should ensure that the garage remains in incidental use and tree protection is employed.

Overall, refusal is recommended.

8. CONSULTEES

8.1 Tree Officer: No objection subject to condition

9. REPRESENTATIONS

9.1 Four letters of objection/ concerns received from neighbouring residents:

- The site is visible from footpaths to the south and east as well as the gravel track to the north;
- The outbuilding would be too large and bulky
- Vehicles could not adequately access the site for construction
- The existing building could be retained
- The new dwelling would be incongruous and unsightly. It would not preserve or enhance the Conservation Area. It would contain excessive glazing
- The proposal would exceed the 30%
- No details of external lighting have been included
- Topographical representation in the plans is inaccurate
- The proposal would impact upon trees
- The proposed drainage proposals are inadequate
- The position of the proposed LPG tank is not shown
- The bat survey is out of date

9.2 Objection received from New Forest Association:

- The proposal exceeds a 30% floorspace increase;
- The design of the house is inappropriate for the location and would not preserve or enhance the character of the Conservation Area;
- Conditions should be added to remove permitted development rights.

10. RELEVANT HISTORY

- 10.1 Replacement dwelling and detached triple garage with office over; sewage treatment plant; demolition of existing dwelling and garage (16/00392) withdrawn on 5 July 2016

11. ASSESSMENT

- 11.1 'Paysanne' is a detached, single storey, early 20th Century bungalow, constructed of painted brick and tile, with flat-roofed additions. It is located within the Western Escarpment Conservation Area, on a sloping site, with generally wooded surrounds. There is a scattering of dispersed residential development in the vicinity. Access to the property is narrow but can be achieved from two directions. The site is rural in character, and the existing dwellinghouse is not considered to be of any vernacular or architectural merit.
- 11.2 Permission is sought for a replacement dwelling and a detached outbuilding. The new dwelling would be sited on the same position as the existing dwelling, and the outbuilding would be located over the footprint of an existing smaller outbuilding at the site. The replacement dwelling would incorporate a floorspace increase of just less than 30% over the existing dwelling. It would be a single storey building in the main, with a ridge height of 4.8 metres, and a narrower, one-and-a-half storey component, with a ridge height of 5.9 metres. The building would have a total length of 15.5 metres and a depth of 9.6 metres. The overall floorspace of the dwelling would be 158 square metres (compared to 123 in the existing dwelling). The existing dwelling has a ridge height of 6 metres, so the proposal would be no higher than the existing dwelling at its highest point.
- 11.3 Concern has been raised by the Parish Council and neighbouring properties that an existing lean-to element of the building should not be included within the 'existing' floorspace calculation, and that it should instead be discounted as an 'attached outbuilding'. The element in question has been included by officers as it of very small scale, of similar appearance to components of the main house, and is a utility room to the main house. It does not have any separate character, form or identity, which would be identifiable in an 'attached outbuilding'.
- 11.4 The existing building is not considered to be of local or historic interest by the Conservation Area Character Appraisal. The proposed dwelling would be more contemporary in its appearance, but with vernacular references such as timber framing and Flemish brick work. A high quality palette of materials would be utilised including a slate roof with zinc dormers. The site falls within character area E of the Conservation Area (Castle Hill and escarpment edge and scattered isolated development). The topography of the landscape dominates this

area, with scattered isolated dwellings. Each of the buildings of interest is very different in character, and no particular form prevails. However, many buildings include good local vernacular detailing.

- 11.5 The dwelling does not form part of a streetscene, and is viewed in isolation of other surrounding buildings. The form would avoid a standard suburban dwelling, as advocated by the Design Guide. The low ridge height, and split form of the building, would prevent it appearing bulky from outside the site and would help to reduce its visual impact. Glazing would be tempered by a generous eaves overhang, subdivision by a series of timber mullions, and small-scale windows to most elevations. When viewed from the track to the north, the existing dwelling is positioned at a lower land level, which reduces any visual impacts. When viewed from the south, glazing would be more extensive, to compensate for minimal glazing to other elevations. However, its impact would be reduced to some degree by a proposed accompanying planting scheme. The building would be visible in the landscape from the south, and whilst views from the footpaths to the south and east would be restricted by extensive vegetation in part, there would be some open views of the property from across the valley. At present, the house is notable in the landscape by virtue of its white paint. The proposed house would recede in part through its traditional brick work, albeit the glazing could be more prominent at night. When considering the planting and restricted views, it is not considered that this would be significantly detrimental to the landscape.
- 11.6 The applicants point to a contemporary house showcased on the National Park Authority's website as design inspiration for this proposal. The similarities include a run of south-facing glazing to maximise passive solar gain.
- 11.7 The terracing effect, caused by the additional depth of the building and the proposed patio area, has been considered. The patio would be created by grading the land rather than including any hard-engineering retaining wall. This would be planted with a grassed bank and shrubs, as shown on the plans. This can be secured by condition to ensure that the dwelling assimilates well into its landscape setting.
- 11.8 The outbuilding would be notably larger than the existing outbuilding, which is a simple double garage with a low monopitch roof. The proposed outbuilding would have three bays, with a home office above two of the bays. The building would have a height of 5.2 metres and an eaves height of 2.3 metres; however it would be cut into the hillside so that its height on the north elevation would only be 3.4 metres above ground level at that point. As the ground rises to the north, views from the public realm would be down towards the roof of the outbuilding, so it would not be imposing or cause significant visual impact. Policy

DP12 supports working from home, and also outbuildings within the curtilage for incidental purposes - this would be secured by condition. 4 rooflights would be proposed in the roof, 2 on each elevation. These would be 'conservation' rooflights, fitted flush to the roof. Due to the siting of the outbuilding, it would hardly be visible from surrounding views, and would not be considered to have significant visual impact upon the wider area.

