

Application No: 18/00779/FULL Full Application

Site: Pound Cottage, Southampton Road, Landford, Salisbury, SP5 2EF

Proposal: Two storey rear extension; single storey side extension; chimney removal; render; demolition of existing single storey extension

Applicant: Mr J Hughes

Case Officer: Carly Cochrane

Parish: LANDFORD

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Landford Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Landford Parish Council: Recommend refusal. The comments made are summarised as follows. The full comments of the Parish Council are available to view online.

- Proposal represents an additional floorspace in excess of the 30%
- Proposal fails to satisfy the requirements of guidelines 7.1.8, 7.2.3, 7.3.1, 7.16.1 and 7.16.2 of the Landford Village Design Statement
- Proposal is contrary to policies DP1, CP8, DP6 and DP11 of the Core Strategy
- Proposal is contrary to the Design Guide
- Proposal is contrary to the National Planning Policy Framework

8. CONSULTEEES

- 8.1 Building Design & Conservation Area Officer: Objection raised in relation to original plans. Following negotiations, the plans were amended which overcame the initial concerns; therefore, no objection raised.

9. REPRESENTATIONS

- 9.1 None received

10. RELEVANT HISTORY

- 10.1 None

11. ASSESSMENT

- 11.1 The application site comprises a triangular shaped plot, adjacent to the A36 Southampton Road, with the access from the B3079 Lyndhurst Road. The dwellinghouse is a late 19th century former estate workers cottage, which formerly served Landford Lodge. The cottage has a distinctive architectural style, built in local vernacular materials, and the property is considered a non-designated heritage asset.

- 11.2 Amended plans have been submitted in response to concerns raised by the Conservation Officer. This application seeks planning permission for the following:

- Two storey extension upon the central section of the rear (west) elevation, creating a 'T' shaped layout. The eaves and ridgeline heights would match those of the main dwellinghouse.
- Two single storey lean-to rear extensions, flanking the two storey element

The proposed extensions would be constructed using a red brick plinth and an off-white render, which would contrast with the main dwellinghouse with a red plain clay tile roof to match that of the main dwellinghouse. The Fleur-de-Lys ridge tiles present on the main roof would also be used on the two storey extension.

- 11.3 The site is located outside of the Defined New Forest Villages, and is not a small dwelling. As such, it is subject to the 30%

additional floorspace restriction under Policy DP11 of the Core Strategy. It is unclear why the Parish Council consider the proposal to be in excess of the 30% restriction. It is calculated that the proposals would amount to a 30% increase, and the proposal is therefore policy compliant in this respect.

- 11.4 The nearest neighbouring property of White House Farm is located approximately 160 metres to the south, with farm buildings and a small area of woodland in between. Whilst the proposed extensions would project rearwards, there would be no resultant adverse impact upon neighbouring amenity.
- 11.5 Amendments were made to overcome concerns raised by the Conservation Officer; these amendments primarily involved reducing the scale of the proposed development, to ensure an appropriate form and appearance given the non-designated heritage status of the building. The proposed extensions are considered to harmonise with and appear subservient to the main dwellinghouse, and would not detract from the special features of interest. The property is relatively isolated in its location, in that it is not viewed in the context of any other properties. The property is also unique in comparison with other properties in the area by virtue of its design, architectural features and materials. Overall, it is considered that the proposals would not result in any harm to the character and appearance of the non-designated heritage asset, nor would they result in any adverse impact upon the character and appearance of the area. The specific guidelines of the Landford VDS cited by the Parish Council in its objection are noted, but it is not considered that the proposal would be in conflict with them.
- 11.6 There are no trees which would be impacted by the proposed development, and the access and parking arrangements would remain unchanged.
- 11.7 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.
- 11.8 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP6, DP11, CP7 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

Drawing nos: C-002 Rev C.

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/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority.

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

- 5 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

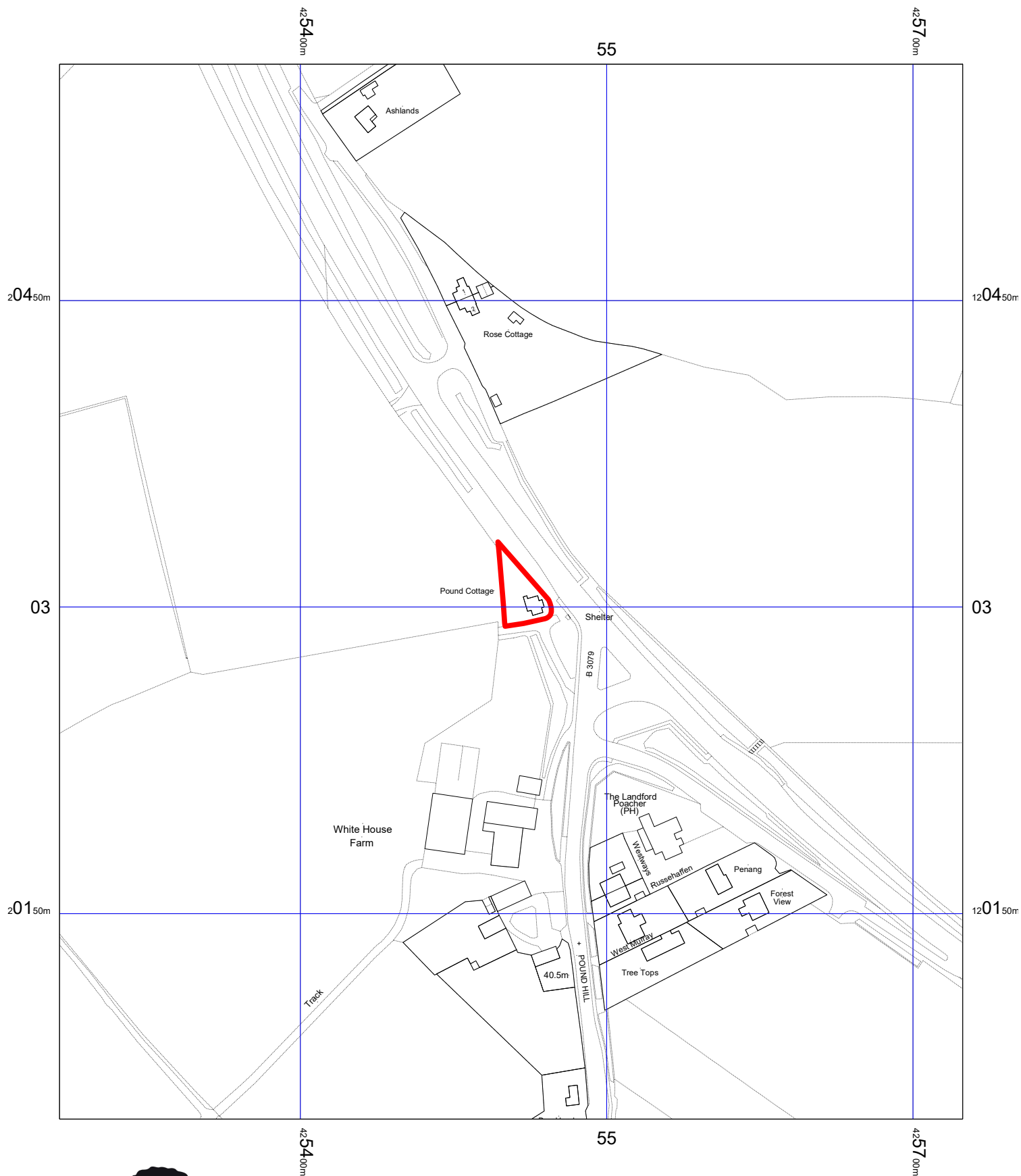
Strategy and Development Management Policies (DPD)
(December 2010).

- 6 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 shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP10 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Informative(s):

- 1 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.
- 2 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 0300 060 3900.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 27/12/2018

Ref: 18/00779/FULL

Scale: 1:2500

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Application No: 18/00809/FULL Full Application

Site: Lester Cottage, Mill Lane, Burley, Ringwood, BH24 4HR

Proposal: Replacement dwelling; re-roofing and cladding to existing detached garage; extension to existing gravel driveway; creation of patio; demolition of existing dwelling

Applicant: Mr A Jupe

Case Officer: Katie McIntyre

Parish: BURLEY

1. REASON FOR COMMITTEE CONSIDERATION

Referred by Authority Member.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
DP10 Replacement Dwellings
DP12 Outbuildings
CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP7 The Built Environment
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

Richard Frampton – requests that the application is referred to the Planning Committee for a decision.

7. PARISH COUNCIL COMMENTS

Burley Parish Council: Recommend permission but would accept the decision reached by the NFNPA's Officers under their delegated powers. The property has demonstrably reached the stage at which re-building in a style reflective of the original design is now appropriate.

The full statement of comments from the Parish Council can be read on the Authority's website.

8. CONSULTEES

- 8.1 Ecologist: No objections subject to conditions
- 8.2 Tree Officer: No objections subject to conditions
- 8.3 Natural England: No objections subject to conditions
- 8.4 Building Design & Conservation Area Officer: Objects to the demolition of the existing cottage. Lester Cottage is a typical New Forest Cottage on the edge of the open Forest and within the Burley Conservation Area. It is of local interest and contributes positively to the character and appearance of the Conservation Area as an undesignated heritage asset. It is noted that the costs to rebuild are cheaper than to repair and retain the building but it remains the case that the building is capable of being restored and is not beyond repair. Do not consider the case has been made to justify the demolition of the building.

