

**Application No: 19/00512/FULL Full Application**

**Site:** Linford Park Nursing Home, Linford Road, Linford, Ringwood, BH24 3HX

**Proposal:** Retention of 2No. bunds/bladders for drainage purposes; 1.2 metre high post and rail fencing

**Applicant:** Mr White, Coombe Healthcare

**Case Officer:** Carly Cochrane

**Parish:** ELLINGHAM HARBRIDGE AND IBSLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
Flood Zone

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP7 Landscape character  
SP17 Local distinctiveness  
SP16 The historic and built environment  
DP45 Extensions to non-residential buildings and uses

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**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**

None received

**7. PARISH COUNCIL COMMENTS**

Ellingham, Harbridge & Ibsley Parish Council: Recommend refusal, for the reasons listed below:

- Bund materials & construction are inadequate for the 3-year life implied in the application.
- Lack of suitability and security of the bladders and bunds (and sewage treatment plant) to ensure that the quality of the natural environment is not compromised, especially given the proximity to the water course and multiple SSSIs.
- No options have been proposed for a permanent solution that the applicant will work towards over the next 3 years.
- Bund B1 nearest the track is not appropriately situated to become a longer term water storage for access by fire service
- Continued encroachment of use of main building on agricultural land
- Concern with regard to inaccuracies within the submission

[The comments can be viewed in full via the National Park Authority's website]

## **8. CONSULTEES**

- 8.1 Ecologist: Concern with regard to compliance with the NPPF and Local Plan requirements in respect of biodiversity due to lack of detail provided within the application. Given the Authority's Statutory Duties in respect of the Water Framework Directive, measures to secure improvements in water quality would be advantageous and welcomed from a biodiversity perspective.
- 8.2 Landscape Officer: Objection. The bunds, bladders and associated fencing are at odds with the prevailing rural character of the immediate and wider landscape, and are harmful to the natural beauty of the National Park and do not conserve or enhance any aspect of the pastoral fields in which they are located. The 'temporary' nature of the proposals does not diminish their harmful landscape impact.
- 8.3 Tree Officer: No objection subject to condition.
- 8.4 Environmental Protection (NFDC): No objection.
- 8.5 Environment Agency: No comment
- 8.6 Natural England: Application is unlikely to result in significant impacts on statutory designated nature conservation sites or landscapes.

## **9. REPRESENTATIONS**

- 9.1 13 letters of representation have been received objecting to the proposal. The comments made are summarised as follows with concerns raised about:
- the number of vehicle movements generated as a result of the need to empty the bladders/bunds 5-6 times per day, across

the proposed temporary period of three years, and the impact with regard to noise, disturbance, pollution, traffic and road safety. Concern with regard to how the bunds will be emptied in adverse weather/when it is not possible for vehicles to access the site.

- the development being out of place in a National Park due to its appearance, and the impact upon the visual amenity and character and appearance of the conservation area
- the bund rupturing and draining into the Linbrook, and associated environmental concerns
- loss of habitat for birds and reptiles as a result of the development
- development of a non-agricultural nature, upon agricultural land, and precedent set with regard change of use of the land
- impact upon and damage to trees
- A 3-year temporary permission is too long and would result in too much damage to the environment and impact upon neighbouring amenity
- damage to verges

9.2 One letter of representation has been received making comments on the application, in relation to the posting of the site notice.

## **10. RELEVANT HISTORY**

- 10.1 Retention and completion of access track (19/00058) refused on 17 April 2019
- 10.2 New dwelling to provide managers accommodation (18/01002) refused on 11 March 2019
- 10.3 2no. new dwellings to provide staff accommodation with undercroft parking, new access and footpath (18/00435) refused on 01 October 2018
- 10.4 Addition of cladding and render to nursing home and accommodation/catering block; alterations to fenestration (17/00321) granted on 27 June 2017
- 10.5 Application to vary condition 2 of planning permission 84/27216 to allow use as Residential Centre for treatment/rehabilitation of people subject to alcohol/drug misuse within class C2 of the Town and Country Planning Use Classes Order 2010 (13/98490) withdrawn on 07 June 2013
- 10.6 Change of Use of land to use as a nursing home & creation of 49 self-contained units of sheltered accommodation (01/72225) refused on 30 April 2002
- 10.7 Add 2 fire escapes & conservatories to ground & first floors (NFDC/93/51647) granted on 19 April 1993

- 10.8 Erect 6 detached dwellings (demolish extg sanatorium bldgs) (NFDC/91/46980) refused on 10 April 1991
- 10.9 Erect 6 detached dwellings (demolish extg sanatorium bldgs) refused 09 January 1991
- 10.10 Construct new access road and provision of car park (NFDC/89/42938) granted on 17 October 1989
- 10.11 Change of use to elderly persons nursing home (NFDC/84/27216) granted on 07 October 1985

## 11. ASSESSMENT

- 11.1 The application site of Linford Park (now known as St Martha's) is located to the north western side of Linford Road, within the Western Escarpment Conservation Area. The main building, which has a lawful C2 use (elderly persons nursing home), is located within the northern section of the site which is elevated from Linford Road; as such, the site slopes north to south. The site comprises a total of approximately 10 hectares, which includes agricultural land and woodland, and is surrounded by parcels of other agricultural land. The New Forest SSSI adjoins the southern boundary. The main access track adjoins Linford Road, and runs north-south within the western section of the site.
- 11.2 This application seeks temporary planning permission, for a period of three years, for the retention of two bladder tanks and bunds to enable the storage of water discharged from the existing Klargester sewage treatment plant. The proposal is required due to updated regulations, meaning that the Environment Agency will not grant the applicant a licence to discharge into the Linbrook, which was how the drainage of the site had previously been managed. The bunds are sited within an area of agricultural land adjacent to the southern site boundary, and specifically, adjacent to the western boundary, which adjoins the main access to the building, and adjacent to the eastern site boundary which adjoins woodland. The bladder tanks are accessed by an existing track, which has previously been refused planning permission (see 19/00058), but is now the subject of application reference 19/00618 for an amended scheme (item 3). This application also seeks permission for the retention of the 1.2-metre high post and rail fence which encloses the bunds.
- 11.3 A further planning application (19/00787) has recently been submitted for a permanent solution to the drainage at the site, by connecting to the mains which is located approximately 1.2 kilometres to the west, close to Poulner Baptist Church.
- 11.4 The main considerations for this temporary installation relate to:
- The encroachment of a C2 use onto agricultural land (and

- therefore the principle of the development);
- The impact upon the visual amenity, character and appearance of the conservation area;
- The impact upon the natural environment; and
- The impact upon neighbouring amenity.

11.5 The bladder tanks and bunds are located on agricultural land. Whilst at the time of the site visit the land was not actively being used for the purposes of agriculture, the land is separate from the operational area of the Linford Park building (contained within the northernmost section of the site), and is therefore considered agricultural in its use and character; this is not disputed by the applicant. Condition 5 of the consent for the use of the building for C2 purposes (NFDC/84/27216) specifically states:

*'The use of the open fields, since hatched brown on the submitted plan, shall be for grazing purposes only'*

with the reason given that the

*'site lies in open countryside where the policies of the local planning authority are not to allow the establishment of new dwellings or other urban development and to safeguard agricultural land'.*

The reason also goes on to state that permission was granted solely because of the particular circumstances of the site, and that *'any ancillary facilities should be confined to those reasonably required to support this main use'*. Whilst it is not disputed by the Authority that the bunds are reasonably required to support the lawful C2 use of the site, they are nevertheless located within the area which was specifically protected from 'urban development' as part of the above condition and the original consent for the use of the site as C2. The bladder tanks and bunds, and the associated fencing, is therefore considered to be an extension and encroachment of the C2 use of the site into agricultural land.

11.6 This concern is shared by local residents, and the Landscape Officer has also raised an objection on the basis that the bladder tanks, bunds and fencing are harmful to the natural beauty of the National Park, as their temporary nature does not diminish the harmful impact of their presence within the landscape. Policy SP7 of the Local Plan sets out that *'Development proposals will be permitted if they conserve and enhance the character of the New Forest's landscapes and seascapes by demonstrating that...they are compatible with the distinct features and type of landscape in which the development is located...the design, layout, massing and scale of proposals conserve and enhance the existing landscape character and do not detract from the natural beauty of the National Park'*. It is not disputed that the development is incongruous with the rural character of the area, and it could not be said that they either enhance or conserve the character of the

landscape.

- 11.7 The bladder tanks are in place due to the requirements for managing and controlling the discharge of water from the Klargester sewage treatment plant set by the Environment Agency; without them, the discharge would be directed into the Linbrook; this is not considered appropriate by either the Environment Agency or the Authority. Concern has been raised in relation to the impact upon the natural environment should the bunds fail or be unable to be emptied, therefore overflowing into the Linbrook. The tank to the west of the site is located on the edge of Flood Zones 2 and 3, and the tank to the east is located adjacent. In terms of the vulnerability of the development and its siting within flood zones 2 and 3, National Planning Practice Guidance sets out that the proposal is compatible with this location. The sequential and exception tests are therefore not applicable. The Environment Agency considered that the development fell outside of their external consultation checklist, and therefore provided no comment on the application.
- 11.8 Concern has been raised in relation to the noise disturbance and odour caused when the bladder tanks are emptied. New Forest District Council's Environmental Health Team were consulted on the application and considered that the proposed number of vehicle movements would not significantly impact on the noise levels of the area, and therefore would not result in any significant adverse impact upon neighbouring amenity. The bladders/bunds in themselves do not generate any noise; whilst the movement of the vehicle used to empty the bladder tanks would be discernible, this would not be dissimilar to that of any other vehicle, including agricultural vehicles such as tractors, which use Linford Road.
- 11.9 Concern has been raised in relation to the impact upon highway safety as a result of the increased vehicle movements (5-6 per day). As Linford Road is unclassified, the proposal is subject to Standing Advice, however, verbal discussion has been had with Hampshire Highways, who advised that on the basis that Linford Road is unclassified and there would be no new access created, alongside the temporary (albeit two years) period, it was unlikely the development would result in any significantly adverse impact upon highway safety.
- 11.10 The trees located within and adjacent to the site are protected by virtue of their location within the Western Escarpment Conservation Area. The bladder tank to the east of the site is located adjacent to the boundary, and also adjacent to a line of trees. As the application is retrospective, any damage incurred to the trees thus far is unknown; as the application is for a temporary period, and therefore this bladder tank would be removed, the Tree Officer raised no objection, subject to the submission of arboricultural information detailing how the bladder tank and bund would be removed, as well as detail demonstrating how any harm

which may have been caused would be mitigated. The bladder tank to the west of the site is not located within close proximity to any trees.

- 11.11 Whilst it is not disputed that the development undertaken thus far is out of keeping with the rural landscape, and whilst it is disappointing that a more appropriate comprehensive solution, either temporary or permanent, was not considered or implemented prior to the nursing home re-opening, therefore negating the need for the bladder tanks and bunds and in turn this application, weight must be given to the alternative situation, being one which could result in significant harm to the natural environment, as well as the closure of the site due to its inability to operate, albeit temporarily. It is also pertinent to note that an application for the permanent drainage solution has been received by the Authority and will be assessed on its own merits in due course. With regard to the temporary permission sought, being that of a three year period, based on the information provided by the planning agent and the aforementioned fact that an application for a permanent solution has been received, it is considered reasonable and necessary to reduce the temporary time period to that of two years in order to minimise the impact upon the visual and neighbouring amenity of the area. It is considered reasonable and necessary to condition that the land upon which the bladder tanks are situated be made good upon the cessation of their use, with landscape and biodiversity enhancements sought.
- 11.12 It is therefore recommended that a 'one-off' temporary planning permission is granted, for a period of two years, subject to conditions.

## **12. RECOMMENDATION**

Grant Temporary Permission

### **Condition(s)**

- 1 The bladder tanks, bunds and fence shall be removed on or before 19 November 2021 and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The long-term retention of the development would be harmful to the visual amenities of the area and the intrinsic landscape character and would represent inappropriate development on agricultural land contrary to policies DP2, SP6, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016-2036.

- 2 Development shall only be carried out in accordance with

drawing nos: NFNP-ID-257.8.01 Rev B, NFNP-ID-257.8.02 Rev B, NFNP-ID-257.8.03, NFNP-ID-257.8.04.

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

Reason: To prevent any further inappropriate development at the site which would be harmful to the intrinsic landscape character of the National Park, neighbouring amenity and natural environment in accordance with Policies DP2, SP6, SP7, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 Arboricultural information regarding the method of installation and removal of the bladder tanks, bunds and fence, marked B1 and B2 on the Block Plan dated June 2019 (drawing number NFNP-ID-257.8.02) and any other works associated with the treatment of foul water shall be submitted to and approved in writing by the Local Planning Authority detailing the protection of trees and hedges on site (to be identified by agreement with the Local Planning Authority prior).