- 11.9 Trees on this site are protected by virtue of growing in the Conservation Area. The Tree Officer concludes that the proposed tree losses will have little or no effect on the character of the Conservation Area and long term removal of certain trees with replacement of native broadleaved trees would be an improvement. One large tree would need to be removed, that is a large Ash tree at the north of the site. Cutting the outbuilding into the bank could de-stabilise this tree, hence the need to remove it. Within the wooded context of the site, the loss of this tree would not compromise the character of the area.
- 11.10 Drainage would be provided for on-site, including a new sewage treatment plant within the curtilage. This is considered to be an acceptable drainage solution. There is not considered to be any substantial addition in hard surfacing at the site that would significantly affect surface water run-off characteristics.
- 11.11 Access would be via the existing track and entranceway, except for a new construction access which would be created on the western side of the site through a less-vegetated part of the boundary, and where the site is most level. This would be re-planted with native trees/ hedging post-construction. The application is accompanied by a Construction Management Statement. This seeks to minimise the amount of construction traffic movements along the single-carriageway road to the site, and the decanting of materials to smaller vehicles wherever possible. The applicants are aware of their duty to maintain the quality of the road and track to the site and are willing to do this as necessary, including a photographic record of the quality of the track prior to any works commencing.
- 11.12 An ecological report has been submitted with the application. This was carried out in May 2015, and ecological reports are generally considered valid for up to 3 years unless there are specific changes in a site or the report confirms otherwise. This initial ecological work was followed up with further bat work, and pre-emptive reptile fencing, which has been in place at the site for several months. The bat emergence surveys from June and July 2015 confirmed that no bats are currently using the property. However as the house has historically housed bats, mitigation and enhancement measures are proposed, and these can be secured by condition.

- 11.13 Overall it is considered that the proposal would preserve the character of the Conservation Area and that consent should be granted, subject to conditions, in accordance with Policies CP7, DP10 and DP11 of the Core Strategy.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall take place above slab level until samples or exact details of the facing and roofing materials for the dwelling and outbuilding hereby approved 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).
- 3 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.

Typical joinery details including windows, doors, eaves, verge, bargeboards.

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).
- 4 No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

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

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

5 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 and shrubs 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 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).

6 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP1 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 and the restrictions on floorspace, 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 Policies DP10, DP11, CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report approved as part of this planning application.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 10 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).

- 11 The outbuilding the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the

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

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

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest and the character of the Western Escarpment Conservation Area in accordance with Policies CP2, CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 13 Prior to the commencement of development, an updated Construction Management Statement shall be submitted to and approved in writing by the National Park Authority. This shall be based upon relevant details in the Construction Management Statement submitted with the planning application, dated April 2017, and additional information from the applicant dated 11 November 2016. The development shall be carried out only in accordance with the approved methods.

Reason; To prevent harm to the New Forest SSSI, trees, verges and other character features of the Western Escarpment Conservation Area in accordance with Policies CP2, CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