9. REPRESENTATIONS

- 9.1 None received

10. RELEVANT HISTORY

- 10.1 Replacement dwelling; re-roof and cladding to existing detached garage; extension to existing gravel driveway; demolition of existing dwelling (18/00032) refused on 13 April 2018. Appeal lodged and awaiting decision
- 10.2 Dwelling with attached garage (demolition of existing dwelling) (16/00881) refused on 02 February 2017.
- 10.3 Single-storey side extension (16/00388) withdrawn on 30 June 2016.
- 10.4 Agricultural implement store (RFR/06641) granted on 26 June 1960.

11. ASSESSMENT

- 11.1 The application site is a detached cottage set within the Burley Conservation Area located opposite the open forest in a sensitive and prominent location accessed via an un-made track. Immediately adjacent to the cottage is an agricultural / forestry yard which is also under the applicant's ownership. The property benefits from commoners' rights of pasture and mast. There were a number of outbuildings, including pole barns, which have since been demolished by the applicant and the site has been cleared as a precursor to previous planning applications. This has included the removal of a hedgerow to the front of the cottage which subdivided the garden from the yard. A new building has also been erected within the yard which does not benefit from planning permission.
- 11.2 Lester Cottage has been identified by the Authority as a building of local interest (non-designated heritage asset) which contributes positively to the character and appearance of the Burley Conservation Area by way of its historic and architectural interest. The dwelling is characteristic of a circa 1900 brick built two storey forest cottage, modest in form and largely symmetrical. Whilst the cottage has undergone minor unsympathetic alterations, these alterations are reversible, with the essence of the cottage's traditional forest character remaining evident. The cottage is therefore considered to represent an important example of a largely unaltered forest cottage, the number of which continue to get fewer with incremental development.
- 11.3 There have been previous refusals at the site for similar proposals of which the most recent was refused due to the following reasons:
1. The proposal would result in the loss of a traditional forest cottage which contributes positively to the historic character and appearance of the Burley Conservation Area. The cottage is considered to be a non-designated heritage asset and its loss would result in less than substantial harm with no overriding public benefits thus failing to preserve or enhance the visual amenities of the locality. The proposal is therefore contrary to policies DP10, CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and the National Planning Policy Framework.
 2. The development would result in the encroachment of a domestic use outside of the residential curtilage of the site, for which there is no justification. The development would thus result in the gradual suburbanisation of the countryside to the detriment of the character of the Burley Conservation Area, the National Park and its special rural qualities. The proposal is therefore contrary to policies DP1, CP8 and DP10 of the New

The Authority's decision to refuse permission for a replacement dwelling at the site has been appealed by the applicant and is awaiting a decision by the Planning Inspectorate.

- 11.4 This application is very similar to the previously refused scheme, however, the design of the rear of the property has been altered, the extent of residential curtilage has been increased and additional information has been submitted with regards to costs in relation to the proposed underpinning of the existing building. This is the same information which has been submitted as part of the applicant's recent grounds of appeal. The relevant issues which need to be considered are:
- Whether the principle of development would comply with Policy DP10;
 - The impact of the proposal upon the character and appearance of the Burley Conservation Area and wider New Forest landscape;
 - The impact upon trees; and
 - Ecology.
- 11.5 Policy DP10 states that the replacement of dwellings will be permitted except where the existing dwelling makes a positive contribution to the historic character and appearance of the locality. As noted above, the cottage is considered to contribute positively to the character and appearance of the conservation area by way of its historic and architectural interest, comprising a non-designated heritage asset in accordance with Section 16 of the National Planning Policy Framework (NPPF). It is considered to be a typical New Forest Cottage of the vernacular of the late nineteenth century which contributes positively to the character and appearance of the Burley Conservation Area. These typical New Forest cottages are usually found in rural locations in settlements and/ or on the edge of the open Forest, such as Lester Cottage.
- 11.6 Lester Cottage thus contributes to the local distinctiveness of the New Forest and is an important and interesting phase in the development of the New Forest. It is considered that these cottages are of significance when assessed in accordance with Historic England's Conservation principles. In determining an application for planning permission for demolition, the Authority is obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area (Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)). The NPPF and case law places a general presumption in favour of retaining buildings and other elements which make a positive contribution to the character or

appearance of a conservation area. Where a proposal would result in substantial harm or less than substantial harm, as has been identified in this case, the NPPF advises that Authorities should refuse consent unless there are substantial public benefits that would outweigh the harm or loss. The application does not address this issue and, whilst it is appreciated that the appeal site is in need of repair, it is the Authority's view that this is likely to be feasible and as such a full and robust case for the demolition of the non-designated heritage asset has not been made.

- 11.7 The underlying theme of the application is that the dwelling is in need of replacement. As aforementioned, it is maintained that the details submitted provide insufficient information to justify the demolition and loss of the non-designated heritage asset. Further, no justification has been provided in relation to how a replacement of this cottage would result in substantial public benefits which would outweigh the less than substantial harm identified. It should be noted that the condition of the property has deteriorated since the original application was submitted to the Authority in 2016 when the building was clearly habitable with the removal of internal ceilings and fixtures. The NPPF is clear in that "*where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision*" (paragraph 191). As the proposal would result in the loss of a traditional forest cottage which contributes positively to the historic character and appearance of the Burley Conservation Area, without sufficient investigation and justification regarding repair and upgrading, the principle of the current proposal does not accord with either Policies CP7, CP8 and DP10 or the NPPF.
- 11.8 With regards to the proposed replacement dwelling, Section 11 of the NPPF confirms that great weight should be given to conserving landscape and scenic beauty in National Parks as these have the highest status of protection. Policies DP1 and CP8 require new development to demonstrate high quality design which enhances local character and distinctiveness ensuring that development is appropriate and sympathetic in terms of scale, appearance, form and siting. In this instance, the design of the replacement cottage itself is acceptable in this rural location. However, notwithstanding this, it is considered that this does not outweigh the harm which would arise from the loss of the non-designated heritage.
- 11.9 The red line of the site as submitted is considered to include land which does not fall within the residential curtilage of the cottage and as such the proposal would encroach upon land outside of the established residential curtilage of the site. It is evident from aerial photographs of the site that the cottage in situ had a relatively small curtilage with the adjacent land being part of an agricultural yard. The application proposes to extend the residential curtilage of the property into this adjacent yard area for which there is no

justification. It has previously been confirmed by the Verderers that the cottage and adjacent yard benefit from the rights of pasture and mast. Commoning is a historic tradition within the New Forest and is considered to be one of the Park's special qualities. The yard and associated buildings are likely to be fundamental to any commoning activity continuing at the site and as such it is important that this use is retained. The proposal would therefore result in the gradual suburbanisation of the countryside to the detriment of the character of the National Park and its special rural qualities.

- 11.10 The applicant has made reference to an application submitted in 1960. This application was for an agricultural building and the application form submitted confirms the use of the land as an agricultural holding. This therefore provides further evidence with regards to the previous agricultural use at the site and the proposed encroachment of a residential use.
- 11.11 Natural England raise no objection to the application subject to appropriate mitigation being secured. Subsequently the Authority's Ecologist is overall satisfied with the submitted ecological report, subject to the conditions being attached to any granted planning consent.
- 11.12 In response to an application to fell four mature Oak trees at the site along the northern boundary, a Tree Preservation Order was made (TPO/0024/18). The proposed dwelling is shown to be positioned within the footprint of the existing dwelling and the foundations proposed are shown to be pile and above ground beam design. This method of construction is considered to be acceptable in this location. There are therefore no objections with regards to trees subject to appropriate conditions being secured.
- 11.13 In conclusion, the loss of Lester Cottage would result in less than substantial harm to the Burley Conservation Area which would not be outweighed by any public benefit. It is considered that the proposal would therefore not comply with local and national planning policy and as such it is recommended permission is refused.

