

Application No: 18/00124/FULL Full Application

Site: Marico House, Burnside Farm, Brook Hill, Bramshaw, Lyndhurst,
SO43 7JB

Proposal: Single storey extension; removal of portakabin

Applicant: J Riding, Marico Marine Ltd

Case Officer: Clare Ings

Parish: BRAMSHAW

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP14 Business and Employment Development
CP15 Existing Employment Sites
DP1 General Development Principles
DP6 Design Principles

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Bramshaw Parish Council: Recommend permission. Comments:

- Concerns previously expressed about matters under DP17 have been met. There will be no increased activity level on the site; the development proposed is contained entirely within the existing site

boundary.

- The proposal is entirely in keeping with CP14. It is noted that “small scale employment development that helps the well-being of local communities will be permitted through the re-use or extension of existing buildings, the redevelopment of existing business use employment sites.”
- Refusal of the application would raise the real possibility of this existing employment site being lost to the detriment of the National Park and the sustainability of our local community, in breach of CP15.
- The design and scale of the development is discrete, modest and wholly in keeping with the present building on site. It meets the principles set out in DP1 and DP6.
- The character and appearance of the conservation area will not be affected by the proposed development.
- There is no significant impact on any adjoining occupier.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 Single storey extension; removal of portacabin (17/00681) refused on 17 October 2017

10.2 Continued use of land as B1 office; single storey extension to existing office building (17/00021) refused on 21 March 2017

10.3 Extension; addition of link; external alterations (10/95642) granted permission on 23 November 2010

10.4 Extension; addition of link; external alterations (10/95033) granted permission on 16 June 2010

10.5 Refurbish and extend stable block to form office; parking; access (04/80757) granted permission on 19 July 2004

11. ASSESSMENT

11.1 Members will recall this application which was presented to the Planning Committee in October 2017 when it was narrowly refused (as was the previous application) on the grounds of the proposal having a detrimental visual impact in the wider landscape and on the character and appearance of the conservation area as a result of its scale and massing. Following that decision, there were three areas which required further consideration:

- The design of the building, specifically that it should be both

- recessed and reduced in width;
 - The planning status of the portacabin needed clarification; and
 - Whether a condition could be imposed to prevent its conversion (under permitted development) to a dwelling.
- 11.2 To recap, the application site lies to the west of the B3079 between Brook and Bramshaw in an area of open countryside, and opposite the golf course. It comprises an office with ancillary storage (previously a barn and stables now linked). The building is single storey, brick built under a tiled roof, with extensive glazing. An area for parking lies to the front and side of the site. To the rear of the building is a portacabin sited on ground which has been levelled and surrounded with a low retaining grass bund. A post and rail fence separates the office use from the adjoining paddock which is in the same ownership, although it should be noted that the portacabin and level ground has already encroached into this paddock. The boundary with the B3079 is formed by a wooden fence with planting becoming established. The site lies within the Forest Central (North) Conservation Area character area F.
- 11.3 As previously, the proposal is to replace the portacabin with a single storey extension to provide additional office space. It would run parallel to the existing building, with the ridge to match the higher ridge of the existing building. The proposed floorspace would add a further 64m² to the existing 100m² of office floorspace (previously the increase was 75m²). The building is occupied by Marico Marine Ltd, a successful marine specialist, high technology company (developing software to manage ship movement risk and vehicle tracking systems), and the additional floorspace is proposed for simulator/office accommodation; there would not be any increase in staff.
- 11.4 The key considerations, as per the previous application, are the principle of the development and compliance with policy; the scale and design of the proposal; and its impact on the wider street scene, character and appearance of the conservation area and neighbouring properties. With regard to the impact on the nearest neighbour, it is not considered that there would be any overlooking given the distances involved (some 50m from the side elevation of Burnside Farm). In addition, consideration has to be given to whether sufficient amendments have been made to address the previous reason for refusal, and whether the other outstanding issues have been addressed appropriately.
- 11.5 Notwithstanding the above, it is still appropriate to set out the relevant policies with respect to the principle of the proposal. Policies CP14 and DP17 both support the limited extension of small businesses outside the defined villages where they would help the well-being of the local community and would not materially change the level of activity on the site. In addition, Policy DP17 requires that any development should be contained

within the existing site boundary. The extension is still significant when compared with the existing floorspace (an increase of over 60%), and it is considered that the original curtilage has been increased. However, given the proposed use of much of the extension (the simulator) and the fact that there would not be any increase in staff, it is not considered that the extension would significantly increase the level of activity in the area.