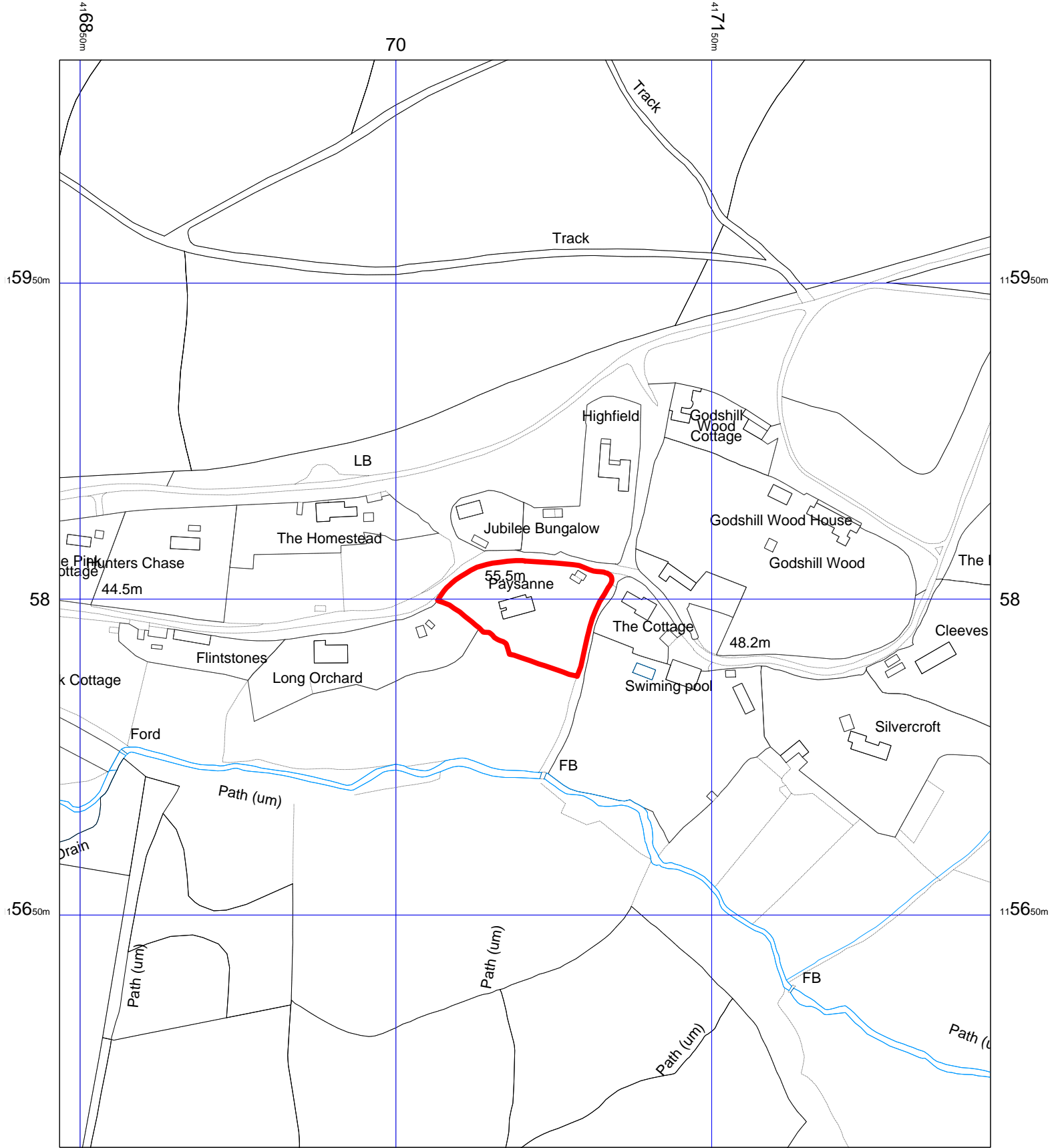
- 14 The trees and hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement. Tree protection measures shall be erected prior to the construction of the temporary access.

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).

- 15 Prior to the first occupation of the dwelling, the existing temporary access to the site shall be stopped up and abandoned. The boundary treatment shall be reinstated, in accordance with a scheme to be submitted to and approved by the Local Planning Authority, immediately after the completion of the new access and prior to occupation of the buildings.

Reason: In the interest of highway safety and the character of the area, and to comply with Policies CP7, CP8 and CP19 of the New Forest National Park Core Strategy and Development

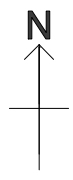
Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.



New Forest National Park Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG
 Tel: 01590 646600 Fax: 01590 646666
 Date: 29/11/2016

Ref: 16/00828/FULL
Scale: 1:2500

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Application No: 16/00837/FULL Full Application

Site: Lees And Co, Main Road, Portmore, Lymington, SO41 5RF

Proposal: Application to vary section 106 agreement of planning permission reference 15/00351 to waive financial contributions towards affordable housing, public open space and transport

Applicant: Mr D Lees, Lees & Co

Case Officer: Deborah Slade

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP1 Nature Conservation Sites of International Importance
CP17 The Land Based Economy

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement
Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment
Sec 3 - Supporting a prosperous rural economy
Sec 6 - Delivering a wide choice of high quality homes
Sec 7 - Requiring good design

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Happy to accept the officer's decision under delegated powers.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 No representations received.

10. RELEVANT HISTORY

10.1 Two dwellings; garages; restoration of site to meadow/ pasture land; re-instatement of river bank (demolition of existing dwelling and accommodation block, poly tunnels, roads, yards, structures and buildings) 15/00351 ~ approved subject to conditions and S106 agreement 3 November 2015

11. ASSESSMENT

11.1 Members may recall this application from Committee **November 2015**. At that time, it was resolved to grant permission for 2 no. dwellings in lieu of the existing manager's dwelling and agricultural accommodation block at Lees & Co. nursery. This was subject to a S106 agreement to ensure demolition of the existing buildings and structures, restoration of the extensive nursery land to grazing land, and the payment of habitats mitigation amounting to £1,424 and affordable housing contributions amounting to £43,650.