12. RECOMMENDATION

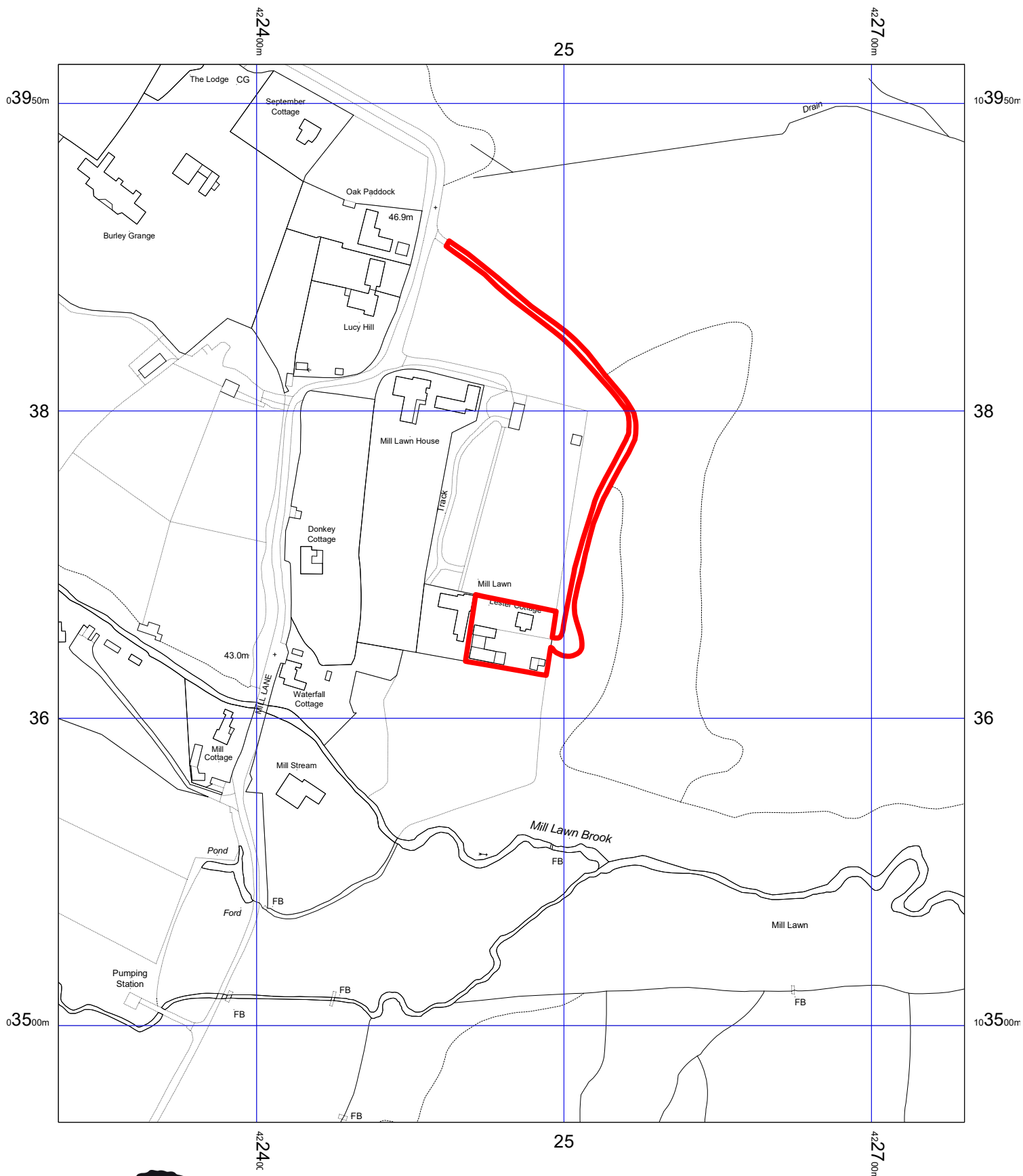
Refuse

Reason(s)

- 1 The proposal would result in the loss of a traditional forest cottage which contributes positively to the historic character and appearance of the Burley Conservation Area. The cottage is considered to be a non-designated heritage asset and its loss would result in less than substantial harm with no overriding

public benefits thus failing to preserve or enhance the visual amenities of the locality. The proposal is therefore contrary to policies DP10, CP7 and CP8 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and the National Planning Policy Framework.

- 2 The development would result in the encroachment of a domestic use outside of the residential curtilage of the site, for which there is no justification. The development would thus result in the gradual suburbanisation of the countryside to the detriment of the character of the Burley Conservation Area, the National Park and its special rural qualities. The proposal is therefore contrary to policies DP1, CP8 and DP10 of the New Forest National Park Core Strategy and Development Management Policies DPD, Design Guide SPD and the National Planning Policy Framework.



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Date: 27/12/2018

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Application No: 18/00821/FULL Full Application

Site: Mudewell Cottage, Harrow Road, Neacroft, Bransgore, Christchurch, BH23 8JW

Proposal: Replacement dwelling; Demolition of existing dwelling

Applicant: Sir C Chope

Case Officer: Ann Braid

Parish: BRANSGORE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
DP10 Replacement Dwellings
DP11 Extensions to Dwellings
DP1 General Development Principles
DP6 Design Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Bransgore Parish Council: Recommend approval; the design, scale and size of the proposed dwelling is acceptable.

8. CONSULTEEES

- 8.1 Tree Officer: No objection subject to condition
- 8.2 Ecologist: Objection: Insufficient information has been provided to establish the presence of European Protected Species, and to inform conditions to mitigate against adverse impacts.
- 8.3 Landscape Officer: Objection; the design includes an excessive level of glazing and clarification is sought regarding details of the proposed hard and soft landscaping.

9. REPRESENTATIONS

- 9.1 None received

10. RELEVANT HISTORY

- 10.1 One and two storey extensions and new access (58562) approved on 8 May 1996

11. ASSESSMENT

- 11.1 Mudewell Cottage is a white rendered two storey dwelling with a concrete tiled roof, located on a level plot on the south side of Harrow Road in Neacroft. The house is located close to the northern (road) boundary of the site and there is a generous garden to the rear and side of the house. To the rear are open level fields, mostly in use as pony paddocks.
- 11.2 Consent is sought for the replacement of the dwelling with a two storey house of similar scale to be built with render walls, a slate roof and aluminium fenestration. The issues to assess are whether the demolition of the existing dwelling would result in the loss of a building that makes a significant contribution to the historic character of the locality, and whether the proposed replacement dwelling would be of no greater floor space than the existing and appear appropriate to its setting. An assessment of potential impacts on trees and protected species would also need to be undertaken.
- 11.3 The house is not of any particular architectural merit, and its retention as a heritage asset is not merited. The house was extended following consent in 1996 and is 30% larger than that which existed at the site in 1982. Policy DP10 relates to replacement dwellings and states that replacements should be no larger in floor area than the dwelling they replace. In the light of this, the floor area of the dwelling now proposed has been designed to be no larger than the property as extended, and to include a proportion of the space as a subservient kitchen wing to the rear. The house would be slightly higher to the ridge than the existing, but this would allow the use of a more traditional, slightly

steeper pitched roof. There would be more glazing on the south elevation, but the eaves have been designed to overhang the windows to reduce upward light spill.

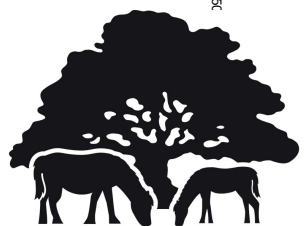
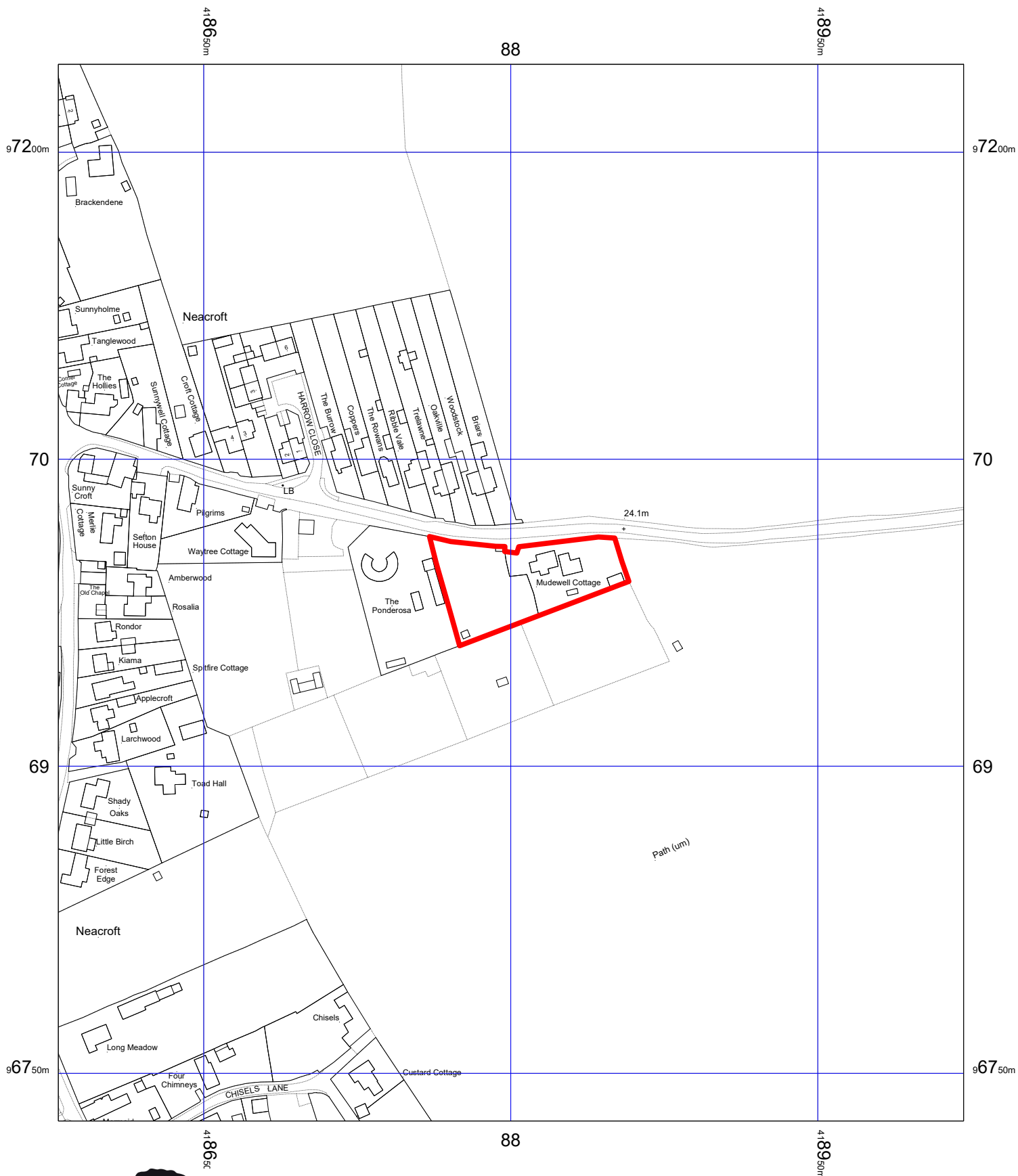
- 11.4 The Authority's Landscape Officer has concerns regarding the design of the dwelling and the landscaping of the site. The majority of the comments could be addressed within a landscaping condition, but there is some concern relating to the possibility of light spillage from the rear of the house. There would be considerably more glazing at the rear of the house, but as noted above, the depth of the eaves overhang would reduce upward light spill. There is a belt of trees to the rear of the site which would screen the proposed dwelling in wider views.
- 11.5 With regard to the trees on site, in particular those on the northern boundary which screen the house from the road, the Tree Officer raises no objections subject to the recommendations of the submitted tree report being followed.
- 11.6 The submitted ecological report indicates the presence of bats at the site. The presence of European protected species is a material consideration when the Authority is considering a proposal that, if carried out, would be likely to result in harm to the species or its habitat. It is essential, according to Central Government advice, that the presence or otherwise of protected species and the extent to which they may be affected by the proposed development is established before planning permission is granted. The submitted report states *"At the request of the client, a full Preliminary Ecological Appraisal (PEA) has not been prepared, this would normally be required to support a planning application where no impacts are identified"*. The report clearly indicates that further survey work would be required to make this assessment, but this has not been carried out and therefore measures for mitigation or compensation cannot at this stage be agreed.
- 11.7 The applicant has been advised that without the necessary assessment the proposal cannot be recommended for conditional approval. It is concluded that the correct process has not been followed in this case, the tests of the Habitats Regulations have not been met and there is a likelihood that the proposal could have an adverse impact on protected species. In the absence of an ecological assessment of the building it is impossible to devise a planning condition to secure appropriate mitigation to overcome any adverse impacts, because the level of mitigation required has not been established. The proposed development is therefore contrary to Policy CP2 of the Core Strategy and government advice set out in Circular 06/2005 and the NPPF (paragraphs 170 and 175).