- 11.6 In terms of design, the extension represents a decrease in floorspace of approximately 11m² from the previous proposal, achieved by setting the gable elevation (south elevation) behind the existing gable end, and bringing in the rear elevation so that it would not extend as far back as the rear elevation of the portacabin. In addition, the external facing material would now be timber cladding to distinguish it from the main building. The changes are marginal, and thus any improved impact on the street scene or the wider conservation area would be minimal.
- 11.7 Previous consideration of the proposal raised much discussion over the portacabin, which was brought onto the site in 2011 without permission, and whether it would now be considered lawful by virtue of the passage of time. There are two issues: whether the portacabin should be considered a building due to its size, permanence or physical attachment or, if not a building, then consideration should be given to the use of the land for stationing the structure (similar to a caravan).
- 11.8 The case relating to the use of the land for the stationing of the portacabin is not accepted. The applicant's agent has argued that it was stationed on land which had formed part of the operational land around the main building, and that the operational land came into use in 2004 when the first permission for an office was granted, and thus this use has been in existence for more than 10 years. Site plans submitted at the time of the 2004 application and also the applications in 2010 clearly indicate that not all the land to the rear of the main building formed its curtilage, and that therefore its operational use for the necessary 10 years cannot be proven.
- 11.9 The applicant's agent has also argued that, as the portacabin has been in situ since 2011, it has developed a "significance" and can also be considered to be permanent. It is considered therefore, that the portacabin would be considered a building, and therefore as the "building works" to establish its presence were substantially completed more than four years ago, it would therefore be lawful.
- 11.10 The floorspace of the portacabin is therefore established, and it would be difficult to argue that this could not be replaced; its replacement would also result in an enhancement to the character and appearance of the conservation area. However, the portacabin provides about 30m² of floorspace and the proposed extension is for more than double that space (64m²).

Notwithstanding that fact, the proposed extension would create an area which would be more appropriate to the existing building and site.

- 11.11 Class O of the Town and Country Planning General Permitted Development) (England) Order 2015 (as amended) permits the change of use of an office building to a dwellinghouse. However, should permission for the proposed development be forthcoming, the applicant has indicated a willingness to accept a condition removing these permitted development rights. While this change could occur at any time, which would result in the loss of the employment use, the fact that the applicant is pursuing an extension to the premises is an indication that the employment use is likely to remain. Whilst the nature of the existing business (marine specialist) is not essential within the National Park as it would not be seen to contribute to the land-based economy, a subsequent use could be more appropriate.
- 11.12 In conclusion, whilst the physical changes to the extension are minimal (a reduction of 11m² from the previous scheme), due to its main use for the simulator, there would not be any material increase in activity at the site from increased numbers of staff. The portacabin represents existing floorspace which has to be taken into consideration, and any replacement would enhance the character and appearance of the area. The applicant has also offered an opportunity to retain employment uses at the site, with the removal of permitted development rights relating to conversion. On balance, permission is therefore recommended.

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: 01, 11.15/01-8 Rev B, 11.15/01-9 Rev B and 11.15/01-12 Rev 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.