The agreed arrangements shall be submitted within three (3) months of planning permission being granted; should be in accordance with BS 5837:2012 and; shall be carried out in full prior to any removal activities taking place. Any tree protection shall remain in-situ for the duration of the removal and land restoration.

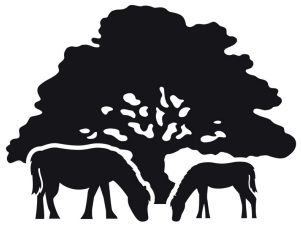
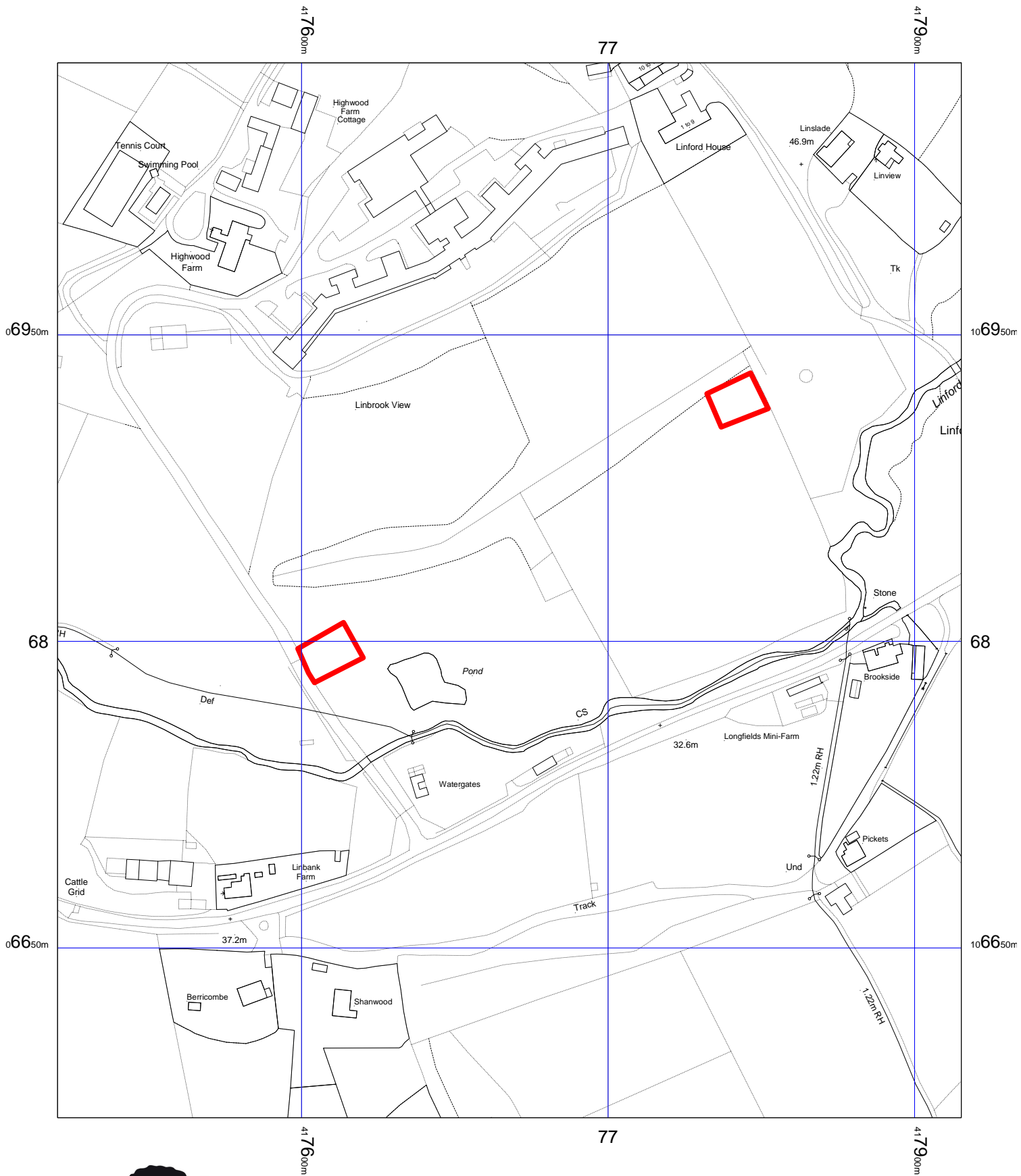
Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 Within three months of this planning permission, a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:
- a) the existing trees and shrubs which have been agreed to be retained;
  - b) a specification for new planting (species, size, spacing and location);
  - c) areas for hard surfacing and the materials to be used;
  - d) other means of enclosure;
  - e) a method and programme for its implementation and the means to provide for its future maintenance.

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



Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST  
NATIONAL PARK

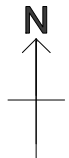
New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00512 FULL**

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**Application No: 19/00577/FULL Full Application**

**Site:** Land forward of Wood Nook, Bourne Lane, Woodlands, SO40 7GT

**Proposal:** Retention of Wall to facilitate C3 use of land (AMENDED DESCRIPTION)

**Applicant:** Mr & Mrs Philps

**Case Officer:** Katie McIntyre

**Parish:** NETLEY MARSH

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP7 Landscape character  
SP17 Local distinctiveness  
SP6 The natural environment

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Netley Marsh Parish Council: Recommend permission: There would be no adverse impact on neighbouring properties, in fact the reverse. In a Parish with Marsh in the title, it is essential to keep the ditches and roads clear of debris and silt and this work should be encouraged.

## **8. CONSULTTEES**

- 8.1 Tree Officer: No objection subject to a landscaping condition.
- 8.2 Landscape Officer: Objection.

## **9. REPRESENTATIONS**

- 9.1 Eight representations of support:
- Mud and stones from the frontage and driveway is a safety hazard.
  - Improvement to the character of the area.
  - Has slowed down traffic.
  - Stops mud blocking the adjacent culvert.
  - In keeping with other properties within the locality.

## **10. RELEVANT HISTORY**

- 10.1 Replacement dwelling (90007) granted on 07 June 2006

## **11. ASSESSMENT**

- 11.1 The application site relates to a parcel of land to the front of Wood Nook which forms part of a wide verge and is an important landscape feature. The parcel of land falls within the ownership of Wood Nook, however, is located outside of the residential curtilage and garden of the dwelling. Prior to the development, this parcel of land had an open characteristic with it being separated from the garden of Wood Nook by a picket fence. Wood Nook is a two-storey detached dwelling located outside of the defined New Forest villages just outside of the conservation area. Bourne Lane is rural in character with hedging and trees on the northern side of the lane and properties set back from the road on the southern side with the predominant boundary feature being hedging and open and wide verges such as that the subject of this application. This application seeks consent for the retention of walls to facilitate C3 (residential) use of the land.
- 11.2 The main consideration is the impact the development has upon the character and appearance of the locality.
- 11.3 The site lies within the New Forest National Park. The whole of the National Park is designated as a nationally protected landscape and as such all development proposals will need to take into account this level of protection. The intrinsic landscape character will also need to be recognised which cannot solely be determined by what is visible from a publicly accessible location. The National Planning Policy Framework confirms that *“great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks...which have the highest*

*status of protection in relation to these issues*” (paragraph 172). The first national park purpose as set out in the 1995 Environment Act also recognises the importance of conserving and enhancing an areas local character. Local Plan Policies DP2, SP7 and SP17 seek to prevent development and changes of use which would individually or cumulatively erode the National Park’s local character, or result in the gradual suburbanising effect within the National Park. Development proposals should conserve and enhance the character of the New Forest’s landscapes.

- 11.4 It is evident from aerial photographs that the piece of land in question, prior to the development the subject of this application, was an attractive amenity strip consisting of a wide verge forming a continuation of the remaining verge to the east which contributed positively to the rural character of Bourne Lane. The front boundary denoted the residential curtilage of the dwelling being set back from the road. It is also evident from aerial photographs and images that the open verge continued westwards prior to the enclosure of the verge to the front of the adjacent properties Oaklea and Coppa Dolla which appears to have occurred at some point after 2011. There is no planning approval for this adjacent development.
- 11.5 The supporting statement submitted with the application states that the works have been undertaken to stop soil and debris being swept into the road and the adjacent culvert to decrease flood risk. Laurel hedging has also been planted. The agent has stated that the development has not resulted in an extension to the garden of the dwelling.
- 11.6 The enclosure of this piece of land to the front of Wood Nook and its resulting change in use, together with the hedging and walls is considered to have significantly altered the character of this verge and Bourne Lane having an overtly domesticated and formal appearance which has in effect resulted in the encroachment and extension of the garden of the site. This has resulted in the suburbanisation and erosion of the rural character of this lane contrary to Policies DP2, SP7 and SP17. The impact upon landscape character is exacerbated when viewed in cumulation with the encroachment to the front of the adjacent properties Oaklea and Coppa Dolla. Encroachments such as this, when viewed individually and cumulatively, significantly alter the character of the National Park to the detriment of the visual amenities of the locality. Verges such as these are characteristic of the National Park and contribute to its special character. The New Forest National Park’s Landscape Action Plan identifies that the New Forest’s landscape character is under pressure from piecemeal encroachment and changes to landscape and suburbanisation. The Landscape Action Plan identifies the erosion of settlement character through the widening and addition of

driveways damaging road verges as a key pressure with an objective to avoid suburbanising garden features and resisting the temptation to 'tidy up' verges. Rural lanes, such as Bourne Lane, are characteristic of the National Park and contribute to its special character and it is not uncommon for properties to be set back from the road with wide verges to the front. If permission were allowed it could thus set a precedent for future encroachments which would further erode and fail to conserve or enhance the character of the New Forest landscapes.

- 11.7 It is appreciated that the works may have been undertaken to improve drainage and to stop soil being swept into the road. It is however considered that this could have been undertaken in a more sensitive manner without the need for the verge to be incorporated into the garden of the property and also whilst ensuring the open character of the verge was retained.
- 11.8 There are two Oak trees sited on the verge. The Authority's Tree Officer has assessed these trees and they are not considered to be worthy of a Tree Preservation Order. No objections have been raised to the development as it is unlikely to have had any detrimental effect. The Tree officer has stated that the works to remove the wall would increase the potential for disruption to the trees, however, further verbal discussions have taken place and, provided the works were undertaken by hand, this would be unlikely to result in further harm. A landscaping condition has also been requested to secure the removal of the Laurel hedge which has been planted and its replacement with a native species mix.
- 11.9 For the above reasons refusal is recommended as the development has in effect extended the garden of the site resulting in a significant change in the character and use of the land, having an overtly domesticated and formal appearance, resulting in the suburbanisation and erosion of the rural character of Bourne Lane. This is exacerbated when viewed in cumulation with the adjacent unauthorised encroachments. As such the proposal would be contrary to local and national planning policy.