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The submitted ecological information makes clear recommendations for further survey work to be undertaken to establish the presence/absence of protected species. In the absence of this further survey work, the extent to which protected species may be affected by the proposed development cannot be established. In these circumstances, the Authority is unable to devise a suitable planning condition to secure appropriate mitigation to overcome any adverse impacts. It has therefore not been demonstrated that the proposed development would protect, maintain and enhance habitats and species of biodiversity importance and for this reason the proposal is contrary to policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Government advice contained within the National Planning Policy Framework and Circular 06/2005.



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Application No: 18/00870/OUT Outline Planning Permission

Site: Land at The Former Flying Boat Inn, Calshot Road, Calshot, SO45 1BP

Proposal: Outline application for 7no. dwellings; access and layout to be considered

Applicant: Mr K Ghahramanizadi, F B Estates Ltd

Case Officer: Natalie Walter

Parish: FAWLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP1 Nature Conservation Sites of International Importance
 CP2 The Natural Environment
 CP9 Defined Villages
 CP12 New Residential Development
 DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 5 - Delivering a sufficient supply of homes
 Sec 15 - Conserving and enhancing the natural environment
 Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Fawley Parish Council: Recommend permission.

8. CONSULTEEES

- 8.1 Ecologist: Objection.
- 8.2 Planning Policy Officer: Objection.
- 8.3 Archaeologist: No objection subject to pre-commencement conditions requiring a programme of archaeological work, including a written scheme of investigation.
- 8.4 Highway Authority (HCC): Response awaited.

9. REPRESENTATIONS

- 9.1 One letter of support from the Calshot Residents' Association. The comments made are summarised as follows:
- The applicant has spent considerable time in discussion with local residents. The proposal has reduced from 18 houses to 7 houses in a pleasant scheme which will improve this prominent site.
 - The brownfield site has been an eyesore for many years. Local residents welcome the proposed development, which is of a type needed in the village to redress the balance of housing stock.
 - Under planning policy the scheme may fail in terms of unit size but, if all units were proposed to be no more than 130 sq. m and all permitted development rights were removed, this would go some way to providing a solution to this.
 - Request additional screening, due to the prominent, elevated nature of the site, to prevent overlooking at Castle Lane and along the main road frontage to lessen the impact.

10. RELEVANT HISTORY

- 10.1 Part one and part two-storey building to provide 24 hotel/ leisure suites; manager's flat; public house; restaurant and function room (outline application with details only of siting and means of access) (application for renewal of planning permission 83874) (10/95140) refused on 8 June 2010. Appeal against refusal dismissed on 12 July 2011.
- 10.2 Part one and part two-storey building to provide 24 hotel/ leisure suites; manager's flat; public house; restaurant and function room (reserved matters of appearance, landscaping and layout) (08/92465) granted on 7 May 2008.

- 10.3 Part one and part two-storey building to provide 24 hotel/ leisure suites; manager's flat; public house; restaurant and function room (outline application with details only of siting and means of access) (05/83874) granted on 12 May 2005.

11. ASSESSMENT

- 11.1 The 0.82 hectare site is located on the south-western side of the B3053 Calshot Road, elevated from the road, at the junction with Castle Lane in Calshot. The site is accessed off Calshot Road.
- 11.2 Prior to a fire in 2001, the site was occupied by a public house building but, following the fire and for safety reasons, the building was demolished. The site had become overgrown but has recently been cleared, with the exception of a Sycamore tree, and concrete hardstanding can be seen within the site.
- 11.3 Two pairs of houses lie opposite the site. Open land lies to the south west and north west, beyond which lies land which has permission for use as a burial ground and is proposed to be allocated in the emerging Local Plan for 30 dwellings and cemetery use. The site is bounded by trees on the south-eastern side and some trees on the north-western side.
- 11.4 The application comprises an outline application for seven open market dwellings with access and layout to be considered (appearance, landscaping and scale are to be dealt with under reserved matters).
- 11.5 The key issue for consideration is the principle of the proposed development. Other considerations include:
- The proposed layout;
 - The impact on the character and appearance of the area;
 - Access and highway implications; and
 - The impact on trees and ecology.

Principle of Development

- 11.6 The application site lies outside of the defined New Forest villages which, under Policy CP12 of the adopted Core Strategy, are the settlements to which any new residential development is directed. Otherwise, Policy CP12 permits new residential development where it is a replacement dwelling, is required for agricultural or forestry workers, or is affordable housing. The proposed residential development would be clearly contrary to adopted policy in respect of new residential development.
- 11.7 Furthermore, the proposed development would be contrary to the spatial strategy (Policy SP4) set out in the emerging Local Plan, which is at an advanced stage, and emerging Policy SP19 in respect of new residential development, which includes the development of sites allocated for housing.

- 11.8 The site was not promoted at the recent Local Plan examination, which would be the most appropriate means of progressing a proposal for open market housing outside of a defined village. [A submission was received in relation to the Authority's brownfield land register in 2017 but the site was not included in the register].
- 11.9 The applicant has put forward that the site comprises a brownfield site suitable for residential development. At the time of the assessment work for the brownfield land register, the site was overgrown and was assessed as having reverted to a greenfield site. Since then, the applicant has cleared the site of vegetation to reveal areas of hardstanding. Irrespective of whether the site is defined as brownfield or greenfield, the proposal is clearly contrary to adopted and emerging policy for new residential development and to grant planning permission would set a dangerous precedent for new residential development outside of the spatial strategy that could be repeated elsewhere within the National Park.

Impact on Character and Appearance of the Area

- 11.10 National Parks have been confirmed by Government as having the highest status of protection in relation to landscape and scenic beauty. The National Planning Policy Framework (NPPF), paragraph 172, advises that, within National Parks, great weight should be given to conserving the landscape and scenic beauty. The site lies within the North West Solent Estates landscape character area with characteristics which include a strong mosaic of mixed agricultural fields; frequent hedgerow and roadside Oaks; and small villages and scattered farms linked with winding rural lanes. Development pressure is one of the issues identified in the New Forest National Park Landscape Character Assessment (2015). The proposed development would introduce a large amount of built development across a vacant site, which currently blends into the landscape. The proposed development would have a detrimental impact on the rural character of the area contrary to Policy CP8 and emerging Policy SP7.