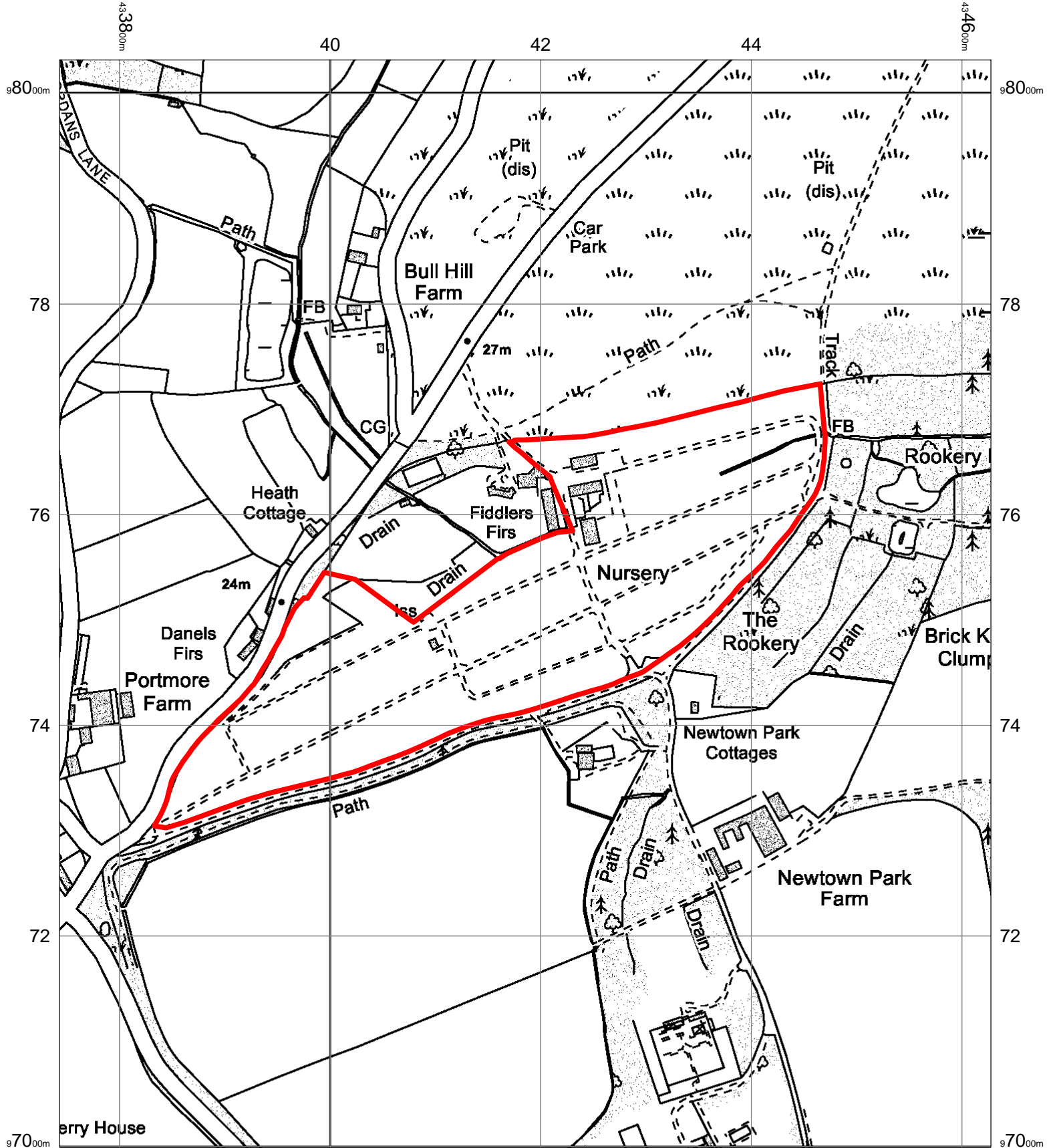
11.2 Members deemed the affordable housing contribution necessary in order to render more acceptable a proposal which was contrary to policy. The site does not provide for any on-site affordable housing (whereas Policy CP11 would require 50% on-site affordable housing, and Policy CP12 would not normally allow housing in this location). Therefore the affordable housing contribution which was offered by the applicant at the time would have provided off-site affordable housing benefits instead, thus rendering the proposal a little more compliant with the thrust of the Authority's affordable housing Policy, CP11. By removing this contribution, the proposal will not comply with Policy CP11 or Policy CP12.

11.3 This application now seeks to vary the legal agreement to remove the provision of affordable housing contributions from the S106 agreement. The applicant has cited viability issues as a key reason for the application at this time.

- 11.4 On **11 May 2016** the Court of Appeal found in favour of the Government in their appeal against the previous High Court decision in the case of *West Berkshire District Council & Reading Borough Council v Secretary of State for Communities and Local Government*. The consequence of this was that Local Authorities are no longer able to collect "tariff style contributions" on proposals for 5 dwellings or less. In this case, it means that contributions towards affordable housing, open space and transport can no longer be collected. This is confirmed in the National Planning Practice Guidance (NPPG) at paragraph 31.
- 11.5 Whilst the Government's advice on collecting affordable housing contributions is therefore clear, it should be noted that there have been some instances of appeal inspector's concluding that affordable housing can still be collected as a result of prevailing local planning policy.
- 11.6 A Habitats Mitigation Contribution of £1,424 can still be collected, and the applicant does not propose to remove this from the S106 agreement.
- 11.7 The contributions were originally sought to compensate for the increase in on-site residential impacts, due to the seasonal nature of the accommodation block to be removed, and the additional presence of a large dwelling with year-round occupation in the landscape as a replacement. However, it is not considered that the lack of affordable housing contributions would be a sound reason for refusal in light of the Government's advice on contributions, set out in the NPPG, which was issued and has now been upheld since the earlier committee decision to permit this development. The proposal will still bring the benefits of landscape restoration, and contributions towards habitats mitigation, which were previously negotiated.
- 11.8 It is therefore recommended that the S106 agreement is varied to remove the requirement for developer contributions towards affordable housing, to accord with the NPPG.

12. RECOMMENDATION

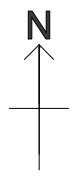
Vary S106 agreement to remove affordable housing contribution.