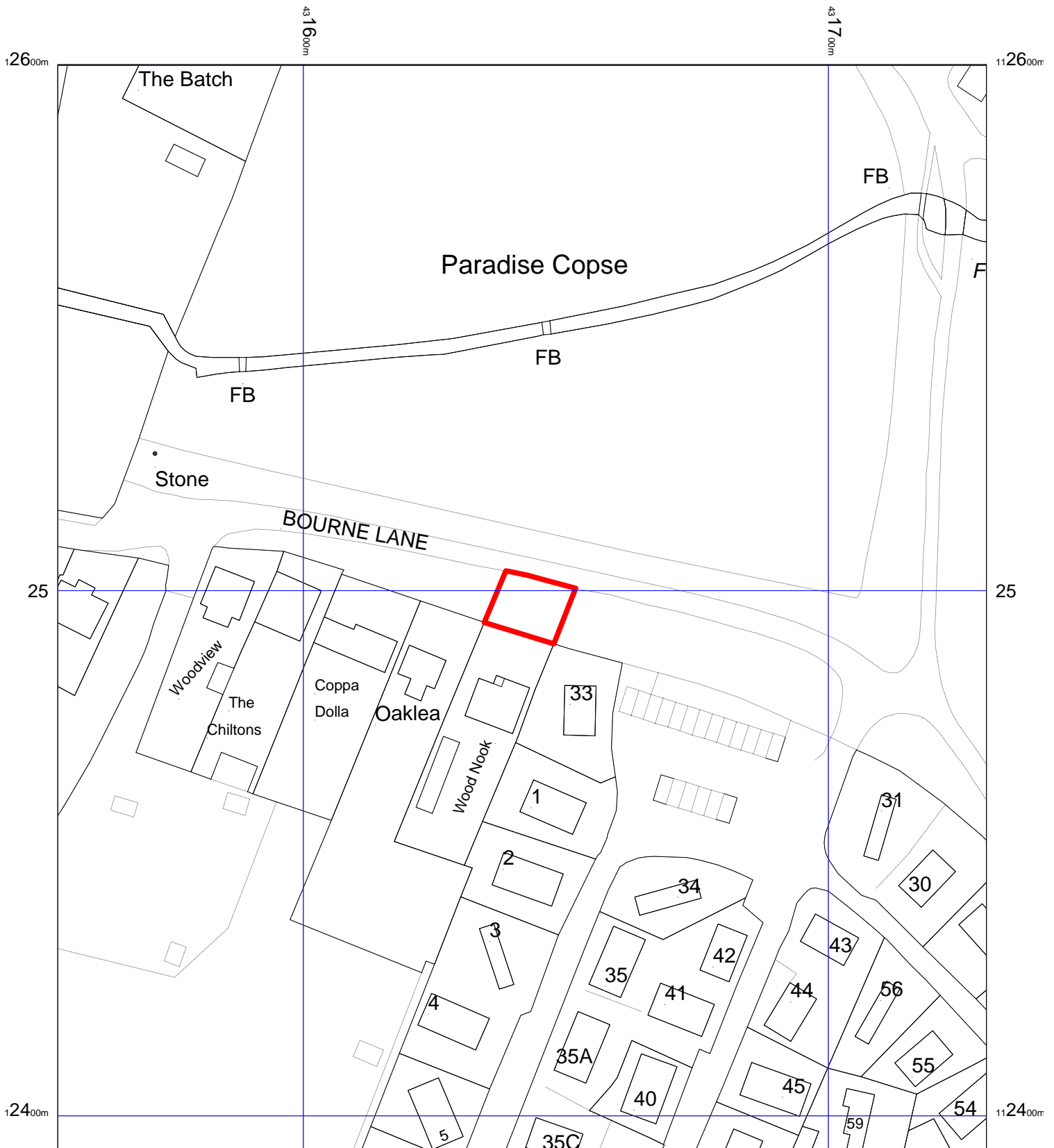
## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

- 1 The development has in effect extended the garden of the site resulting in a significant change in the character and use of the land, having an overtly domesticated and formal appearance, resulting in the suburbanisation and erosion of the rural character of Bourne Lane. This is exacerbated when viewed in cumulation with the adjacent unauthorised encroachments. The development is therefore contrary to policies DP2, SP7 and SP17 of the

adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the National Planning Policy Framework and the National Design Guide.



NEW FOREST  
NATIONAL PARK

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

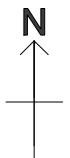
Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00577/FULL**

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**Application No: 19/00618/FULL Full Application**

**Site:** Linford Park Nursing Home, Linford Road, Linford, Ringwood, BH24 3HX

**Proposal:** Retention of access track

**Applicant:** Mr White, Coombe Healthcare

**Case Officer:** Carly Cochrane

**Parish:** ELLINGHAM HARBRIDGE AND IBSLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP7 Landscape character  
SP16 The historic and built environment  
SP17 Local distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**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**

None received

**7. PARISH COUNCIL COMMENTS**

Ellingham, Harbridge & Ibsley Parish Council: Recommend refusal, for the reasons listed below:

- The applicant states the purpose of the track is to provide access to the

sewage treatment plant (not to the bunds / bladders), however access could be achieved directly from the nursing home grounds to the north

- There are inaccuracies within the submission
- Previous reasons for refusal have not been fully addressed
- Concerns with regard to design and implementation; change of use of agricultural land and need for the track

[The comments can be viewed in full via the National Park Authority's website]

## **8. CONSULTEEES**

- 8.1 Landscape Officer: Objection.
- 8.2 Tree Officer: No objection subject to conditions
- 8.3 Ecologist: Direct significant effects on European designated sites cannot be justifiably demonstrated based on evidence currently available. If minded to approve, ecological enhancement should be secured.

## **9. REPRESENTATIONS**

- 9.1 11 letters of representation have been received, raising objections to the proposal. The comments made are summarised as follows:
- Concern with regard to the compatibility of the material in relation to the local pH, and pollution of the Linbrook stream
  - No proposal with regard to the removal of the existing track
  - Concern with regard to damage to the grass outside of the growing periods, resulting in a muddy track
  - Klargester tank could be moved negating the need for the track
  - Track is across agricultural land and for non-agricultural purposes
  - Track is harmful to the landscape and does not serve to conserve or enhance the intrinsic rural character or natural beauty of the area
  - Track does not offer a suitable habitat for birds and reptiles, and does not aid or support biodiversity of flora
  - Previous reasons for refusal of the track have not been overcome
- 9.2 One comment has been received, stating a lack of confidence in the applicant.

## **10. RELEVANT HISTORY**

- 10.1 Retention and completion of access track (19/00058) refused on 17 April 2019
- 10.2 New dwelling to provide managers accommodation (18/01002) refused on 11 March 2019
- 10.3 2no. new dwellings to provide staff accommodation with undercroft parking, new access and footpath (18/00435) refused on 01 October 2018
- 10.4 Addition of cladding and render to nursing home and accommodation/catering block; alterations to fenestration (17/00321) granted on 27 June 2017
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- 10.6 Change of Use of land to use as a nursing home & creation of 49 self-contained units of sheltered accommodation (01/72225) refused on 30 April 2002
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- 10.8 Erect 6 detached dwellings (demolish extg sanatorium bldgs) (NFDC/91/46980) refused on 10 April 1991
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- 10.10 Construct new access road and provision of car park (NFDC/89/42938) granted on 17 October 1989
- 10.11 Change of use to elderly persons nursing home (NFDC/84/27216) granted on 07 October 1985

## **11. ASSESSMENT**

- 11.1 The application site of Linford Park (now St Martha's) is located to the north western side of Linford Road, within the Western Escarpment Conservation Area. The main building, which has a lawful C2 use (elderly persons nursing home), is located within the northern section of the site which is elevated from Linford Road; as such, the site slopes north to south. The site comprises a total of approximately 10 hectares, which includes agricultural land and woodland, and is surrounded by other parcels of agricultural land. The New Forest SSSI adjoins the southern

boundary. The main access track adjoins Linford Road, and runs north-south within the western section of the site.

11.2 This application seeks temporary permission, for a period of three years, for the retention of a track required in order to provide access to the existing sewage treatment plant, however of a differing construction to that currently in-situ. It would also provide access to the bladder tank/bund located adjacent to the eastern site boundary (the subject of planning application reference 19/00512). The track would span a length of approximately 245 metres and would be located within the southern section of the site, to the front of a band of woodland. The track would traverse two fields and run west to east, with the land rising slightly in this direction. The track would adjoin the existing main access track at its westerly point. It is proposed that the track be constructed as a 'grass road', using plastic units and with the areas between and the banks either side either turfed or re-seeded.

11.3 By way of background, the track in-situ, which is constructed using crushed concrete and limestone, was previously refused permission for the following reason:

*"The retention of the access track within the agricultural land, for non-agricultural purposes, by virtue of its scale and materials represents an unacceptable and unnecessary development which has an adverse impact upon the character and appearance of the site and conservation area, as well as a detrimental impact upon the intrinsic rural landscape character. The application is therefore contrary to Policies DP1 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), Policy SP7 of the emerging Local Plan (Proposed Modifications, April 2019) and sections 12 and 15 of the National Planning Policy Framework (NPPF) (2019)."*

11.4 A planning application (19/00787) has been submitted for a permanent drainage solution, by connecting to the mains which is located approximately 1.2 kilometres to the west, close to Poulner Baptist Church. This would remove the need for the track beyond the proposed temporary period.

11.5 The main considerations for this application relate to:

- The encroachment of C2 use onto agricultural land (and therefore the principle of the development); and
- The impact upon the visual amenity, character and appearance of the conservation area.

11.6 The access track would traverse agricultural land. The land is separate from the operational area of the Linford Park building (contained within the northernmost section of the site) and is therefore considered agricultural in its use and character; this is not disputed by the applicant. The track, therefore, which would

provide access to the sewage treatment plant which serves the main Linford Park building, is considered to be an extension and encroachment of the C2 use of the site into agricultural land. Condition 5 of the consent for the use of the building as C2 (NFDC/84/27216) specifically states:

*"The use of the open fields, since hatched brown on the submitted plan, shall be for grazing purposes only"*

with the reason given that the

*"site lies in open countryside where the policies of the local planning authority are not to allow the establishment of new dwellings or other urban development and to safeguard agricultural land".*

The reason also goes on to state that permission was granted solely because of the particular circumstances of the site, and that *'any ancillary facilities should be confined to those reasonably required to support this main use'*. Whilst it is not disputed that the sewage treatment plant is reasonably required to support the lawful C2 use of the site, it, and the access track, are located within the areas which were specifically protected from 'urban development' as part of the above condition and the original consent for the use of the site as C2.

- 11.7 The above issue has been raised as a concern by local residents and the Landscape Officer has also raised an objection on the basis that the differing construction of the proposed track does not ameliorate the presence of the track: it would still be a visual intrusion in the landscape which would not conserve or enhance the landscape character of the immediate and wider landscape. Policy SP7 of the Local Plan sets out that *'Development proposals will be permitted if they conserve and enhance the character of the New Forest's landscapes and seascapes by demonstrating that...they are compatible with the distinct features and type of landscape in which the development is located...the design, layout, massing and scale of proposals conserve and enhance the existing landscape character and do not detract from the natural beauty of the National Park'*.
- 11.8 The previously refused application sought permission for the retention of an access track constructed using materials considered inappropriate given the sensitivities of the area, and on a permanent basis. The proposal now, for the use of the grass road system, would still constitute a track across agricultural land for non-agricultural purposes, however in relation to its appearance, it would be more appropriate as it would allow the grass to regenerate and grow around it, reducing the visual impact of its presence. Further, and unlike the previous application for the track, it is proposed that the track would be a temporary measure.

- 11.9 The trees located within and adjacent to the site are protected by virtue of being located within the Western Escarpment Conservation Area. The laying of the existing track has already resulted in detrimental impacts upon these protected trees, and therefore a method statement is required in order to ensure that the removal of the existing track and laying of the grass road does not further result in any harm to trees on the site. Subject to this, the Tree Officer has no objection to the application.
- 11.10 Whilst it is not disputed that the development undertaken thus far is incongruous within the rural landscape, the proposed use of the grass track is considered, on a temporary basis, to be acceptable. It is noted that this is a solution that in these particular circumstances can be considered appropriate within the National Park due to the fact that it is less intrusive than other solutions both in terms of the groundwork required and visual impact. Whilst the operation of the sewage treatment plant and bladder tanks are not reliant on the presence of a track, due to the need for both to be serviced and emptied as a result of their respective temporary siting, weight is given to the alternative solution, which would be to remove the track completely and re-surface with grass. This would not remove the need to service the sewage treatment plant or bladder tank; should there be no 'hard' surface by which they can be accessed by vehicles, the utilities company will not serve them, and the impact of this would not only result in significant harm to the natural environment due to overflow or blockages, but also the closure of the site due to its inability to operate, albeit temporarily. It is also pertinent to note that an application for the permanent drainage solution has been received by the Authority and will be assessed on its own merits in due course. This will remove the need for the length of track as the sewage treatment plant and bladder tank will no longer be required. With regard to the temporary permission sought, being that of a three year period, based on the information provided by the planning agent and the aforementioned fact that an application for a permanent solution has been received, it is considered reasonable and necessary to reduce the temporary time period to that of two years in order to minimise the impact upon the visual amenity of the area. It is considered reasonable and necessary to condition that the land upon which the track would be situated be made good upon the cessation of its use, with landscape and biodiversity enhancements sought.
- 11.11 It is therefore recommended that a 'one-off' temporary planning permission is granted, for a period of two years, subject to conditions.

## **12. RECOMMENDATION**

Grant Temporary Permission

## Condition(s)

- 1 The track shall be removed on or before 19 November 2021 and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The long-term retention of the development would be harmful to the visual amenities of the area and the intrinsic landscape character and would represent inappropriate development on agricultural land contrary to policies DP2, SP6, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016-2036.

- 2 Development shall only be carried out in accordance with drawing nos: NFNP-ID-257.7.01 Rev A, NFNP-ID-257.7.02 Rev A, NFNP-ID-257.7.03.