Proposed Layout

- 11.11 The proposal is for seven open market dwellings comprising:
- One 100 square metre house;
 - Two 120 square metre houses;
 - Two 140 square metre houses; and
 - Two 180 square metre houses.
- 11.12 When considered against the Government's technical housing standards for nationally prescribed space (2015), these would equate to large dwellings comprising:

- One 3-bed house;
- Two 4-bed houses; and
- Four 5+ bed houses.

- 11.13 The proposed layout would introduce large dwellings on the site, each with a car port, in a mix which does not reflect the housing need in the National Park or the policies in the draft emerging local plan.

Access and Highway Implications

- 11.14 The proposed development would utilise an existing access which is currently overgrown. A lack of detail has been provided in respect of the access but it is noted that it was used previously with the former public house use. No transport assessment has been submitted with the application. However, the Highway Authority has been consulted. An update will be provided at Committee.

Impact on Trees and Ecology

- 11.15 The site has been largely cleared of trees and the site was assessed by the Authority's Senior Tree Officer following the clearance works. Most of the trees had already been removed at this time and no concern was raised in respect of any remaining vegetation.
- 11.16 An objection has been received from the Authority's ecologist as there is currently insufficient professional ecological information to demonstrate accordance with Policies CP1 and CP2 of the adopted Core Strategy. There is insufficient information on impacts and proposed mitigation to enable the Authority to discharge its legal duties in this respect. In addition, it is understood that there is a significant reptile population nearby and, whilst the site may not appear to contain substantial areas of suitable habitat at first assessment, the proposed approach of mitigation without any more suitable in-depth survey work is not appropriate and accordance with Policy CP2 has not been demonstrated.

Other Matters

- 11.17 It is noted that planning permission was granted for the provision of hotel/leisure suites; manager's flat; public house; restaurant and functions rooms in 2005. However, the policy context has changed since the grant of this permission and the weight to be accorded to previous planning permissions reduces over time. The 2005 permission was followed by refusal of an application for hotel/leisure suites, a manager's flat and public house on appeal in 2011.

- 11.18 The applicant has requested details as to why the Authority is promoting residential development as an allocation on a green field site in preference to residential development on the current application site. The correct forum for such discussions is through the local plan process and this matter is not relevant to the determination of this application, which should be assessed against the statutory development plan.
- 11.19 Notwithstanding the strong policy objection set out above, the following developer contributions, index linked where appropriate, in line with the Development Standards SPD (2012), have been assessed as being reasonable, necessary and proportionate to the proposed development:
- Transport: £36,487
 - Off-site open space: £24,535
 - Off-site affordable housing: £455,000*
 - New Forest SPA: £8,750
 - Solent SPA: £5,655.

* Figure based on previous viability studies; existing use values; a review of DCLG published land values; and the outcome of local consultations.

Conclusion

- 11.20 The application proposes the development of seven large open market dwellings with car ports on a site outside of the defined New Forest villages, contrary to the adopted Core Strategy and the emerging Local Plan, which is at an advanced stage. There is a strong and overriding policy objection to the proposal and refusal is recommended.

12. RECOMMENDATION

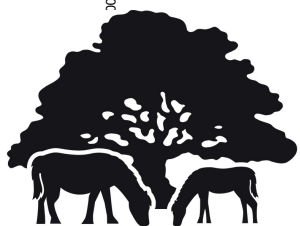
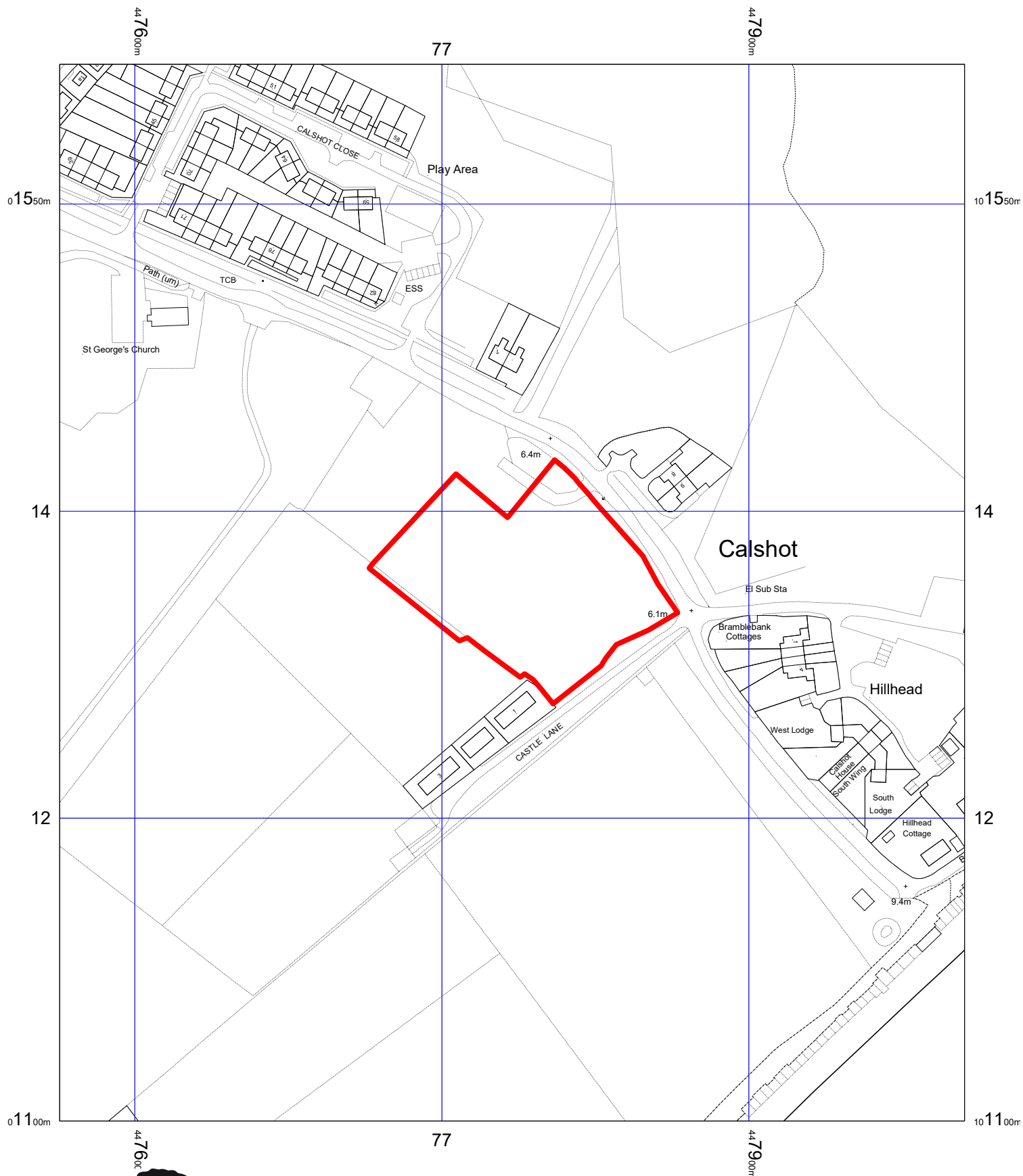
Refuse

Reason(s)

- 1 New residential development is only permitted in the National Park within the four defined villages, the exceptions being affordable housing for local needs and new dwellings required in connection with agriculture or forestry. The proposal for seven large open market dwellings in this area of open countryside is therefore contrary to Policy CP12 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) as well as the National Planning Policy Framework (2018).
- 2 In the absence of sufficient justification to support this level of private housing development outside of a defined village, if allowed, this proposal is likely to set a highly undesirable

precedent that would encourage similarly inappropriate and ad-hoc private housing developments elsewhere in the New Forest National Park, to the detriment of the long-term protection of the Forest's unique landscape.

- 3 The application site lies in close proximity to internationally and nationally designated sites (SSSI, SPA, SAC, Ramsar) and it has not been demonstrated to the satisfaction of the National Park Authority, through adequate mitigation measures, that there would not be significant in-combination impacts on the ecological sensitivities of these areas. The proposal would therefore be contrary to policies CP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and Section 15 of the NPPF.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 27/12/2018

Ref: 18/00870/OUT

Scale: 1:2500

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Application No: 18/00873/FULL Full Application

Site: Sumaya, Undershore Road, Lymington, SO41 5SA

Proposal: Remodelling of existing ground floor; addition of first floor to provide habitable accommodation; glass balustrade; roof alterations; alterations to fenestration; cladding; associated landscaping works with creation of timber deck terrace; partial demolition of existing ground floor areas

Applicant: Mr & Mrs Teal

Case Officer: Liz Young

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP11 Extensions to Dwellings
CP8 Local Distinctiveness
CP7 The Built Environment
CP6 Pollution
DP6 Design Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Will accept a delegated decision.

8. CONSULTEEES

- 8.1 Building Design & Conservation Area Officer: Previous objections still stand.

9. REPRESENTATIONS

- 9.1 Four letters of support from neighbouring properties:
- The adjacent monument is within a glade of trees and surrounding properties are of varied styles with a range of facing materials.
 - There is no identifiable character to dwellings in the locality.
 - Proposal has been carefully designed and would not harm the setting of the monument.
 - Sumaya is not visible from the monument and is not very visible from the wider area.
 - Views in the area are mainly dominated by Lymington Shores.
 - The proposed facing materials would enable the existing building to blend in better with its setting.