New Forest National Park Authority
 Lymington Town Hall, Avenue Road,
 Lymington, SO41 9ZG
 Tel: 01590 646600 Fax: 01590 646666
 Date: 09/12/2016

Ref: 16/00837/FULL
Scale: 1:5000

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Application No: 16/00876/FULL Full Application

Site: Cedar Mount, 11 Oak Close, Lyndhurst, SO43 7EF

Proposal: Two storey side extension; single storey rear extension

Applicant: Mr & Mrs Atkinson

Case Officer: Carly Cochrane

Parish: LYNDHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

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

Lyndhurst Parish Council: Recommend refusal. Consider the proposal to be overdevelopment, out of keeping within a prominent sight and would have a major impact. Note that the previous plans were approved but scale on these plans is much larger.

8. CONSULTEEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of representation was received from the occupier of a neighbouring property. The issues raised are summarised as follows:

- The proposal extends to the back of the house [by] 3m, which is further than the previous application which was 1.3m. This will extend beyond the rear of [our] property which includes facing [our] back door, although accept the extension will not extend past the rear of [our] conservatory.
- Although detached, [our] houses are only 1m apart.
- Concerned with the change in levels of overshadowing from the height of the building within the garden area immediately adjacent to the rear elevation, which is higher than the current fence.

10. RELEVANT HISTORY

10.1 One and two storey extension; boundary fence and gates (12/97880) - permission granted on 22 November 2012

10.2 One and two storey extension; boundary fence and gates (11/96910) - refused on 21 December 2011. Appeal against refusal dismissed on 30 April 2012

11. ASSESSMENT

11.1 The application site is located on a corner plot of Oak Close and Cedar Mount, and comprises a two storey detached dwellinghouse with an attached flat roofed garage. The dwellinghouse is constructed of brick, with concrete roof tiles and white uPVC windows. The property is located within the Defined Village of Lyndhurst, however is not a small dwelling.

11.2 This application seeks planning permission for the erection of a two storey side extension (replacing the existing side garage) and single storey rear extension constructed of materials to match that of the main dwellinghouse. The two storey side extension would be set forward of the front elevation of the main dwellinghouse at ground floor level to match that of the existing front bay window, and set back from the main front elevation at first floor level by approximately 600mm. It would measure approximately 5.4 metres in width, 7 metres in depth, with a height to eaves to match that of the main dwellinghouse. The ridge would be approximately 7 metres in height, marginally lower than the existing dwelling. The single storey rear extension would span the width of the existing dwellinghouse and two

storey extension. It would be 3 metres in depth and just over 2 metres in height to the eaves and 3.5 metres to the ridge of the monopitch roof.

- 11.3 The property is located within the Defined Village of Lyndhurst, and is not a small dwelling. As such, the property is not subject to the floorspace restriction as set out under Policy DP11 of the Core Strategy.
- 11.4 There have previously been two applications for developments of a similar description to that proposed now. Application reference 11/96910 proposed a two storey extension with projecting gables to the front and rear, which was recommended for refusal by the Planning Officer, with the consideration that the proposal would be overly dominant and harmful to the character and appearance of the area. The Parish Council on that occasion recommended permission on the basis that the proposal was similar to existing extensions at nearby properties, and it was not considered that there would be a detrimental impact upon the street scene or nearby properties. However, this application was subsequently dismissed at appeal. Application reference 12/97880 proposed a two storey side extension and single storey rear extension. The Parish Council again supported the application as it was considered that the scheme addressed the previous concerns, and permission was granted.
- 11.5 The Parish Council have recommended refusal of the application (non-delegated), with the comments that the proposal would be over development and out of keeping on the basis that the scale of the scheme would be larger than that previously approved. It is considered that there are notable differences between this current proposal and that refused under 11/96910, as it does not project forward of the existing front or rear elevations at first floor level. However, the distance between the side elevation and the boundary is similar. It is not considered that the current proposal is a retrograde step back to a design which was previously considered unacceptable. The main differences between the scheme approved under 12/97880 and that of the current proposal relate to the width of the overall extension (1.3 metre increase); and depth of the single storey to the rear (1.7 metre increase). The ridgeline of the two storey element has now been set down, and the front elevation at first floor level set back from that of the main dwellinghouse. Considering the previously permitted scheme, the main issues to consider relate to whether these changes in themselves result in an unacceptable development.
- 11.6 Out of the 11 properties in Oak Close, 8 have already undergone first floor extensions above the garages; some also comprise single storey extensions to the rear, which contribute to the overall significant scale of built form in Oak Close. Most recently, application reference 15/00711 at 6 Oak Close was granted

planning permission for a first floor above the side garage. It is noted that, for properties not located at the end of the rows, there is little scope to increase the overall widths of the dwellinghouses when extending above the garage due to the proximity with the respective neighbouring properties, and as such, the footprint of the dwellinghouses has not increased.

11.7 The application property is located on a corner plot, which is elevated in comparison to the land opposite (to the north east) which comprises open space. As such, the property is located in a prominent position, particularly when approaching from Cedar Mount and the A337. However, by virtue of its more spacious corner plot, it is considered that there is the propensity and space for a wider extension to be constructed without appearing incongruous. Whilst the proposed two storey element is of a greater width, the proposal has been designed to appear subservient by virtue of its set down and set back from the main dwellinghouse. Further, the proposal would not project forward of the front or rear elevations at first floor level. As a result of its corner plot location, the proposed single storey rear extension would also be viewed when approaching via Cedar Mount. It is not considered that the increase in depth of the single storey would have any adverse impact upon the visual amenity of the street scene. Overall, it is not considered that the proposed extensions would result in any significant adverse impact upon the character or appearance of the area.