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

Reason: To prevent any further inappropriate development at the site which would be harmful to the intrinsic landscape character of the National Park, neighbouring amenity and natural environment in accordance with Policies DP2, SP6, SP7, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees and hedges on the site and an arboricultural method statement (to be identified by agreement with the Local Planning Authority beforehand), have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be in accordance with BS 5837:2012, be carried-out in full prior to any further activity taking place and shall remain in-situ for the duration of the development.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 Within three (3) months of this planning permission, a scheme of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

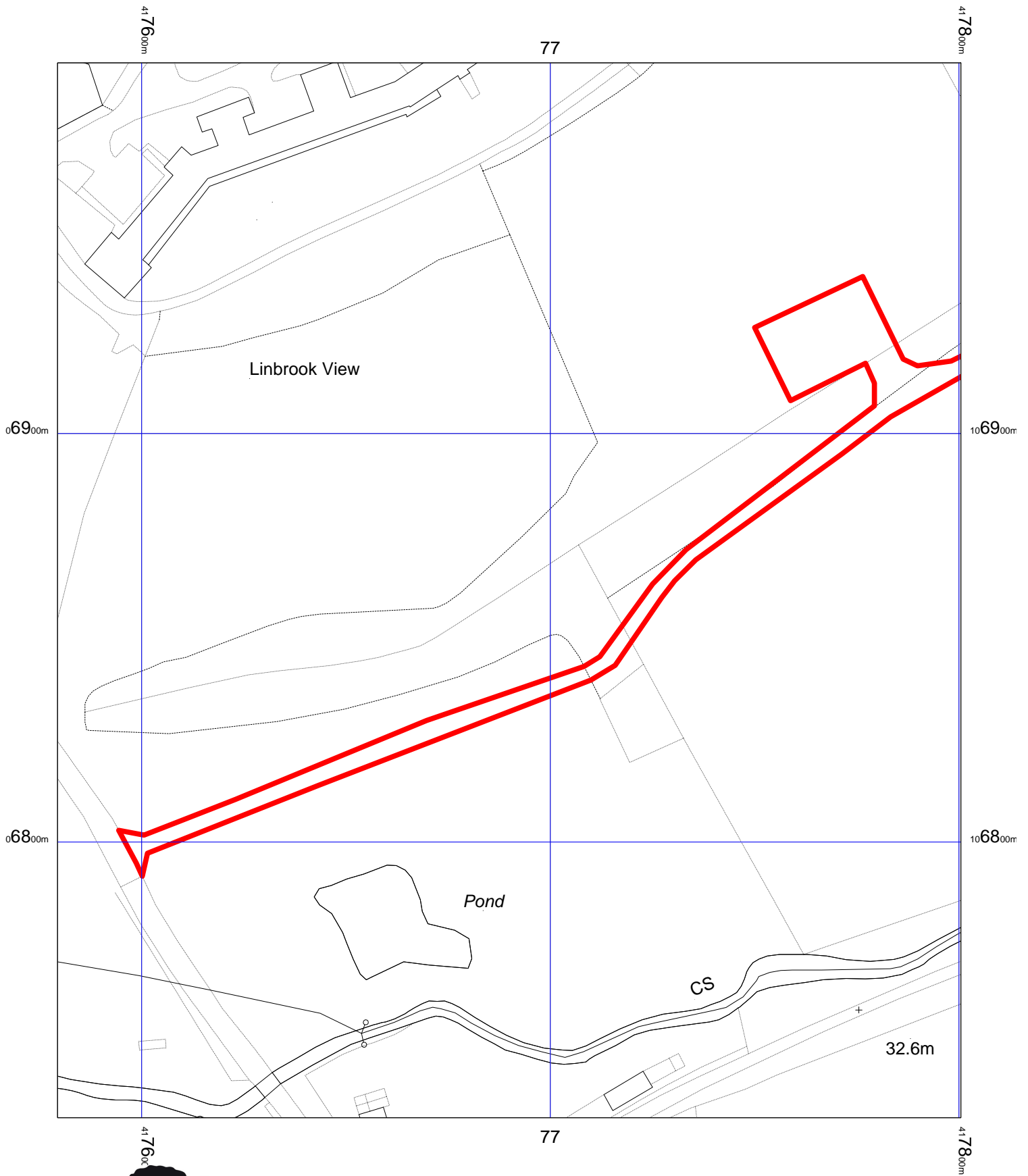
- a) the existing trees and shrubs which have been agreed to be retained;
- b) a specification for new planting (species, size, spacing and

- location);
- c) areas for hard surfacing and the materials to be used;
  - d) other means of enclosure;
  - e) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).





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Lymington Town Hall, Avenue Road,  
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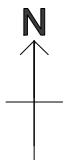
Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00618 FULL**

**Scale: 1:1250**

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**Application No: 19/00623/FULL Full Application**

**Site:** New Forest Activity Centre, Rhinefield Road, Brockenhurst, SO42 7QE

**Proposal:** New dwelling; 2No. outbuildings; creation of wildlife pond; jetty; creation of ha-ha; creation of courtyard; associated landscaping; demolition of existing equestrian centre and holding shed; infill of existing manege; removal of existing bund

**Applicant:** Mr & Mrs McNair-Wilson

**Case Officer:** Clare Ings

**Parish:** BROCKENHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Site of Special Scientific Interest

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

- DP2 General development principles
- SP6 The natural environment
- SP7 Landscape character
- SP17 Local distinctiveness
- DP18 Design principles
- SP19 New residential development in the National Park
- SP21 The size of new dwellings
- DP37 Outbuildings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

- Sec 12 - Achieving well-designed places
- Sec 5 - Delivering a sufficient supply of homes
- Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Recommend permission, provided that emergency access to neighbouring properties is preserved.

## **8. CONSULTEES**

8.1 Tree Officer: No objection, subject to condition

8.2 Ecologist: Concerns raised over:

- The robustness of some of the information submitted;
- The need for an informed Biodiversity Mitigation, Compensation and Enhancement Plan;
- A S106 agreement ensuring that not all the site would be domestic curtilage, and that the "meadow" would be suitable managed in perpetuity.

8.3 Landscape Officer: Verbal update to be provided at committee.

8.4 Natural England: No objection, subject to appropriate mitigation being secured

## **9. REPRESENTATIONS**

9.1 Four representations received in support of the proposal. Comments:

- imaginative and harmonious ideas, well designed for the site
- would replace an eyesore
- would remove any future disturbance from the potential business use or D2 use of the site
- as the proposal could meet the requirements of paragraph 79 (of the NPPF) there would not be any issue of precedent
- soil inoculation project would be beneficial

9.2 Friends of the New Forest support the application. Comment:

- pragmatic and acceptable solution of a long-standing problem, which would be of benefit to the forest and local residents

## **10. RELEVANT HISTORY**

10.1 Application to vary section 106 agreement attached to planning permission reference 91/48617 to allow trekking on the open forest and increase the number of horses stabled on site (16/00042) approved without conditions on 30 June 2016

10.2 Two dwellings with associated basements, garages and stable blocks; waste water treatment plants (demolition of existing buildings and removal of bund) resubmission of application 14/00656 (15/00580) refused on 21 October 2015. Subsequent

appeal dismissed on 19 August 2016.

- 10.3 Two dwellings with associated basements, garages and stable blocks; waste water treatments plants (demolition of existing buildings and removal of bund) (14/00656) refused on 18 November 2014
- 10.4 1 no. dwelling including basement, detached garage and stable block; 1 no dwelling including basement, attached garage and stable block; waste water treatment plants (demolition of existing buildings and removal of bund) (14/00656) refused on 18 November 2014
- 10.5 Partial demolition of building (Prior Approval of the method demolition and proposed restoration of site) (13/98719) was determined that further details were required on 20 September 2013

## **11. ASSESSMENT**

- 11.1 The site lies to the north of Rhinefield Road, on the edge of but outside the defined village of Brockenhurst. It is 1.7 hectares in size and irregular in shape, and currently comprises two redundant buildings, originally agricultural, but which benefit from a lawful D2 (assembly and leisure) use as a result of the site being granted planning permission as a riding school and livery in the 1990s. Within the site, there is a former manege and earth bund. To the north, west and east is open forest, with the more residential area to the south of Rhinefield Road. Two dwellings are situated immediately adjacent to the site: Black Knoll House and Black Knoll Cottage.
- 11.2 The proposal is for the demolition of the existing buildings, and the erection of a dwelling, outbuildings, a wildlife pond and associated landscaping. The dwelling would be contemporary in design, based on two "wings", one for living and the other for sleeping and each would have its own design style, eg the living wing would be thatched with the sleeping wings under a flat-roofed sedum roof. The dwelling would essentially be single storey. Between the two wings would be a courtyard. A pond with jetties would lie adjacent to the dwelling. The outbuildings would comprise an office linked to the main dwelling under the thatched roof, and separate garaging using an existing boundary brick wall. The two existing buildings would be demolished, and the existing manege and bund would also be removed.
- 11.3 The key issues are its compliance with policy, and its impact on the adjoining open forest, together with the amenities of Black Knoll House and Black Knoll Cottage.
- 11.4 The site lies outside the defined village of Brockenhurst and therefore any new residential development is restricted to either

an extant permission, rural exception sites, agricultural/estate workers dwellings or commoners' dwellings, or a replacement dwelling. None of these scenarios are relevant to this application and therefore the proposal would be contrary to Policies SP4 (spatial strategy) and SP19 (new residential development in the National Park) of the Local Plan. In addition, where new residential development is permitted, Policy SP21 of the Local Plan requires it not to exceed 100m<sup>2</sup>. At 488m<sup>2</sup> (as stated by the applicant), the size of the dwelling would therefore be well in excess of the policy.

- 11.5 The applicant is well aware that what is being proposed would not fall within policy, but has put forward a case that the dwelling could be treated as an exception, taking into consideration paragraph 79 of the National Planning Policy Framework which states:

*"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

*[a) - d) would not apply]*

*e) the design is of exceptional quality, in that it:*

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area."*

However, the applicant has indicated that consideration under paragraph 79 should not be exclusive, and that other issues should be taken into consideration, such as the fact that it is a brownfield site, the previous (and potential) D2 use, a previous residential use, and the fact that two large buildings (built in asbestos) would be removed. Whilst this statement can be seen to weaken any argument for a paragraph 79 dwelling, it still falls for the Authority to consider whether the proposal should be considered against these criteria, and then if it fails those tests, to have regard to the other issues.

#### Consideration of paragraph 79

- 11.6 The applicant has included commentary from an independent Design Review Panel (The Design Review Panel, South West) who conclude that the proposal *could* meet the requirements of paragraph 79. However, it is the Authority's view that the proposal does not meet the criteria contained within paragraph 79 for the reasons set out below.
- 11.7 The first consideration of a paragraph 79 dwelling is that it should be isolated. The site lies in close proximity to two other fairly sizeable dwellings, and therefore, in that context, would not be considered to be isolated. A similar context was recognised in an

earlier appeal decision for a paragraph 79 dwelling at Battramsley (Appeal ref: APP/B9506/W/18/3199995 dated January 2109) in which the Inspector stated:

*"....the current appeal site lies within a cluster of contiguous development spread over a reasonably large sized area. This cluster includes several dwellings, and a number of buildings in a range of agricultural, commercial and other uses. On this basis, regardless of whether or not the site falls outside a settlement boundary, it is not 'isolated' in an ordinary and objective sense. As such advice within paragraph 55 of the previous Framework, as carried forward in paragraph 79 of the revised Framework, is not applicable to the scheme."*

- 11.8 Whilst it would therefore appear that the proposal would fail the first consideration under this paragraph, it would be appropriate to have regard to the design. As stated above, the dwelling would comprise two "wings", one for living and the other for sleeping; however, this concept is not truly outstanding or innovative as it has already been permitted on a scheme for a replacement dwelling (that complied with policy) elsewhere in the National Park. Adding contemporary-style flat roofed additions to more conventional-looking dwellings of timber and thatch is also not an innovative concept, examples can also be found elsewhere in the National Park.
- 11.9 Unlike other paragraph 79 dwellings that have been proposed in the National Park (although it should be noted that to date none have been permitted), there is a lack of detail concerning innovation in terms of energy efficiency and renewable energy, other than solar PV panels. However, even if more information were to be submitted, it is not clear that this would meet the exacting standards of paragraph 79 as it is unlikely to be truly outstanding or innovative, a fact noted in another appeal decision (Ref: APP/B9506/W/15/3019437 & 3132040 dated 2 March 2016) in which the Inspector noted that the combination of energy efficiency and renewable energy proposals did not represent innovation as it is required to meet the special circumstances in terms of paragraph 55 [now paragraph 79].
- 11.10 The application has emphasised a strong ecological strategy for the site, including the removal of the existing buildings and other hard surfaces. However, this does not address the fact that the development of the dwelling and outbuildings would of necessity add other hardsurfacing elsewhere in the site, although to a lesser extent. The range of supporting documents included various terms which suggest an unusual or novel model of ecological development, and that many of the features would have a high wildlife value. However, many of these features also have functions for the future inhabitants of the property, and so their efficacy for nature conservation would be necessarily limited over time. An example being the pond which may have a wildlife

function in providing water, but neither its location close to the dwelling and the inclusion of jetties, nor its use would be conducive to delivering high quality wildlife benefits. In addition, many of the measures themselves are not highly unusual or unique given they basically comprise a landscape scheme with objectives to provide ecological benefits. These enhancements would be expected as a matter of planning policy. There is a concern that reference to a 'Model' within the application should be taken to mean that the proposals are scientifically led or based on professional ecological evidence, but there are elements contained within these documents which are queried by the Authority's ecologist. The buildings could be removed and the land reverted to meadow without the need for the dwelling. It is therefore not considered that the development as a whole would significantly enhance its immediate setting.