10. RELEVANT HISTORY

- 10.1 Remodelling of Existing Ground Floor; Addition of first floor to provide habitable accommodation; glass balustrade; roof alterations; alterations to fenestration; cladding; associated landscaping works with creation of timber deck terrace; partial demolition of existing ground floor areas (18/00563) refused on 16 October 2018
- 10.2 Detached outbuilding (13/98276) approved on 22 April 2013
- 10.3 Alterations and additions comprising two bedrooms, utility room and workshop and store and carport (NFR/XX/07534/1) approved on 29 September 1971

11. ASSESSMENT

- 11.1 This application relates to a modern, detached bungalow with integral garage located on a relatively exposed, elevated site within the Forest South East Conservation Area. The land slopes steeply away from the front (west) elevation and there are clear views towards the frontage of the property from across the river to the west. The south elevation is directly adjoined by a public right of way which provides a route up towards the Grade II* Burrard-Neale Monument, a 76ft obelisk completed in 1842. Open fields lie immediately to the rear.
- 11.2 Consent is sought to extend and re-configure the existing building. The integral garage would be retained and the external footprint would not be significantly affected by the proposals. The majority

of the additional accommodation would be allocated to the first floor which would comprise an upper terraced area, master bedroom, study and ensuite. The hipped roof would be completely replaced with a contemporary flat roof design. Fenestration would also be amended to incorporate full height openings at ground and first floor level. External facing materials would include a combination of white painted brick, timber louvres, a green roof and aluminium framed windows.

- 11.3 Members may recall this application was previously refused at the October Planning Committee meeting on the grounds that it would have exceeded the 30% floorspace limit and because the alterations and additions would fail to be appropriate to the dwelling or the character and appearance of the wider conservation area. The overall floorspace now proposed has been reduced down by 14 square metres from the previous proposal and as a result the development would now fall within the 30% floorspace limit. The main issue now under consideration would therefore be the design and character of the proposals in terms of the extent to which they would be appropriate to the low key form of the existing dwelling and also the impact upon the character and setting of the conservation area.
- 11.4 In terms of Policy context Paragraph 192 of the National Planning Policy Framework seeks to ensure development proposals would sustain and enhance the significance of heritage assets and make a positive contribution to local character and distinctiveness. Whilst the Conservation Area Character Appraisal recognises that some modern development has taken place, the document states that the conservation area and its historic character has not been significantly affected. There is concern, however, that the majority of modern properties in the area are of a standard form which do not reflect local distinctiveness or the character of the more rural buildings in the area. The Appraisal therefore recognises the opportunity in the future for scale, massing, design and use of materials to be more carefully considered. In addition to these requirements, pages 45 to 46 of the Design Guide Supplementary Planning Document set out the need to avoid excessive glazing at high level and to mitigate additional impacts by recessing glazed areas and incorporating robust subdivisions.
- 11.5 Having regard to the policy requirements set out above, the very low eaves line of the existing house, its prominence in the wider landscape and the complete absence of any fenestration or accommodation in the roof at present, the proposed development (which remains unchanged in terms of its design from the refused scheme) would fail to be appropriate to the character and form of the existing dwelling and would have a harmful and urbanising impact upon the wider area. It remains the case that the wider impact would be particularly apparent at night time with additional harm arising from increased light pollution from internal illumination as a result of the increase in the overall amount of fenestration and its prominence.

- 11.6 As noted at the time of the previously refused scheme the Burrard Neal Monument lies less than 120 metres from the application building. This obelisk forms a backdrop to the plot when viewed from the causeway approach to Undershore Road. This highlights the wider importance of views towards the monument and the application site. Representation from the agent appears to downplay the importance of views from this road, which is one of the main approaches to the conservation area and the National Park. As set out above, the proposals would significantly increase the overall prominence of the building and the property would become a significantly more dominant feature in views from the west towards the monument. In addition to this, the building as proposed would be at odds with the scale and relatively low roof forms of the properties immediately adjacent to the site, the majority of which nestle into their setting with mature plot boundaries. Whilst it is agreed that there are some larger properties along Undershore Road, many of these are positioned towards the northern end and away from the application site or are positioned on less elevated plots. Views towards the proposal from the public right of way (the approach to the Monument) immediately to the south would become particularly more apparent in winter and the extensive glazing proposed to the rear would significantly exacerbate the impact upon the very rural character of the locality at night time.
- 11.7 Notwithstanding the points raised by the agent, the proposal remains broadly the same as that which was submitted to the Authority for pre-application advice. The Authority at the time advised that there were strong concerns that the proposal would have a significantly greater impact than the existing building and that it would become much more prominent in longer range views from Lymington along with shorter range views from within the cul-de-sac. The setting of the listed monument and views from the adjacent public right of way were also highlighted as concerns. In terms of design, the Authority advised that a contemporary design could certainly be accepted on the site. However concerns over the heavy upper floor massing, extensive glazing, concrete materiality and stark, angular design would need to be addressed. The applicant has not taken any steps to address these concerns and the issues raised by the Authority at the pre-application stage (and following the subsequently refused application) therefore still stand. Many of the points put forward by the applicant focus on the impact upon public views and do not focus upon the importance of intrinsic character in the conservation area and views into the conservation area.
- 11.8 The applicant's reference to the Thorns Beach appeal decision would not give the Authority reason to permit the current proposal at Sumaya because it is not considered comparable. The Thorns Beach site does not lie within a conservation area or adjacent to an ancient monument. Furthermore, the development was assessed under different policies. In addition to this, the site at

Thorns Beach does not form part of a distinct building group (in contrast to Sumaya). Pages 25 and 26 of the Design Guide Supplementary Planning Document state that development should be informed by local characteristics and features (rather than development carried out away from the site) as out of place features can weaken the overall character and composition of a locality.

- 11.9 In conclusion, the only change made to the proposals following the refused scheme relates to a modest reduction in floor area specifically to enable compliance with the 30% limit set out under Policy DP11. However, this policy also requires extensions to be appropriate to the character of the existing dwelling. There has been no change in policy or circumstances since the previous application was refused on the grounds of inappropriate design. Furthermore, emerging Policy DP18 (to replace DP6 of the current Core Strategy) introduces the *additional* requirement of enhancing the historic environment ensuring development is contextually appropriate and does not harm key visual features, landscape setting or other valued components of the landscape, and enhances these where appropriate. Emerging Policy SP16 (replacing CP7 of the Core Strategy) also includes more detailed and specific requirements, including the need to avoid harm to the special interest, character or appearance of a conservation area or its setting, the need to consider long term preservation of heritage assets and also the requirement of ensuring any identified harm is outweighed by the public benefits of a proposal. There is no additional information accompanying this latest application that demonstrates an overriding public benefit associated with the development which would outweigh the harm to the character and appearance of the conservation area. The proposal is therefore contrary to both adopted and emerging policies, does not address concerns raised by officers at pre-application stage or at the time of the subsequent refusal and for these reasons it is recommended that the application should be refused.

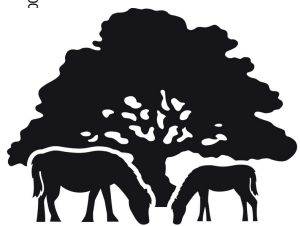
12. RECOMMENDATION

Refuse

Reason(s)

- 1 The proposed extensions and alterations would fail to be appropriate to the low profile and compact form of the existing house by virtue of the heavy upper floor massing, extensive glazing, concrete materiality and stark, angular design. The proposal would therefore fail to preserve the character of the conservation area or the setting of the Grade II* Listed monument adjacent to the site. The impact would also be apparent from wider views across the Lymington River, particularly in winter

months and at night time. The proposals would therefore fail to meet the requirements of Policies DP1, CP8 and DP11 of the New Forest National Park Core Strategy, the requirements of the Design Guide Supplementary Planning Document and Paragraph 192 of the National Planning Policy Framework.



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: 28/12/2018

Ref: 18/00873/FULL

Scale: 1:2500

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Application No: 18/00879/FULL Full Application

Site: Tuckermill House, Southampton Road, Boldre, Lymington, SO41 8ND

Proposal: Single storey side extension; new porch; alterations to fenestration; flue; render; demolition of existing conservatory

Applicant: Ms A Prout

Case Officer: Ann Braid

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
DP11 Extensions to Dwellings
DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal and would not accept the decision reached by the National Park Authority's Officers under their delegated powers.

This classic 1930's property would have its' architectural integrity spoilt if the proposed changes are permitted.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

11.1 Tuckermill House is located on an elevated site on the west side of the A337 (Southampton Road). The house is a two storey dwelling, dating from the early 20th century. It has a tiled roof and walls finished in a pebbledash render which is failing, and is being removed. The house is set on a raised terrace and has views over a large garden which slopes away from the house and is bounded with mature trees and vegetation. The boundary with the main Southampton Road is fenced. There is a conservatory on the principal elevation, facing south.

11.2 This application seeks consent to remove the conservatory, extend the house at ground floor, add a large porch and alter the windows. The extension and porch would be in a contrasting modern style, and the flat roofs would overhang the proposed areas of glazing. A new flue would serve a woodburner in the new extension. It is also proposed to render the exterior, in place of the existing pebbledash.