11.8 Concern has been raised by the occupier of the neighbouring property with regard to overshadowing as a result of the increased depth of the single storey. It is noted that the rear gardens of properties along this side of Oak Close are north westerly facing, and measure approximately 25 metres in length. The rear elevation of number 11 Oak Close is set back from that of number 10, which comprises a conservatory located to the facing right hand side of the rear elevation, and is therefore set back from the boundary by approximately 3 metres. The submitted Block Plan illustrates that the single storey rear extension would not project beyond the rear building line of the conservatory at number 10. Whilst it is considered reasonable to suggest that the occupiers of the neighbouring property of number 10 may experience a change in the levels of overshadowing within the garden area immediately adjacent to the rear elevation of the dwellinghouse, particularly during the morning hours, it is not considered that this would be significantly detrimental to their amenity. It is also noted that a single storey of a depth of 3 metres (notwithstanding the fact that the single storey is attached to the proposed two storey) would fall within the limitations of permitted development as set out under Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, and as such it is not considered that an extension in this location with a depth of 3 metres would be unacceptable. Resultantly, it is not considered

that the proposal would result in any significantly harmful impact upon neighbouring amenity.

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

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 Development shall only be carried out in accordance with

Drwgs: 1, 2, 121016PR (R1), 121016EX, 120916EX/A.

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

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

- 3 No 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.

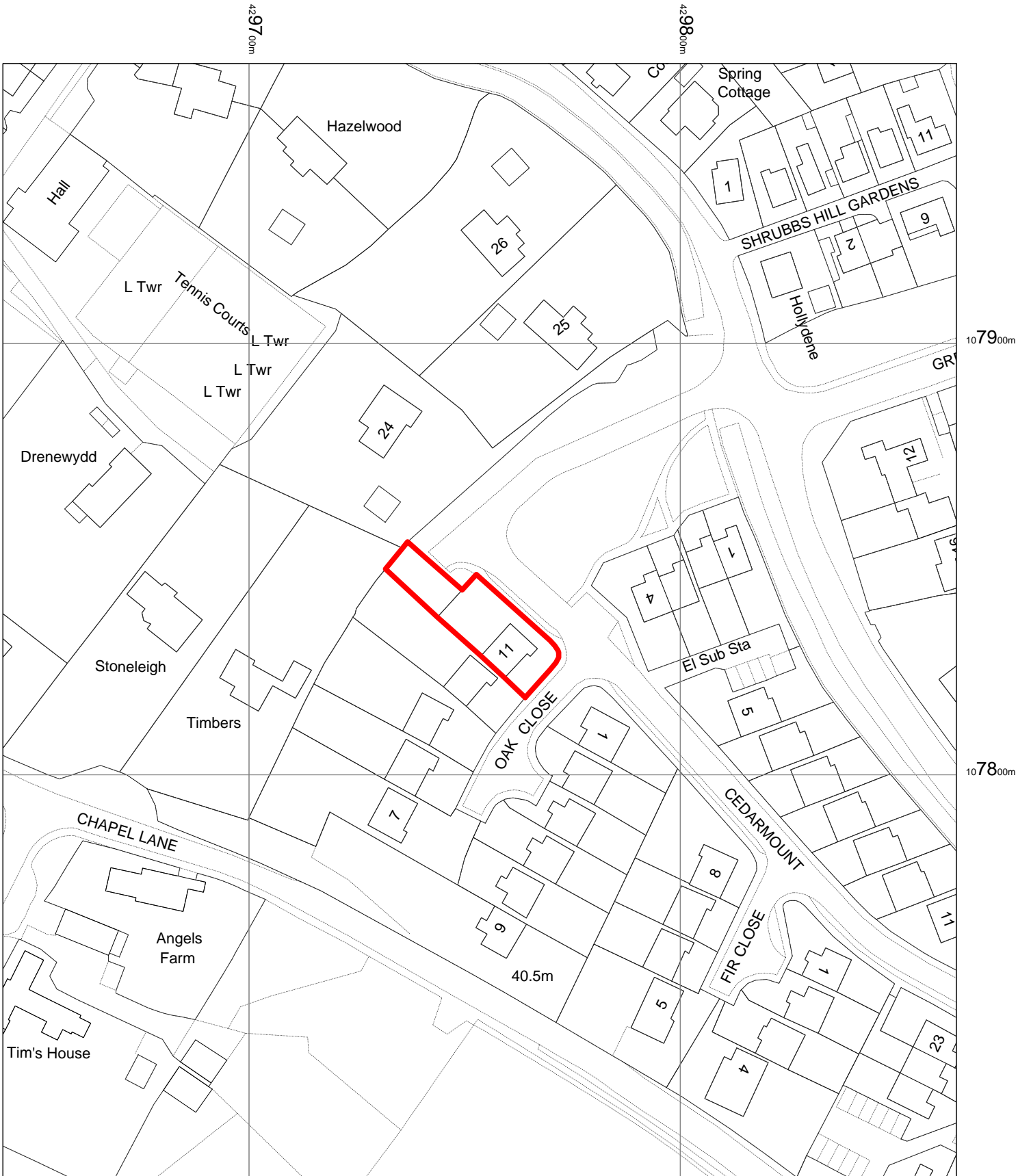
Development shall only be carried out in accordance with the details approved.