#### Other issues

- 11.11 It is not considered that the site comprises 'previously developed land' (brownfield land) as defined by Annex 2 of the National Planning Policy Framework, as the site's origins were in agriculture. However, even if the site did comprise 'previously developed land', this does not override the fact that the site is classified as part of the open forest, outside of the defined village, where a residential use would not be supported as it would be contrary to Policies SP4 and SP19. Policy DP42 considers the re-use of buildings outside of the defined villages and does not provide for residential uses. Policy DP44 allows for the re-development of existing employment sites, but again not for residential uses. An appeal for two dwellings at the site (Ref: APP/B9506/W/16/3145590 dated 19 August 2016) also raised this issue, but the Inspector gave very little weight to either side of the argument. However, in the same appeal statement, it was noted that the site was not considered to be sustainable as, given the distance of the site to the various facilities in Brockenhurst of about 1km, and the lack of a footpath and lighting, most journeys would be likely to be undertaken by car.
- 11.12 The existing use of the site is for D2 purposes, and much of the support for the current proposal is that this would be preferred to the lawful use of the site, and thus the fallback position would be significantly worse. The likelihood of a D2 use being re-introduced at the site was discussed at the appeal hearing in 2016, and at that time it was noted that several years had passed with very little change to the site or any investment into the buildings. Further time has now elapsed, and the site has been bought by the current applicant who is intent on developing it as proposed. Thus, it is not considered that there is a realistic fallback position, a fact recognised by the Inspector at that earlier appeal who stated:

*"I place substantial weight on the Authority's argument that the*

*fallback use is unlikely to happen and attach only moderate weight to the appellant's submissions relating to the fallback position as a material consideration."*

- 11.13 There is reference in the supporting documents that within the existing buildings, there was provision for residential occupancy, a "Lad's flat" that was occupied until the site was sold in 1992. There is no evidence that the flat was used after that date, but in any event, if the argument is that the dwelling should be considered as a replacement, it would not comply with policy DP35 of the Local Plan. It would greatly exceed any floorspace restriction, even with the consideration of an extension, it would be located in a vastly different location away from existing built development, and the use of space within the building as a flat could well have originally been unlawful, thus rendering any replacement as contrary to policy.

### Conclusion

- 11.14 There is very little discussion contained in any of the supporting documents as to how this proposed new dwelling would meet the two statutory purposes of the National Park, other than the removal of two former agricultural buildings and the return of some of the site to meadow. It is also noted that there is support for the proposal, including from the two adjoining properties and the Parish Council. However, to develop the site for residential purposes would be contrary to policy, and the potential benefits are not considered to outweigh this fact. The dwelling would not meet the exacting requirements of paragraph 79, and so would not be considered an exception on these grounds.
- 11.15 The recommendation therefore is one of refusal. It is interesting to note that the conclusion of the 2016 appeal for two dwellings stated:

*"to allow the proposal could, in theory, prevent events likely to generate more noise and significant amounts of traffic onto a site that is within a tranquil area of the NP. Whilst this is a material consideration and carries some weight, the evidence before me does not conclusively demonstrate that this should override the statutory status of the development plan's policies that seek to control the location of housing as part of protecting the character and economy of the NP and which must form the starting point for my decision. Moreover, the proposal would not accord with the statutory requirements relating to conserving and enhancing the NP. I have also found that the proposal would run counter to national policy."*

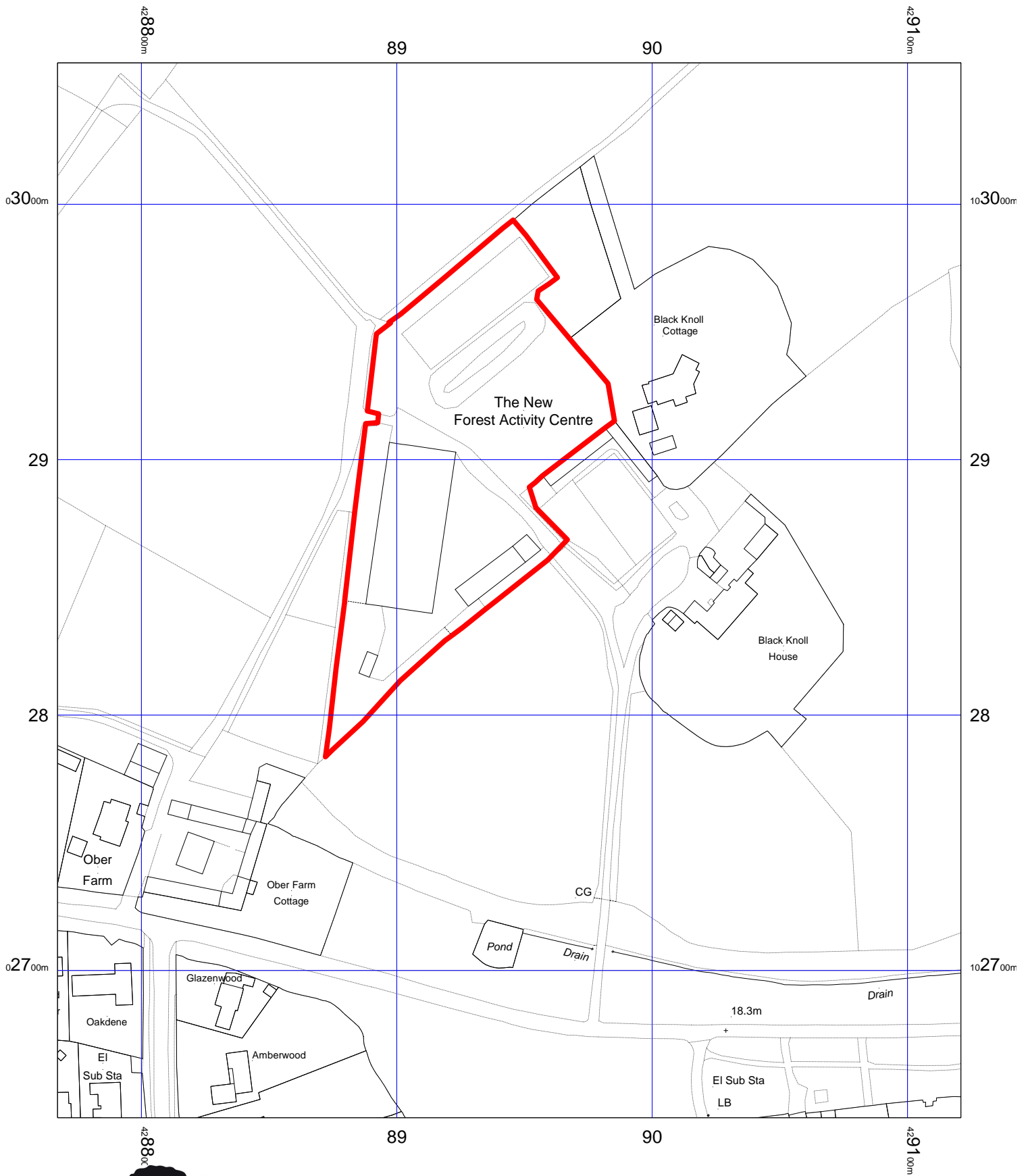
## **12. RECOMMENDATION**

Refuse



## Reason(s)

- 1 The proposal would result in the creation of a significant new dwelling in the open countryside of the National Park which would be contrary to Policies SP4, SP19 and SP21 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019). These policies aim to prevent the creeping suburbanisation of the National Park, to restrict the size of new dwellings in the National Park, and to maintain the rural, open character in the interests of the National Park's two purposes; to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park, and to promote opportunities for understanding and enjoyment of its special qualities.
- 2 The proposed dwelling cannot be reconciled with National Planning Policy Framework paragraph 79 in that the dwelling would not be of a design that is truly outstanding or innovative, and that it would not significantly enhance or protect its immediate setting. The proposal would therefore be contrary to policies SP17 and DP18 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).
- 3 The development does not provide for any measures to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest and Special Protection Area (SPAs) as required by Policies SP5 and SP38 of the New Forest National Park Local Plan 2016-2036 (August 2019) and the National Planning Policy Framework (2019). All residential development in proximity to the New Forest and Solent SPAs should avoid or mitigate any potential adverse impacts upon the ecological integrity of the SPAs, both as a result of residential impacts, as set out in the Development Standards SPD (adopted September 2012) and through adverse impacts on water quality.



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 Lymington Town Hall, Avenue Road,  
 Lymington, SO41 9ZG

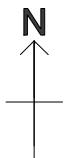
Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00623/FULL**

**Scale: 1:2000**

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**Application No: 19/00659/FULL Full Application**

**Site:** The Bumbles, Ringwood Road, Woodlands, Southampton, SO40 7GX

**Proposal:** Retention of resurfacing and land drainage; extension to existing driveway and associated landscaping

**Applicant:** Mrs D Folkes

**Case Officer:** Katie McIntyre

**Parish:** NETLEY MARSH

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP7 Landscape character  
SP17 Local distinctiveness  
SP6 The natural environment

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Netley Marsh Parish Council: Recommend permission: The proposals are not visible from the A336, they improve the area for walkers and other users and improve security in the area.

## **8. CONSULTEEES**

- 8.1 Tree Officer: No objections
- 8.2 Landscape Officer: Objection.

## **9. REPRESENTATIONS**

- 9.1 Four representations of support:
- Development has tidied up the site.
  - Has improved flooding and drainage.
  - Improves security.

## **10. RELEVANT HISTORY**

- 10.1 None relevant

## **11. ASSESSMENT**

- 11.1 The application site relates to a parcel of land sited to the front of the residential property 'The Bumbles.' It forms part of a verge and is an important landscape feature and green network for biodiversity. The parcel of land falls within the ownership of 'The Bumbles' however, is located outside of the residential curtilage and garden of the property and is divided by an access track which serves five dwellings. The A336 runs parallel to the gravel track and verge. This application seeks consent for the retention of resurfacing and land drainage; extension to existing driveway and associated landscaping.
- 11.2 The main consideration is the impact of the development upon the character and appearance of the locality.
- 11.3 The site lies within the New Forest National Park. The whole of the National Park is designated as a nationally protected landscape and as such all development proposals will need to take into account this level of protection. The intrinsic landscape character will also need to be recognised which cannot solely be determined by what is visible from a publicly accessible location. The National Planning Policy Framework confirms that *“great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks...which have the highest status of protection in relation to these issues”* (paragraph 172). The first national park purpose as set out in the 1995 Environment Act also recognises the importance of conserving and enhancing an areas local character. Local Plan Policies DP2, SP7 and SP17 seek to prevent development and changes of use which would individually or cumulatively erode the National Park’s local character, or result in the gradual suburbanising effect within the National Park. Development proposals should conserve and enhance the character of the New Forest’s landscapes.

- 11.4 The piece of land in question, prior to the development the subject of this application, formed part of the verge between Ringwood Road and the gravel track which serves the residential properties. This landscape feature is considered to be important and contributes positively to the character and appearance of the locality. It is evident from historic photographs that over time this verge has been eroded slightly to provide for a wider access track to the properties as well as some informal parking under the trees, however the character of this gravel track has remained distinctively rural.
- 11.5 The applicant has stated that, in order to improve surface water flooding at the site, the land was cleared of debris and land drainage installed. The area of land was resurfaced in gravel and sleepers placed around the edges creating a rectangular area which has the appearance of a formal parking bay. Lighting was also installed for security purposes as there are no street lights serving the access track. Non-native hedging has also been planted. The applicant has stated that the area is not being used for formal parking and that there is sufficient space within the existing driveway for the parking of vehicles and, as such, has not resulted in the extension of their garden. It does, however, provide additional space for the turning of vehicles.
- 11.6 The works which have been undertaken are considered to have significantly altered the character of this verge through having an overtly domesticated appearance which has in effective resulted in the encroachment and extension of the garden / driveway of the site. This has resulted in the suburbanisation and erosion of the rural character of the locality contrary to Policies DP2, SP7 and SP17. The resulting landscape impact is exacerbated by the formal appearance of the development and the domestic features, such as the lighting and sleepers, appear as incongruous and alien features in this environment. Encroachments such as this, when viewed individually and cumulatively, significantly alter the character of the National Park to the detriment of the visual amenities of the locality. Verges such as these are characteristic of the National Park and contribute to its special character. The New Forest National Park's Landscape Action Plan identifies that the New Forest's landscape character is under pressure from piecemeal encroachment, changes to landscape and suburbanisation and the erosion of the dark night skies. The Landscape Action Plan identifies the erosion of settlement character through the widening and addition of driveways damaging road verges as a key pressure with an objective to avoid suburbanising garden features and resisting the temptation to 'tidy up' verges, as has happened in this case. If permission were allowed it could set a precedent for the other remaining dwellings served by the access track to carry out similar works. It could also set a precedent for future encroachments across the National Park as this relationship is not considered to be unique to the site, which would further erode and fail to conserve or

enhance the character of the New Forest landscapes.