11.3 The issues to assess are whether the proposed extension would appear appropriate to the existing house and its curtilage, and whether there would be any adverse impact on the character of the wider locality. There are no near neighbours whose amenity would be affected by this proposal.

11.4 There is no record of the date the conservatory was added to the house. It has been included as pre-1982 floor area in the calculations. The existing house measures 253m² gross internal floor area. The proposed extension and porch would add 11% to the floor area. This would increase to 18% if the area under the overhang is included. The proposal therefore complies with the floor area limitations of Policy DP11. With regard to the potential for further extensions, the rear elevation is constrained by the existing garage and boundary, and as the floor areas would not be close to policy limits, a condition removing permitted development rights is not considered necessary or reasonable in this instance.

- 11.5 With regard to the design of the extension, the proposal makes no attempt to mimic the existing arts and crafts style of the house. However, the contrasting form of the extension and its lightweight appearance means that the original house would remain clearly legible. The removal and replacement of the pebbledash would result in a sharper finish, but the original form of the house would be retained. The alteration to the bay windows does not, in itself, require planning permission and the changes would retain their original shape and form. The porch would be large, but not out of scale on a dwelling of this size. The proposal has been designed to take account of the advice within the National Park Authority's Design Guide SPD, relating well to the scale of buildings around it and using traditional materials, albeit in a modern form. The extension would be subservient to the existing dwelling and, although not a copy of the existing house, would be complementary to the scale and character of the core element of the original dwelling as recommended by the Boldre Parish Design Statement SPD. Overall, the proposed alterations would be an appropriate addition to this property, in accordance with Policy DP11.
- 11.6 The dwelling has a limited presence in the locality, being set within a large plot, elevated from the road and well screened by existing fencing and mature trees. The roof and upper floor of the house are visible in the public realm, but little of the ground floor may be seen. With regard to Policy CP7 and the built environment, the site lies just outside the Conservation Area and the alterations would have a neutral impact on its character. The proposal would not have a suburbanising effect on the locality or erode its existing character and therefore complies with Policy CP8.
- 11.7 The design includes large areas of glazing, but the large overhang of the flat roof would reduce the upward spill of light which has the most impact on dark skies. A single roof light is proposed to light the dining area which is an internal room. The property is located close to the Ampress Industrial site which is illuminated and the proposed new windows would not add significantly to overall artificial light levels in this context.
- 11.8 The Parish Council objects to the proposal in the light of adverse impacts on the architectural integrity of the existing dwelling. In this case the architect has chosen to use a contrasting form, which would allow the original design features of the house to be seen. On balance, this is considered to be an appropriate design for an extension to this house, and that refusal on design grounds alone would not be sustainable.
- 11.9 No trees or protected species would be adversely affected by this proposal.

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.

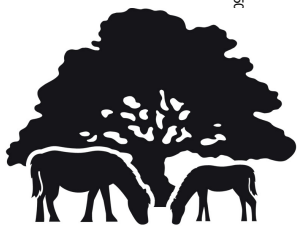
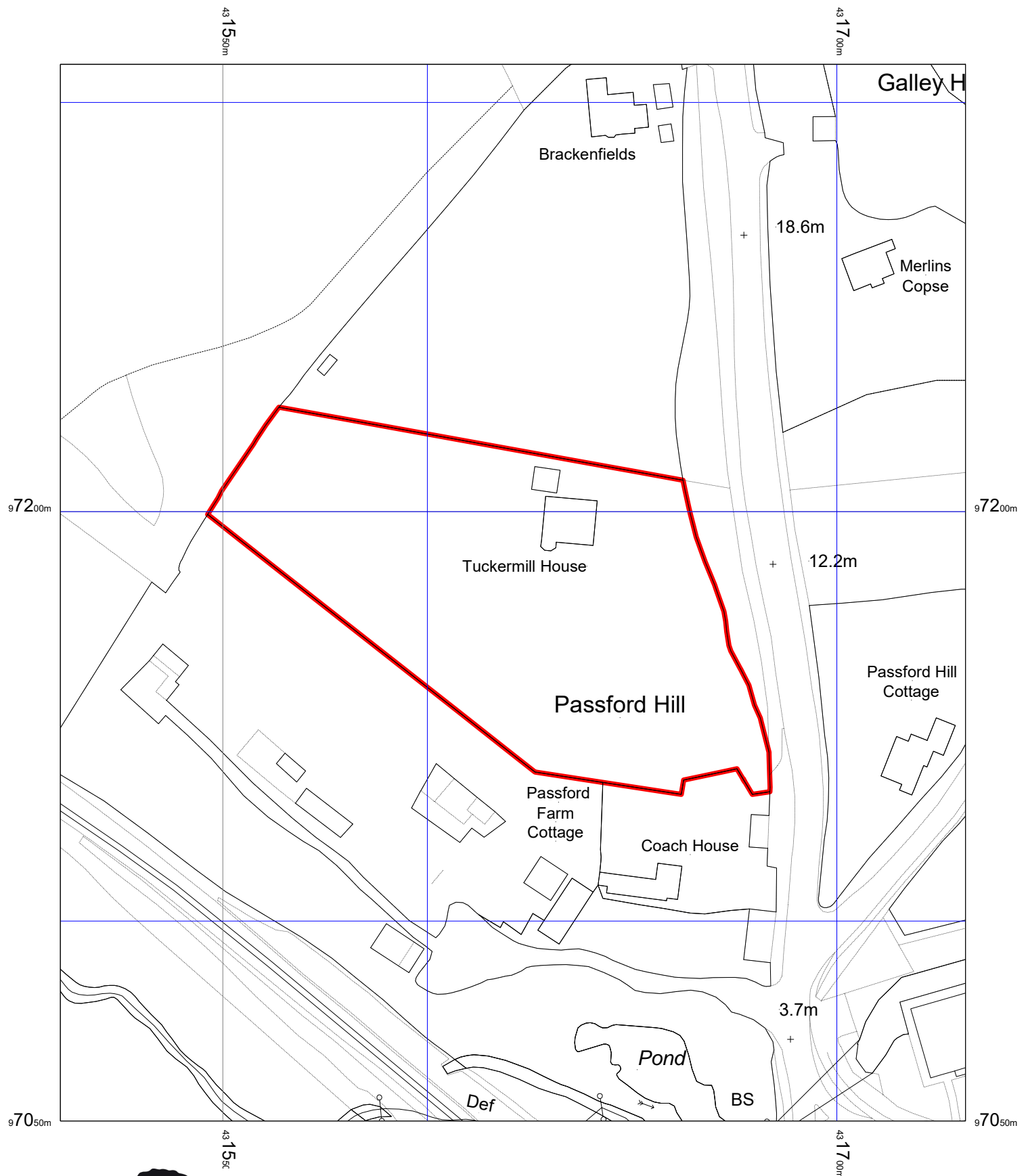
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 No windows or rooflights other than those hereby approved shall be inserted into the roof of the dwelling unless express planning permission has first been granted.

Reason: To control the level of light emitted from the dwelling and to ensure the accommodation provided on the site remains of a size appropriate to its location within the countryside and to comply with Policies CP8 and DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 Development shall only be carried out in accordance with drawing numbers: 1718 PP-004, 1809_PP-010, 1809_PP-011, 1809_PP-012, 1809_PP-015, 1809_PP-016, 1809_PP-017 and 1809_PP-018. 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 CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.



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

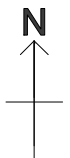
Tel: 01590 646600 Fax: 01590 646666

Date: 28/12/2018

Ref: 18/00879

Scale: 1:1250

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Application No: 18/00893/FULL Full Application

Site: The Old Workshop, Island Shop, 2 Brookley Road, Brockenhurst, SO42 7RR

Proposal: Change of Use to cycle cafe (Use Class A3); 3no. rooflights

Applicant: Mr R Kempson, Cyclexperience Ltd

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
CP14 Business and Employment Development
CP7 The Built Environment
CP9 Defined Villages

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal. Concerned that an increase in footfall and cycle parking at this site will result in an increased risk of accident and that direct access onto the A337 should be prevented.

8. CONSULTEEES

- 8.1 Highway Authority (HCC): No objection subject to conditions.
- 8.2 Environmental Protection (NFDC): Objections raised in the absence of an appropriate condition.

9. REPRESENTATIONS

- 9.1 One letter of objection received:
- The island is already cluttered.
 - The site lies adjacent to a main road junction, main bus route and taxi rank along with numerous commercial uses.
 - The site lies opposite another cafe.
 - The site is not suitable for a new cafe use.