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).

- 4 No windows shall be inserted into the side (south west) elevation of the extension hereby approved unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring

properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



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

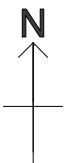
Tel: 01590 646600 Fax: 01590 646666

Date: 09/12/2016

Ref: 16/00876/FULL

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Application No: 16/60001/PPDO Public Path Diversion Order

Site: Land At Creek Cottage, Lower Woodside, Lymington, SO41 8AJ

Proposal: Consultation on diversion of footpath Lymington and Pennington No 75 (part) and No 77 (part) Public Path Diversion Order

Applicant: Mr D Stevenson

Case Officer: Clare Ings

Parish: LYMINGTON AND PENNINGTON

1. REASON FOR COMMITTEE CONSIDERATION

To comply with the scheme of delegation

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

Not applicable

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Not applicable

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Lymington & Pennington Town Council: No comments received.

8. CONSULTEES

8.1 HCC Access Development Officer (Planning): Diversion as previously discussed.

8.2 Bournemouth & West Hants Water: There is apparatus in the area

which the contractors will need to be made aware of.

- 8.3 Southern Water Services: No objection.
- 8.4 SS Energy Power Distribution: No comments received.
- 8.5 Southern Water: No objection.
- 8.6 Auto Cycle Union, Wood Street: No comments received.
- 8.7 Byways and Bridleways Trust, PO Box 117: No comments received.
- 8.8 British Driving Society, 83 New Road: No comments received.
- 8.9 British Horse Society: No comments received.
- 8.10 The Secretary, British Horse Society: No comments received.
- 8.11 The Secretary, Cyclists Touring Club: No comments received.
- 8.12 Cyclists Touring Club (CTC): No comments received.
- 8.13 The Secretary, Open Spaces Society: No comments received.
- 8.14 Open Spaces Society: No comments received.
- 8.15 New Forest District Council - Development Control, Appletree Court: No comment.
- 8.16 Secretary, The Ramblers: No comments received.
- 8.17 The Ramblers: No comments received.
- 8.18 The Ramblers: Initial objection to reduction in width of footpath. Following negotiation, objection was withdrawn.
- 8.19 Mr Stevenson, CREEK COTTAGE:

9. REPRESENTATIONS

9.1 None received.

10. RELEVANT HISTORY

10.1 Realignment of footpath/track; access alterations; installation of estate fencing; reinforcement to bank (15/00632) - granted permission on 17 November 2015

11. ASSESSMENT

11.1 Full planning permission was granted for development at Creek Cottage by the Planning Development Control Committee on 17 November 2015. The approved application was for access alterations, the installation of estate fencing and the reinforcement to the bank at the head of Moses Creek. The application also involved the diversion of existing footpaths within the site.

11.2 A note was added to the permission confirming that a separate application relating to a Public Path Diversion Order would be required pursuant to Section 257 of the Town and Country Planning Act 1990 ("S.257").

11.3 S.257 permits the Authority to exercise its discretionary power to make such an Order for the diversion of a footpath which is necessary, in circumstances such as those relating to Creek Cottage, to enable development to be carried out in accordance with a planning permission. This development involves the erection of estate fencing across part of the existing footpaths Nos 75 and 77. This would obstruct the footpaths and therefore necessitates the stopping up of the footpath, extinguishment of the public rights of way and the creation of a replacement route for the footpath.

Procedure

11.4 There is a particular procedure to be followed in relation to the Order:

11.5 **Consultation:** the applicant's public rights of way consultant began a pre-consultation process with a draft Order in April 2016. No objections were received.

11.6 On receipt of that information, the Authority then made the Order on 24 September 2016, but this will not be affective until it has been confirmed.

11.7 On making the Order, the Authority:

- published a notice in the Lymington Times stating the general effect of the Order, that it has been made and is about be

submitted for confirmation or to be confirmed as an unopposed Order; specifying where the Order could be inspected free of charge and that copies of it could be obtained; and stating that any person could object to or make representations on the Order; to the Authority within a period of 28 days following the date of publication of the notice

- displayed a notice prominently at each end of the footpath, accompanied by a plan showing the general effect of the Order
- a copy of the Notice and Order were served on relevant Consultees
- made the Order available for inspection at the Town Hall

11.8 **Objection period:** this extended for 28 days following the publication of the Notice.

11.9 **Objections:** any objections were sent to the Authority, and then sent to the applicant, whose responsibility it was to try and resolve them. If there were unresolvable objections, the Authority could have decided not to proceed with the Order, and it would then have been for the Secretary of State to hold a local inquiry, and determine whether or not to confirm the Order with or without modifications.

11.10 **Confirmation:** where no objections have been received within the prescribed period (or those received have been withdrawn), and the Authority does not wish to modify the Order, so long as the applicant carries out works to the satisfaction of the Highways Authority, the Order may be confirmed (signed and dated) by the Authority.