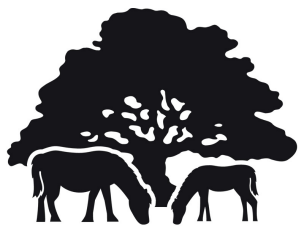
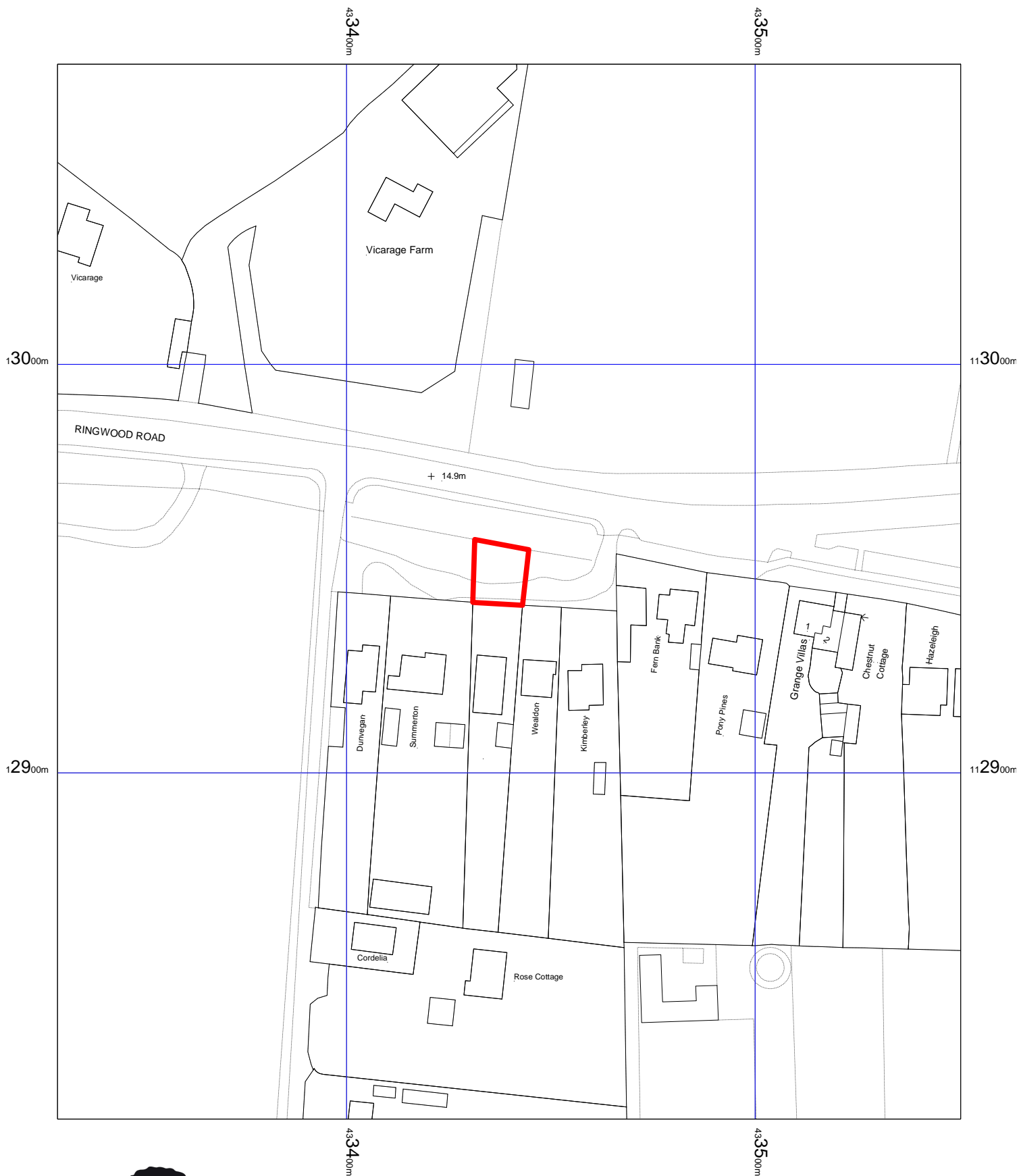
- 11.7 It is appreciated that the works may have been undertaken to improve the drainage at the site. It is, however, considered that this could have been undertaken in a more sensitive manner without the need for resurfacing and the installation of sleepers and lighting. Part of the problem of previous flooding seems to have been caused by debris and rubble being stored in this area by previous owners of the site compacting the soil. The re-planting of the verge with a native species mix would help to restabilise the ground as well as reduce the amount of surface water run-off.
- 11.8 The applicant has also provided further information during the course of the application in relation to the need for the lighting for security purposes. This is not a material planning consideration but in any event is not considered to override the harm caused by the overtly domesticated appearance. It is also considered more sympathetic security lighting could be installed on the property to deter criminal activity rather than illuminating the verge.
- 11.9 The works have resulted in the removal of trees and vegetation at the site which were not protected by a Tree Preservation Order. The Authority's Tree Officer has stated that the works may have resulted in the disruption of the rooting areas of numerous trees and a concern has also been raised with regards to the planting of a non-native hedgerow around the graveled areas. Further verbal discussions have taken place with the Tree Officer due to initial concerns that reverting the site back to as it was previously would further disturb trees. Provided, however, that the required works were undertaken by hand this would be unlikely to result in further harm and the removal of the bank and sleepers and the regrading of soil would help the spread of tree roots.
- 11.10 For the above reasons refusal is recommended as the development has in effect extended the garden of the site resulting in a significant change in the character and use of the land, having an overtly domesticated and formal appearance, resulting in the suburbanisation and erosion of the rural character of the area. This is exacerbated by the domestic lighting which appears as an incongruous and alien feature within the environment. The development is therefore contrary to policies DP2, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the National Planning Policy Framework.

## **12. RECOMMENDATION**

Refuse

**Reason(s)**

- 1 The development has in effect extended the garden of the site resulting in a significant change in the character and use of the land, having an overtly domesticated and formal appearance, resulting in the suburbanisation and erosion of the rural character of the area. This is exacerbated by the domestic lighting which appears as an incongruous and alien feature within the environment. The development is therefore contrary to policies DP2, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019), the National Planning Policy Framework and the National Design Guide.



NEW FOREST  
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00659/FULL**

**Scale: 1:1250**

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**Application No: 19/00671/FULL Full Application**

**Site:** Grid References Su427005 & Su423010, Land West Of Summer Lane, Exbury, SO45 1AZ

**Proposal:** Change of use of land for relocation of archery club; relocation of storage container and 2no. portaloos; creation of additional parking

**Applicant:** The Exbury Estate

**Case Officer:** Liz Young

**Parish:** EXBURY AND LEPE

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

- DP2 General development principles
- SP5 Nature conservation sites of international importance
- SP7 Landscape character
- SP15 Tranquillity
- SP17 Local distinctiveness
- SP39 Local community facilities
- SP55 Access
- SP42 Business and employment development

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Exbury & Lepe Parish Council: Recommend permission:

- Proposed site arguably would be more suitable.
- The Archers and Exbury Estate have a long and amicable relationship.
- Site is out of public view and is less vulnerable to vandals and theft.
- No public rights of way adjacent to the site.
- There is ample room for the necessary infrastructure.
- No net loss of agricultural land.

## 8. CONSULTEES

8.1 Highway Authority (HCC): Raise concerns that further evidence (speed survey) is required to justify that the proposed access is safe (Visibility splay requirements are calculated based on the measured speeds).

- Existing archery site has better visibility splays in both directions and it is located within the section of Summer Lane with a 30mph speed limit (in contrast to the proposed site where the access has limited visibility and is located on the section of the road with 40mph speed limit).
- The proposed access therefore cannot be considered to be “equivalent” to the existing access.
- To improve the visibility at the proposed access, the vegetation within the visibility splays need to be cut back or removed.

8.2 Tree Officer: No objections raised.

8.3 Ecologist: No objections raised.

8.4 Landscape Officer: Objection raised.

## 9. REPRESENTATIONS

9.1 No representations received.

## 10. RELEVANT HISTORY

10.1 Change of Use of Land to create a private arboretum; relocation of archery club (D2); relocation of storage container (18/00917) refused on 14 March 2019

### Adjacent Site

10.2 Temporary change of use of land for archery and temporary siting of storage container (resubmission) (01/71826) temporary permission granted 10 August 2001

*This permission includes a condition restricting the use of the site*

*to the Waterside Archers only and to ensure it would be carried out fully in accordance with the level of use described within the application submission (no more than 20 cars).*

- 10.3 Change of use of land for archery and temporary siting of storage container (00/70882) refused on 8 March 2001
- 10.4 Construct pedestrian access either side of Summer Lane (92/51295) approved on 11 March 1993

## **11. ASSESSMENT**

- 11.1 This application relates to a parcel of land which forms part of the Exbury Estate. The site, which is accessed directly from Summer Lane and lies north east of Exbury Gardens, amounts to 5.3 hectares. This site has a largely unmanaged appearance and consists of rough pasture with no built development. It is enclosed to the west and north by woodlands and is visible through the main access from Summer Lane. The northern boundary is directly adjoined by a locally designated Site of Importance for Nature Conservation (ancient woodland). The wider setting is essentially rural and comprises a combination of large fields with established woodland areas forming part of the large informal enclosures of the Coastal Plain Estates (Landscape Character Area 15 of the New Forest National Park Landscape Character Assessment).

### **Proposal**

- 11.2 Consent is now sought to change the use of the application site from agriculture to an archery field. The applicant indicates that the archery use currently takes place on a separate site to the south (not detailed on this current application). To facilitate the proposed use two informal parking areas are proposed, one area in the north west corner directly adjacent to the access (30 cars) and an "over spill" area for 10 cars on the western boundary. Containers are also proposed on the western boundary. The plan itself does not specify the number of containers although the Design and Access Statement indicates two units along with two portaloos. Full details of the containers have not been provided. In terms of the nature of the use, practice would take place around three weekday evenings per week and on Sunday mornings during summer, Sunday mornings during the Autumn and Spring months, alternate Sunday mornings during the winter months and occasional controlled usage outside these times. However, details of the typical number of visitors each time have not been included. Whilst no hard surfacing is proposed as part of this application, the Design and Access Statement makes reference to an intention to "level the site". However, full details have not been included within the submitted plans.

## Background

- 11.3 In terms of background, this application follows on from the previously refused scheme (reference 18/00917). This earlier scheme (which also included a proposal for an arboretum on the site where the archery use is currently sited) was refused for the following reasons:
1. The proposed change of use of land from agriculture to an archery use and arboretum, along with the associated operational development and increased levels of activity, would fail to conserve or enhance the tranquility, landscape and scenic beauty of the National Park or meet the objectives set out within the New Forest National Park Landscape Character Assessment. The proposals would therefore be contrary to Policies DP1 and CP8 of the New Forest National park Core Strategy and Development Management Policies DPD (December 2010), together with Section 15 of the National Planning Policy Framework.
  2. The proposed change of use in respect of both Sites 1 and 2 would be in direct conflict with the main policy objectives within the National Park relating to ensuring that new development would bring about clear benefits to local communities without compromising the special qualities and rural character of the area. The proposals would appear to serve a need which originates from outside the National Park and it has therefore not been demonstrated that they would help the well-being of the local community. The proposals would therefore fail to meet the requirements of Policies DP1 and CP14 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
  3. Insufficient information has been submitted (a) to support the continuing archery use or justify its relocation; and (b) demonstrate that there is a need for the arboretum or how it would operate. In the absence of such information, the proposed would also be contrary to policies DP1 and DP14 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), and also paragraph 84 of the National Planning Policy Framework.
- 11.4 In terms of the differences between the two schemes, there has been a slight adjustment to the configuration of the archery practice area, the parking area has been split up and two portaloos have been added (hardsurfacing is also no longer proposed). The number of parking spaces have been reduced from 50 down to 40 (although no form of delineation is now proposed). The shipping container is also now proposed on the south west rather than the

north boundary. This latest application makes reference to a historical application for archery use on the adjacent site. However, the site area in this case amounted to approximately 170 X 50 metres. The arboretum use is no longer proposed as part of this application. Another key consideration is the fact that the New Forest National Park Local Plan has been adopted since the previous application and Policy SP7 now places increased emphasis upon the need to preserve intrinsic landscape character.