10. RELEVANT HISTORY

- 10.1 Change of Use to Cycle cafe (Use Class A3) withdrawn on 8 November 2018
- 10.2 Pergola to south side of shop; replace window with door at first floor level (07/92256) refused on 5 March 2008
- 10.3 Single and two/ three storey extensions (80328) approved on 2 March 2004
- 10.4 Two storey extension with rooms in roof and alterations (03/77276) approved on 9 April 2003

11. ASSESSMENT

- 11.1 This application relates to a modest ancillary building associated with the Cycle Experience Shop which lies on the junction between Brookley Road and the A337. The building appears to have originally been built as a garage to serve the former residential use within the main building. It has an external footprint measuring 25 square metres and facing materials comprise brickwork, a tiled roof and timber doors. Both the building itself and the main shop (a 2.5 storey building) are prominently sited within the Brockenhurst Conservation Area in an area characterised by a mix of commercial and residential uses including a public house, a restaurant and modest cottages, many of which are of vernacular interest. The building is currently used as a store in association with the bike shop.
- 11.2 Consent is sought to change the use of the building to a small cafe in association with the main shop. External alterations would include the addition of three conservation style roof lights on the east elevation, the removal of timber cladding and the introduction

of a serving hatch to the west elevation and the replacement of garage doors on the south elevation with patio doors. All new joinery would be timber. By way of background this application follows on from a previously withdrawn scheme. The previous submission was withdrawn because the red line around the application site did not incorporate the area of land immediately south of the building which would be used for outdoor seating and cycle parking associated with the proposed use. The red line has now been extended to incorporate all the land within the applicant's ownership.

11.3 The main issues to assess would be:

- Policy considerations with regards to the re-use of existing buildings to accommodate new food and drink establishments within defined villages.
- The impact the development would have upon the character and appearance of the conservation area.
- Any potential amenity or highway considerations.

11.4 Policy CP9 (Defined Villages) supports small-scale development proposals to meet local needs, including employment uses within the defined villages. Policy CP14 (Business and Employment Development) is also supportive of small scale employment development. The very modest size of the existing building (which would not be subject to any further enlargement) would ensure the proposal would be sufficiently small scale for the purposes of satisfying Policies CP9 and CP14. Only a modest amount of outdoor seating is proposed, and this would be contained within the site boundary. The proposed use would primarily serve existing customers at the cycle shop and, having regard to the modest scale of the proposal along with the mix of commercial uses in the immediate locality, it is considered that the development would meet the objectives of Policies CP9 and CP14 of the New Forest National Park Core Strategy.

11.5 During the early stages of the withdrawn application, clarification was sought from the applicant with regards to additional signage, external lighting and also window and door details. Amended plans were subsequently submitted confirming that no new signage would be included or any external lighting. The applicant has also confirmed that all window and door joinery would be timber. The only lighting proposed would be internal. As set out above, the only external works proposed would relate to windows and doors and the overall character of the building and its impact in the wider street scene would not be significantly affected. The proposed development would therefore preserve the character and appearance of the conservation area and would be in accordance with Policy CP8 of the New Forest National Park Core Strategy.

- 11.6 Comments received from the Environmental Protection Officer originally raised no objection subject to a condition restricting cooking processes to beverages and the use of a microwave, toaster and soup kettle. However, such an onerous condition would be difficult to enforce and is not considered to be a reasonable restriction on the use of the building. Such a condition would therefore not comply with the tests set out in paragraph 53 of the National Planning Policy Framework. The very modest size of the building would also serve to limit the overall impact of the proposal, along with an appropriately worded condition restricting the opening hours to those stated on the application form would also reduce the risk of any future change to any form of fast food outlet (an issue raised by Environmental Protection). The building does not lie directly adjacent to any residential properties and the closest dwelling lies 13 metres across the road to the north west and directly adjoins the Foresters Public House. To the east, the closest neighbour lies 22 metres across the main road through Brockenhurst and lies between the Snakecatcher Public House and the Yenz Restaurant. Having regard to this along with the very limited size of the building, it is considered that the objections raised by Environmental Protection would not justify a refusal in this instance.
- 11.7 The site lies close to a wine bar establishment (previously a cafe after it was converted from a public convenience) which is also a very constrained site with no parking and fronts directly onto the A337. At the time consent was originally granted for the change of use concerns had also been raised from representees about the lack of on-site parking, the shortage of off-site parking, and the proximity to the zebra crossing and fire station. However, it was also the case here that the Highway Authority raised no objections as it was considered that the location within the village and near the village centre facilities would mean that an objection would not be sustainable (subject to details of on-site cycle parking). Having regard to this, along with the fact that Highway Authority raise no objections to the current proposal at the Old Workshop, it is considered that the objections raised by the Parish Council would not sufficiently justify refusal.
- 11.8 In conclusion, the proposed development lies in a sustainable location within the defined settlement boundary of Brockenhurst in an area characterised by a mix of commercial and residential uses. The proposal would be small scale and would not have any direct or harmful implications for the character and appearance of the conservation area. The proposal would meet the Core Strategy objectives of strengthening the sustainability and vibrancy of local communities. The Highway Authority consider that the development would not be detrimental to the safety and convenience of users of the adjoining highway and the modest scale of the proposal along with the degree of separation from neighbouring properties would ensure there would not be a

harmful loss of amenity, particularly when having regard to the large number of food and drink establishments in the immediate area. It is therefore recommended that planning permission should be 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 The window and door joinery to be used in the development shall be timber, 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).

- 3 No activity shall take place on the site in connection with the approved use other than between the hours of 05:30 and 17:30 Monday to Fridays, 08:00 and 17:30 Saturdays and 10:00 and 17:30 on Sundays and recognised public holidays.

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

- 4 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).

- 5 A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

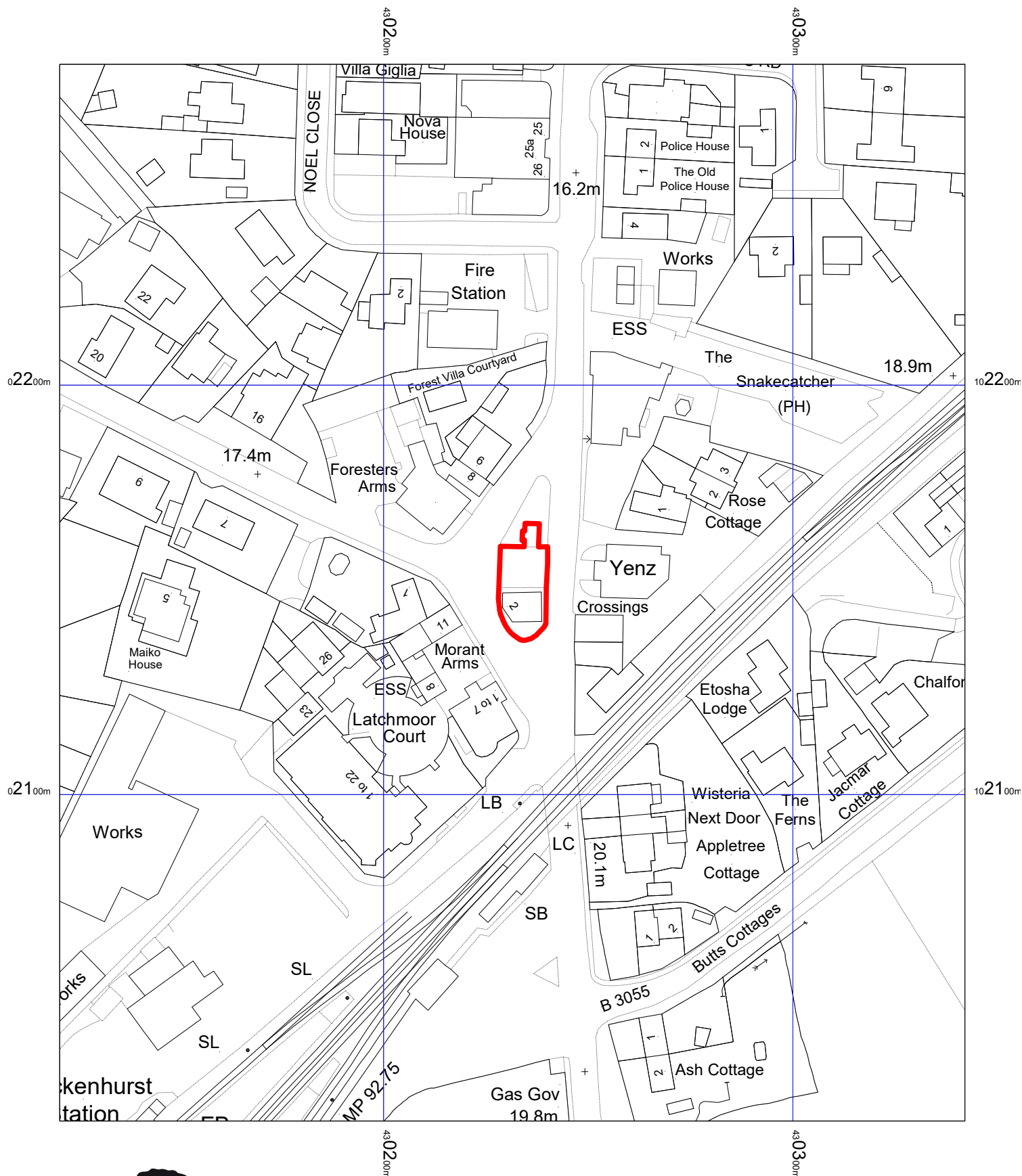
The spaces shall be retained and kept available for their intended

purpose at all times.

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

- 6 Development shall only be carried out in accordance with drawing nos: 01, 02, 03, 04, 05, 06, 07, 08. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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



NEW FOREST
NATIONAL PARK

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