11.11 **Advertise confirmation:** this should take place as soon as possible after confirmation, and the Authority should repeat step 11.7 above stating that the Order has now been confirmed. The Authority should send a copy of the Notice and confirmed Order to the applicant, Land Charges Department and Ordnance Survey.

11.12 **Expiry of challenge period:** a person can apply to the High Court to quash the Order within six weeks following the confirmation date if the decision-maker has acted ultra vires or not carried out the correct legal procedures in making the Order.

Conclusion

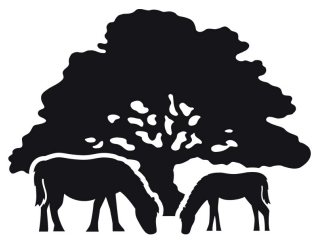
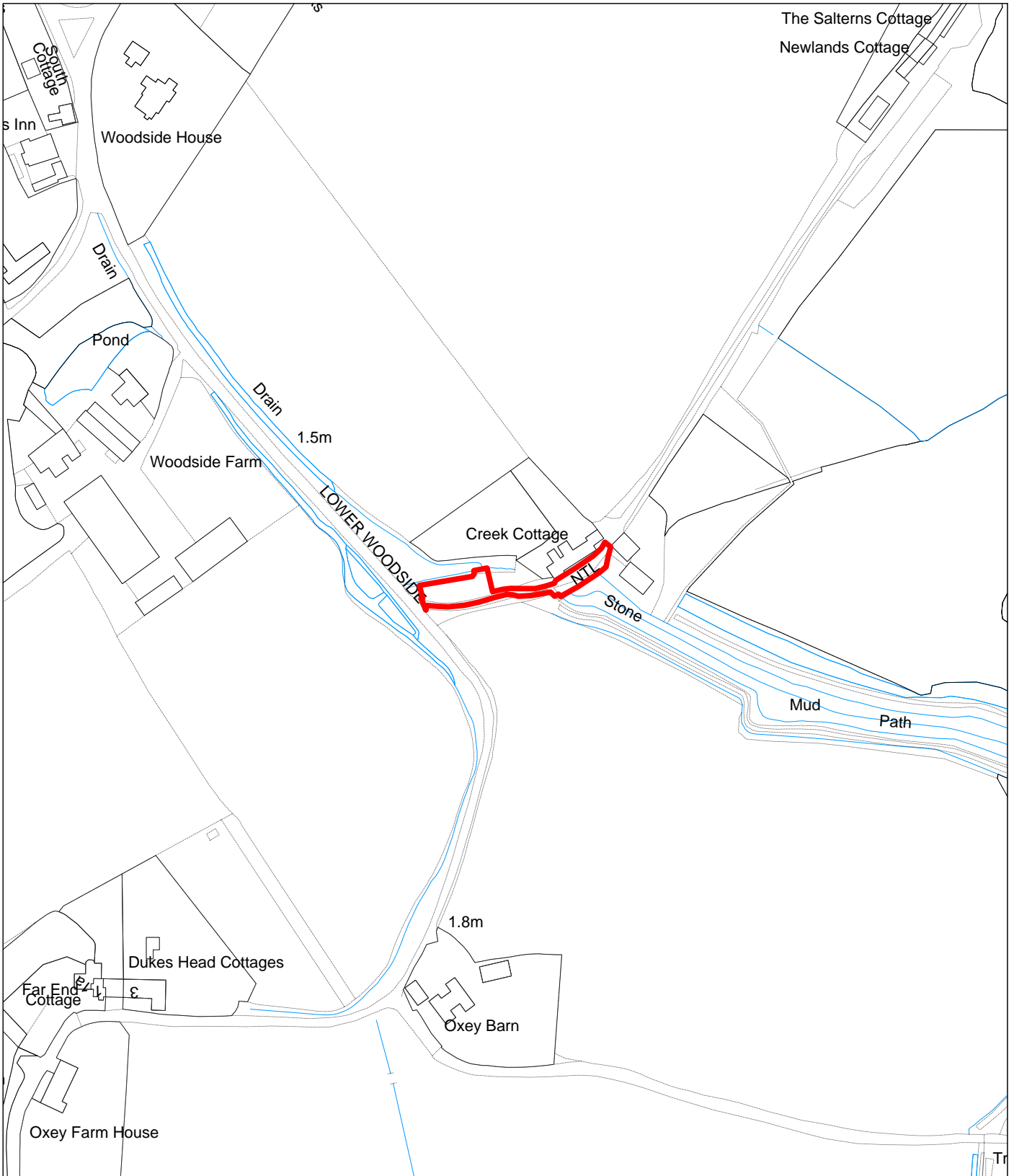
11.13 The Authority made the Order as set out above. One objection was originally received from the Ramblers, specifically to a reduction in width of the footpath, rather than the principle of relocating the footpath marginally to the south of the existing line. The objection was successfully negotiated away, particularly as the proposed route and width had been accepted by the Countryside Access Development Officer, as there was no reduction in the width. The Authority should therefore confirm the

Order, and proceed to advertise and notify the relevant parties of that confirmation.

12. RECOMMENDATION

Raise No Objection

- 1 The Authority should therefore confirm the Order, and proceed to advertise and notify the relevant parties of that confirmation.



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Tel: 01590 646600 Fax: 01590 646666

Date: 04/11/2015

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