### **Policy Considerations**

- 11.5 As noted at the time of the previous application the application site effectively lies in open countryside and away from any built-up areas. Following the recent adoption of the New Forest National Park Local Plan 2016- 2036, it remains the case that the main issue to assess would be whether the proposed introduction of an archery use would be supported by the policies set out within the development plan. Whilst the use does not clearly fall under one specific policy of the Local Plan it would be important to have regard to the overarching principles and objectives of the Local Plan along with the specific requirements of Policies DP2, SP17 and Policy SP42.
- 11.6 The first stated strategic objective within the Local Plan relates to the need to protect and enhance the natural environment of the National Park, including the natural beauty of the landscape and socio-economic duties include the need to re-enforce the sustainability and well-being of rural communities (strategic objective 4). The sub-text of Policy SP42 notes the priority of locating local services within the defined villages. It remains the case, therefore, that new economic development should bring about clear benefits to local communities without compromising the special qualities and rural character of the area. Policies therefore focus primarily upon the re-use and extension of existing buildings, redevelopment of existing business uses and ensuring new built development would be restricted to the defined New Forest villages. Policy SP42 (Business and Employment development) reflects these objectives and seeks to ensure that, in areas outside defined settlements, employment development would be small scale, would help the well-being of local communities and would be facilitated through the re-use or extension of existing buildings, the redevelopment of existing business uses and farm diversification. Policy SP19 seeks to ensure new residential uses would also be restricted to the four defined villages.
- 11.7 As noted at the time of the previous application, the applicant states that the proposal would amount to the relocation of what is stated to be a lawful existing archery use from the site to the south. Whilst there have been permissions for an archery use on the southern site previously, these were restricted to specific days and times (dependent on seasons) and also conditioned to be used by a specific club only with parking limited to 20 cars on the

pre-existing hard surfaced area. The earlier permissions also related to a much smaller area of land than that now proposed at the application site and the red line of the application site amounted to 1 hectare (compared with the site area now proposed of over 5 hectares). The current, more extensive use has not been formalised by way of a lawfulness application or follow up consent, which would provide the opportunity to assess the accurate site area (particularly as historic applications show a significantly more modest site area), the frequency of the use and also to establish how intermittent the use has been (as it also appears that the land stated to be used for archery has been used as overflow parking in association with Exbury Gardens). In the case of this current application, the existing archery site is not included within the red line of the application site and there is no legal agreement in place to ensure the existing use would be relinquished in the event that consent is granted. The Authority would therefore not be in a position to ensure the existing use would cease. This would add further to the Authority's concerns over an increased level of activity and associated paraphernalia in the open countryside.

- 11.8 In terms of relocating the proposed use to the application site it remains the case that an estimate of overall visitor numbers has not been included within the application. It is also not clear whether the existing or proposed use would be limited to club members only (or how many members there are). The portaloos which are proposed to be relocated in association with the use do not benefit from any formal consent. Furthermore, it remains unclear why it is necessary to relocate from the current site, especially if, as claimed this has already been established. The proposed parking area accommodating 40 cars appears to go above and beyond any provision currently in place at the existing site and would also suggest a significant increase in activity.
- 11.9 In addition to the concerns set out above, the fact that Waterside Archery is based away from the site towards the Blackfield Area (with winter practice taking place at Gang Warily) would suggest that the use would not benefit the immediate community within the Exbury area and that there would be no justification for the site to be located within the New Forest National Park. The proposed use of the site for recreational archery would fail to meet the policy objectives of the New Forest National Park Core Strategy in relation to focusing development and uses towards the built-up area and ensuring new uses would bring about clear and direct benefits to local communities.

### **Landscape Impact**

- 11.10 The application site lies within Landscape Character Area 15 of the New Forest National Park Landscape Character Assessment (North West Solent Estates). Some of the key characteristics identified in the locality include the well managed agricultural landscape of large, regular parliamentary fields with large arable

fields offering views towards the coast. The blocks of ancient woodland, woodland pasture and coastal pine woods along with a high level of tranquillity are identified as key positive attributes. Key identified objectives include the need to protect the landscape's pastoral character and strong field patterns and restoring the semi-natural woodlands.

- 11.11 As noted at the time of the previous application the application site (in contrast to the existing archery site which is also well screened from Summer Lane) is undeveloped. The proposal to relocate the archery use to this location would therefore significantly undermine the very rural and unspoiled nature of the locality. The proposal to level ground (the extent of works remaining unclear), introduce parking, containers and portaloos would (along with additional impacts from signage and increased levels of activity) significantly increase the visual prominence of the use. The proposal would therefore be harmful to the intrinsic rural character of the site and would also lead to a loss of tranquillity to the detriment of this part of the New Forest National Park.
- 11.12 The sub text which supports Policy SP7 of the Local Plan (adopted since the previous refusal) reflects National Planning Policy by making specific reference to the need to recognise intrinsic landscape character because landscape character cannot be solely determined by what is visible from a publicly accessible location. This is carried through to the criteria set out within Policy SP7 which include the need to ensure development would conserve and enhance landscape character and would not erode the largely open and undeveloped landscapes between settlements.
- 11.13 The proposed change from open, unenclosed agricultural land with a natural topography and pastoral character to an archery practice area (which would occupy the majority of the site) would significantly undermine the rural character of the locality. The introduction of significant parking areas, temporary structures and increased levels of activity would, along with the necessity to level the ground and more heavily manage the natural features and vegetation across the site, be at odds with the pastoral character of the site and its natural setting. In addition to this intrinsic harm, the proposed car parking would be visible through the site access and the development would therefore also impact upon public views. The requirements of the Highways Officer in relation to the necessity to remove existing vegetation around the access point to increase visibility splays adds further to these concerns as this would further open up views into the site. The application site in its current form differs significantly from that of the current archery venue, which is more heavily managed, less natural in form and includes significant areas of hard surfacing. This adds further to the Authority's concerns over the impact the proposed change of use would have upon the character of the proposed site, particularly when having regard to the absence of any mechanism by which to secure the cessation of the current use.

## Highways

- 11.14 Whilst comments were received from the Highways Authority at the time of the previous application no objections had been raised by the Highways Officer at this stage. However, the comments now received raise concerns that the access which serves the application site lies on a bend in a 40 mph speed limit with limited visibility. In contrast the access which serves the existing site lies on a straight section of road with good visibility in a 30mph speed limit. Further clarification from Highways sets out that in the absence of an up to date speed survey it would not be possible to establish how safe the access would be because visibility splay requirements are informed by measured speeds. In the absence of this information, it would not be possible to rule out increased risk of collision and the proposal would therefore fail to meet the requirements of Policy SP55 of the New Forest National Park Core Strategy.

## Conclusion

- 11.15 Whilst the Authority did not refuse the previous application on highway grounds, the new evidence forthcoming from the Highways Authority demonstrates that the proposal could significantly compromise the safety and convenience of users of the adjoining highway (in contrast to the existing site which has good visibility). As set out above there is also concern that the proposed archery use would not serve a need which exists in the immediate community, with the majority of those visiting the site likely to originate from outside the National Park. The use now proposed would occupy an area over five times larger than that which was permitted in 2001 with twice the number of parking spaces and would relate to a site which does not benefit from any pre-existing hardsurfacing to accommodate the use and control the spread of parking. The proposals (which have a significantly more harmful and extensive impact than the previously consented use elsewhere) would therefore amount to an unsustainable form of development which would erode the rural tranquillity and landscape character of the New Forest National Park. There would be no mechanism to ensure the existing use would be relinquished and the development would therefore be contrary to policies DP2, SP7, SP17 and SP42 of the New Forest National Park Local Plan 2016-2036 (August 2019) and it is recommended that the application should be refused.

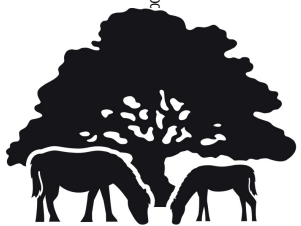
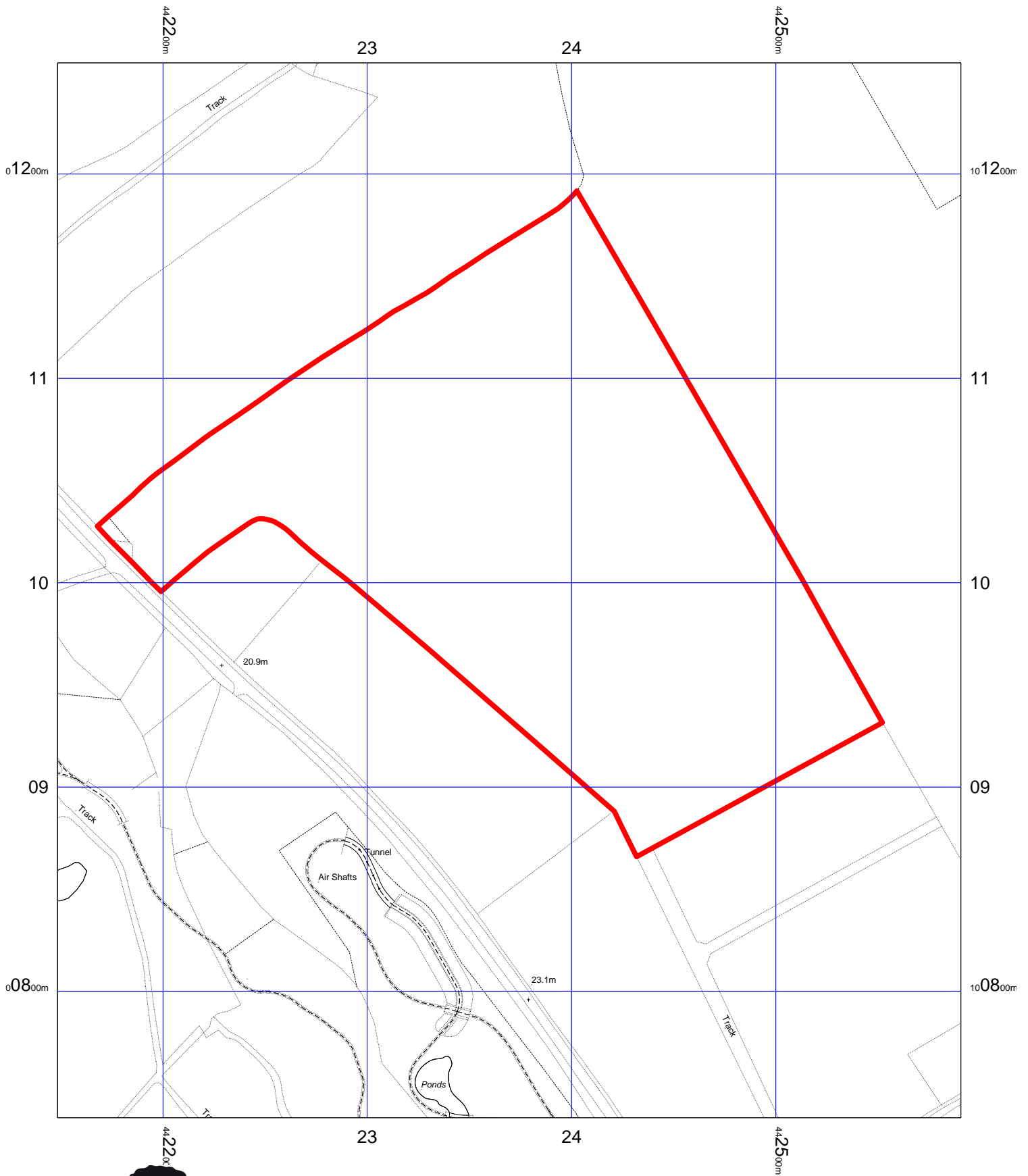
## 12. RECOMMENDATION

Refuse

**Reason(s)**



- 1 The proposed change of use of land from agriculture to an archery use, along with the associated operational development and increased levels of activity, would fail to conserve or enhance the tranquillity, landscape and scenic beauty of the National Park or meet the objectives set out within the New Forest National Park Landscape Character Assessment. Furthermore, the lack of clarity in relation to actual visitor numbers adds further to concerns that increased levels of activity would erode the intrinsic rural character and tranquillity of the site. The proposals would therefore be contrary to Policies DP2, SP15, SP7 and SP17 of the New Forest National Park Local Plan 2016- 2036 (August 2019), together with Section 15 of the National Planning Policy Framework.
- 2 The proposed change of use would be in direct conflict with the main policy objectives within the National Park relating to ensuring that new development would bring about clear benefits to local communities without compromising the special qualities and rural character of the area. The proposals would appear to serve a need which originates from outside the National Park and it has therefore not been demonstrated that they would help the well-being of the local community. The proposals would therefore fail to meet the requirements of Policies DP2 and SP42 of the New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 The proposed change of use would lead to an increased use of an existing access which lies on a bend and has limited visibility (in contrast to the access which serves the existing archery site with a reduced speed limit with good visibility). The proposed access is therefore substandard and in the absence of any additional information relating to measured speed the proposed changer of use would potentially have a detrimental impact upon the safety and convenience of users of the adjoining highway contrary to Policy SP55 of the New Forest National Park Local Plan.