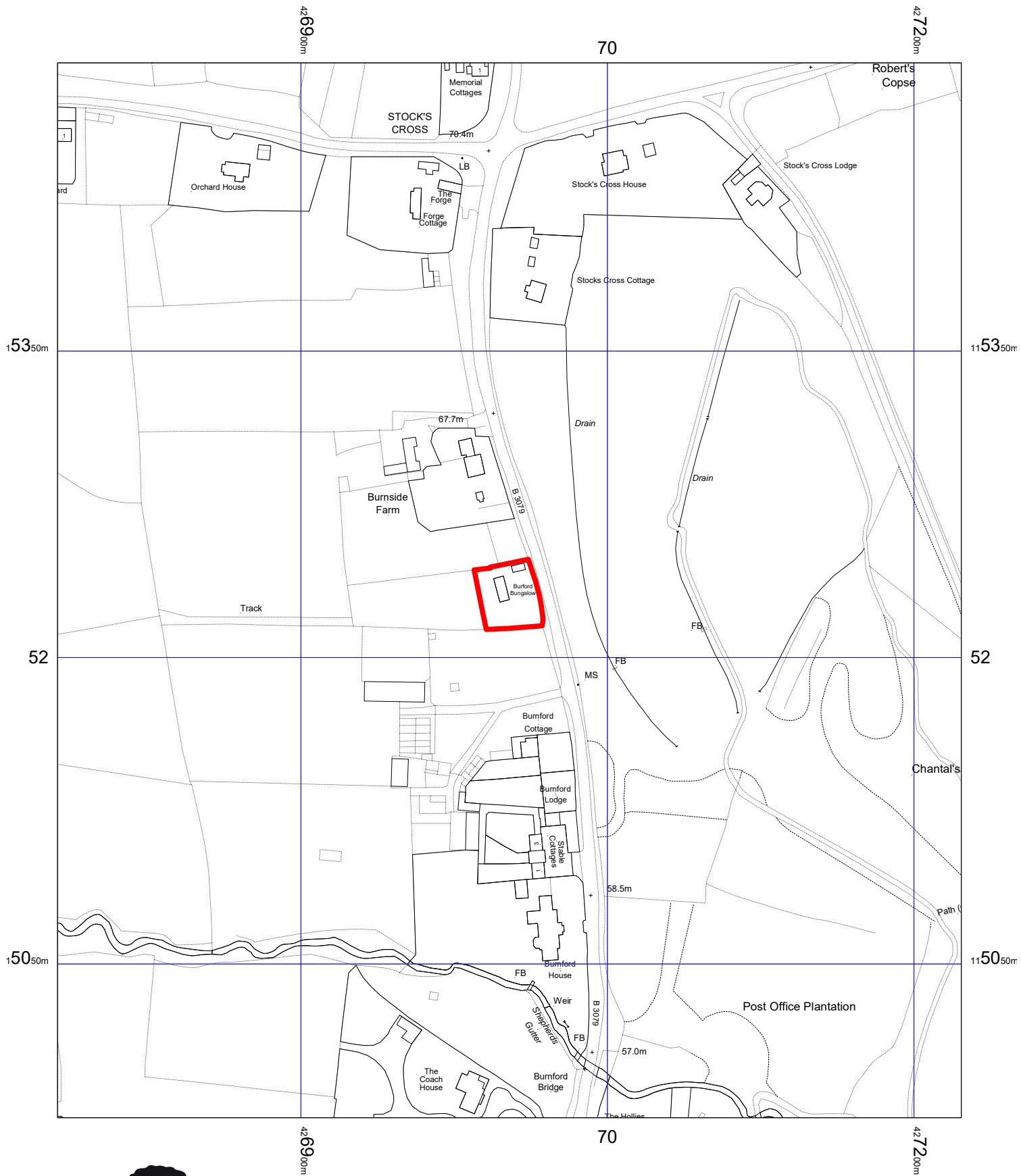
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (or any re-enactment of that Order) no change of use to a use falling within Class C3 (dwellinghouses) otherwise approved by Class O of Part 3 of Schedule 2 to the Order shall be carried out without express planning permission first having been granted.

Reason: To ensure the retention of an employment use which is appropriate to its location within the countryside and to comply with Policies CP14 and DP17 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The development shall be carried out in accordance with the Construction Management Statement (JDPC 2017).

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



NEW FOREST
NATIONAL PARK

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