NEW FOREST  
NATIONAL PARK

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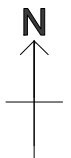
Tel: 01590 646600 Fax: 01590 646666

Date: 07/11/2019

**Ref: 19/00671/FULL**

**Scale: 1:2500**

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**Application No: 19/00718/FULL Full Application**

**Site:** 2 Forest View, Martins Road, Brockenhurst, SO42 7TQ

**Proposal:** Two storey extension; porch

**Applicant:** Mr K Crompton

**Case Officer:** Carly Cochrane

**Parish:** BROCKENHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
DP18 Design principles  
DP36 Extensions to dwellings  
SP16 The historic and built environment  
SP17 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**

None received

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Recommend permission

## 8. CONSULTEES

No consultations required

## 9. REPRESENTATIONS

9.1 One letter of support has been received from the adjoining neighbour.

## 10. RELEVANT HISTORY

10.1 None

## 11. ASSESSMENT

11.1 The application site is located to the eastern side of Martins Road, and comprises the left hand facing, two storey dwellinghouse in a non-identical semi-detached pair. The site is located within the Brockenhurst Conservation Area and has been identified within the Conservation Area Character Appraisal (CACA) as being of historic and vernacular significance; it therefore comprises a non-designated heritage asset, along with all other properties facing Martins Road. The front boundary of the site also adjoins the New Forest SSSI.

11.2 This application seeks planning permission for the erection of a two-storey rear extension, with the ground floor oriented at 45 degrees to the rear elevation, creating a triangular shape, and with parts of its roof projecting beyond the first floor. The first floor element would marginally overlap part of the ground floor. The proposed extension would be constructed with vertical timber cladding upon the ground floor, and zinc covering the first floor, and with a zinc roof. The proposal also includes the addition of a porch upon the front elevation.

11.3 The site is not located within the defined village boundary and is not a small dwelling. As such, it is limited in its additional floorspace to a maximum of 30% over that which existed on 1<sup>st</sup> July 1982 as per Policy DP36 of the Local Plan. It is calculated that the proposal would fall within this limitation and is therefore policy compliant in this respect.

11.4 However, Policy DP36 also states that *"Extensions to existing dwellings will be permitted provided that they are appropriate to the existing dwelling and its curtilage"*. The supporting text in paragraph 7.80 sets out that *"The 30% limit set out in Policy DP36 is not an allowance or entitlement and it is important to emphasise that although an extension may comply with the criterion on size, there could be other harmful impacts which would make the proposal unacceptable. In all cases, the Authority will have regard to the scale and character of the core element of the original dwelling (rather than subsequent additions) in*

*determining whether or not an extension is sympathetic to the dwelling". As such, additional floorspace will only be considered acceptable when assessed against all other planning considerations.*

- 11.5 With regard to other relevant policy, Policy SP16 of the Local Plan sets out that *"Proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment, including local vernacular buildings, archaeological sites and designed and historic landscapes"*. Proposals will therefore be supported where they conserve and enhance the significance or special interest of designated or non-designated heritage assets, and do not harm the special interest, character or appearance of a conservation area. Policy SP17 of the Local Plan recognises the cumulative adverse impact individual, small-scale proposals can have in terms of their harmful suburbanising effect which can erode the special rural qualities of the New Forest National Park. Policy DP18 of the Local Plan sets out that *"All new development will be required to achieve the highest standards for new design...with particular regard to enhancing the built and historic environment of the New Forest"* and seeks to ensure that *"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"*.
- 11.6 Policy SP7 of the Local Plan sets out that *"planning should recognise the 'intrinsic' character and beauty of the countryside. Landscape character cannot solely be determined by what is visible from a publicly accessible location"*, and the policy seeks to ensure that development avoids detrimental impacts on the intrinsic landscape character and its key features. Finally, Policy DP2 sets out that *"All new development and uses of land within the New Forest National Park must uphold and promote the principles of sustainable development. New development proposals must demonstrate high quality design and construction which enhances local character and distinctiveness. This includes, but is not restricted to, ensuring...development is appropriate and sympathetic in terms of scale, appearance, form, siting and layout; development respects the natural, built and historic environment, landscape character and biodiversity"*.
- 11.7 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, local planning authorities have a general duty in the exercise of their planning functions to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas. The application site is located within Character Area 'C' (Waters Green) of the CACA. Paragraph 4.5.12 sets out that there are 74 unlisted buildings within the Waters Green Character Area which have been identified as being of local, vernacular or cultural interest, dating from the late 18th century through to the early 20th

century. It identifies that there are a number of small collections of buildings within the various surrounding lanes which create important historic and visually attractive groupings. Martin's Lane is discussed at 4.5.22, and notes that the ten buildings which form the linear development of cottages are an important group within the character area, as they have retained most of their architectural detail. Each of the non-designated heritage assets are considered to enhance the particular part of the character area within which they are located and represent good local vernacular detailing and reflect the cultural history of the area. Paragraph 5.1.2 of the CACA sets out that, before carrying out development on the identified buildings within the area, *"the original method of construction should be studied, understood and followed to preserve the historic fabric and character of these important vernacular buildings"*. Finally, paragraph 7.4 recognises that *"unlisted buildings of local interest make an important contribution to the character and historic integrity of the settlement, and it is important that they are protected."*

- 11.8 Finally, in respect of policy, Paragraph 197 of the National Planning Policy Framework sets out that *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*
- 11.9 The proposed extension is considered 'contemporary' in its design, particularly when compared against the traditional vernacular of the existing dwellinghouse. Contemporary design can be successful, including upon non-designated heritage assets and listed buildings. However, in this instance, and having regard to the policy context referenced above, it is considered that the proposed extension would, by virtue of its overly dominant scale detract from and compete with the main dwellinghouse. In addition, the discordant envelope shape and uncharacteristically complex form would jar with the traditional scale and features of the non-designated heritage asset. It would appear as an overly strident structure which is unsympathetic and harmful to the character and appearance of the non-designated heritage asset. The proposed fenestration is at odds with that upon the existing dwellinghouse, which is traditional and modest in its design and scale, and overall, the proposed extension appears as a 'stand-alone' element, with no regard or reference to the traditional character of the main dwellinghouse.
- 11.10 It is put forward that the proposal has been designed in order to maximise views of the garden from within the dwellinghouse, and also to avoid an area of unusable space between the proposed extension and the boundary with the adjacent property. The fact that a development is not visible within the public view is not

reason to set aside aesthetic consideration at any time, but particularly so when dealing with heritage assets. Policy SP7, as set out in paragraph 11.5 of this report, sets out the importance of intrinsic landscape value, and as identified within paragraph 11.6, properties along Martins Road are considered to positively contribute to the character and appearance of the area by virtue of their historic and vernacular importance.

11.11 The proposed porch upon the front elevation is considered appropriate by virtue of its proportionate scale and modest design. In terms of neighbouring amenity, the first floor element is not of an excessive depth; the application property is located to the north of its adjoining neighbour, and therefore it is unlikely that the proposal would result in any significant adverse impact upon neighbouring amenity.

11.12 However, it is not considered that there are any overriding material considerations which would outweigh the identified conflict with the development plan referred to above. The proposal is considered to represent inappropriate and unsympathetic design by virtue of its overall scale, form and materials, resulting in harm to the unique character and quality of the built environment of the National Park and which policy specifically seeks to resist. The proposal would therefore result in a harmful impact upon the character and appearance of the non-designated heritage asset and the conservation area. The proposals would also fail to meet the requirements of Policies DP2, DP36, SP6, SP16 and SP17 of the Local Plan.

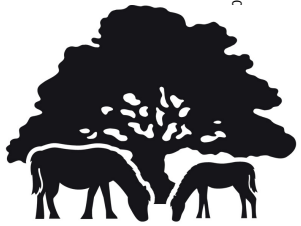
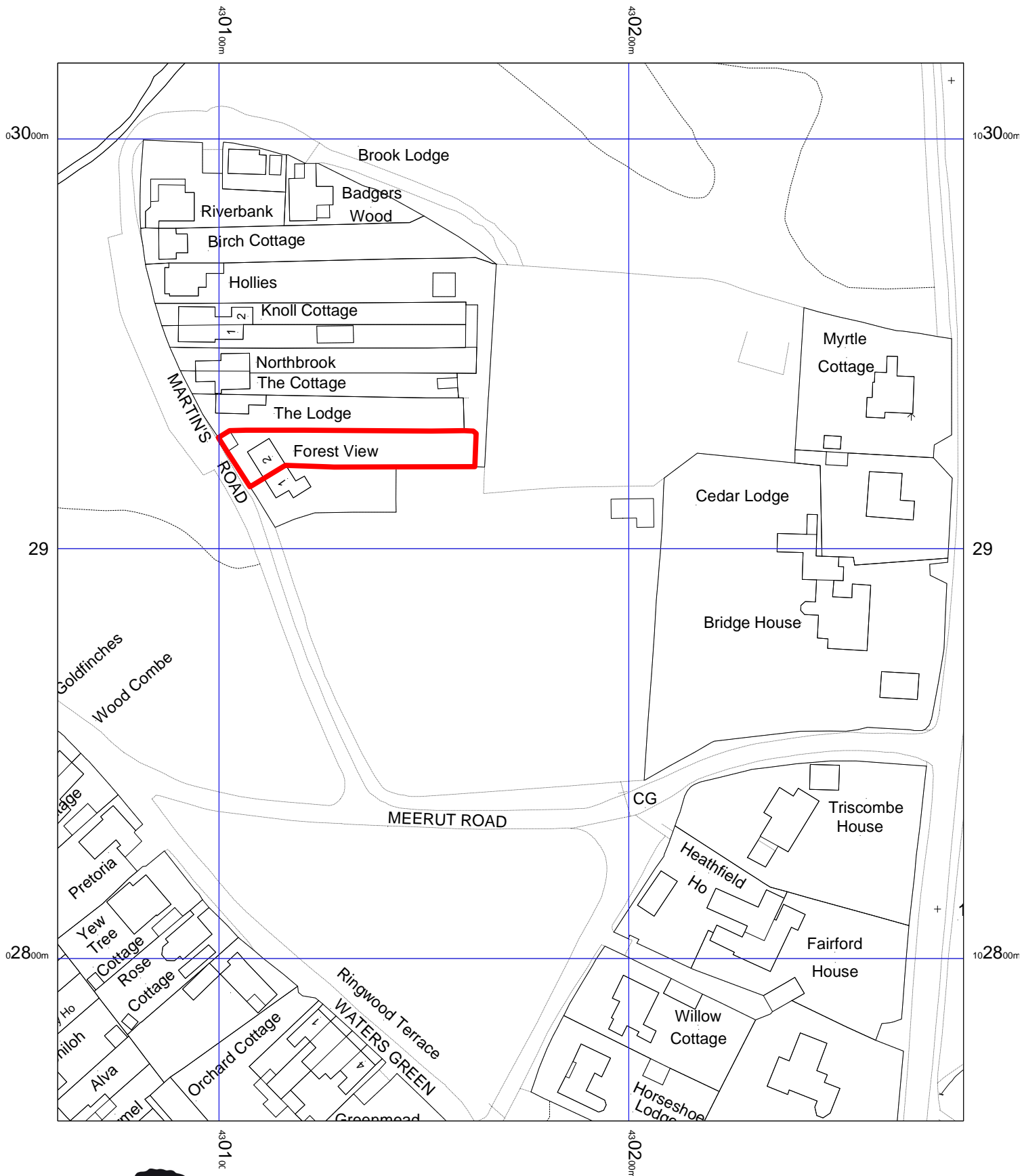
11.13 It is therefore recommended that permission be refused.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

1 The proposed extension would, by virtue of its inappropriate and unsympathetic design, form and scale, fail to respect the traditional, modest and compact form of the existing dwelling. The proposal would therefore fail to preserve or enhance the character and appearance of the non-designated heritage asset or Conservation Area, and would be contrary to Policies DP2, DP36, SP7, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016-2036, the National Planning Policy Framework and the National Design Guide.



NEW FOREST  
NATIONAL PARK

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