

**Application No: 19/00480/FULL Full Application**

**Site:** Hedley House, 10 Pemberton Road, Lyndhurst, SO43 7AN

**Proposal:** Two storey extension; first floor extension; single storey extension; alterations to fenestration

**Applicant:** Mr & Mrs Hughes

**Case Officer:** Liz Young

**Parish:** LYNDHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by Ward Councillor.

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village  
Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
DP36 Extensions to dwellings  
SP16 The historic and built environment  
SP6 The natural 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**

Ward Councillor considers application has generated local concerns.

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend permission; the proposals will provide a small family home and are not out of keeping with the scale of the plot or street scene. No detrimental impact upon adjacent buildings (no

change from previous recommendation following the submission of additional information).

## **8. CONSULTTEES**

8.1 Ecologist: No objections raised.

## **9. REPRESENTATIONS**

9.1 12 representations received including 11 letters of objection, a Right of Light Report (On behalf of Number 8) and one comment only:

- Properties within conservation areas should be afforded a greater level of protection from development.
- Commoning rights afforded to these properties are unlikely to continue to be exercised if the proposals are carried out.
- Proposal would set a precedent for similar developments to be carried out elsewhere.
- Parking is insufficient to support the amount of additional development proposed.
- Harm to local ecology and wildlife.
- Access for emergency vehicles is already limited.
- Insufficient space for construction vehicles.
- Proposal would impact upon guests occupying a holiday let immediately adjacent to the site.
- Proposal would limit access of neighbouring property.
- Proposal would impact upon a boundary hedge between Number 8 and Number 10.
- Proposal would potential cause runoff and drainage issues.
- Proposal would be contrary to design guidance.
- The amended plans do not sufficiently overcome previous concerns.
- Loss of light to kitchen window serving Number 8 Pemberton Road, breach of BRE Vertical Sky Component Test for daylight in respect of living room window and loss of winter sunlight to kitchen window.
- Recommend that the application should not be determined until the applicant has carried out a full daylight and sunlight study.

9.2 One letter of support received:

- In addition to existing off-road parking the applicant has permission to use parking at Number 7.
- The additional parking was offered to the applicant for contractor parking.
- The property is maintained to a high level and is an asset to the road.

## **10. RELEVANT HISTORY**

10.1 None.

## **11. ASSESSMENT**

11.1 This application relates to an attractive late Victorian semi-detached property located within built up, residential surroundings on the edge of Lyndhurst and just inside the Lyndhurst Conservation Area. The property lies within a modest, rectangular plot and overlooks playing fields to the north.

11.2 Consent is sought to add a two storey extension to the rear of the property to form a third bedroom and to add a single storey side extension to the ground floor to form a new utility area. The external facing materials would match those on the existing building. The property is not a small dwelling and is therefore not subject to a specific floorspace limit. The main issues to assess would therefore relate to the impact the development would have upon the character and appearance of the conservation area along with any potential loss of amenity to neighbours. Any implications for ecology and biodiversity would also need to be assessed having regard to the proximity to the open forest.

11.3 Whilst concerns have been raised in relation to the impact the proposal would have upon the character and appearance of the conservation area, Policy DP36 does not rule out two storey extensions where they are appropriate to the dwelling and its curtilage. Amended plans were submitted during the process of the application significantly reducing the width of the first floor extension so that it would be set well in from the flank wall of the main house. The height has also been reduced by one metre. Having regard to the reduced size, much of the additional floorspace proposed would now be single storey and the additions would therefore appear subservient to the main house. The simple mono-pitched roof form to the single storey elements and the narrow form of the additions would ensure they would not detract from the compact scale and simple design of the main house. The proposals are therefore considered to preserve and enhance the character and appearance of the conservation area and would meet the requirements of Policies SP16, SP17 and DP36 of the New Forest National Park Local Plan.

11.4 The main issue which became apparent following a site visit related to the proximity between the flank wall of the proposed two storey extension and the boundary with the neighbouring property (Number 8) which was likely to lead to a harmful overbearing impact. The amended design, however, now shows the proposed two storey extension to be recessed from the main flank wall of the house and would incorporate a significant drop in ridge height. Following an internal inspection of the building and also from the

immediate neighbour (Number 8) it was established that the view from existing rear facing windows is significantly obscured by the roof of the neighbours rear extensions and boundary vegetation (which falls within the control of the neighbouring property). Having regard to this, along with the fact that limited oblique views towards the neighbour's boundary are possible as a result of the existing window configuration, it is considered that the development would not give rise to a harmful loss of amenity towards neighbouring residents.

- 11.5 Whilst the concerns raised in relation to loss of light to Number 8 (and the suggestion that a full light survey should be carried out) are noted, the overall impact to Number 8 is not considered to be unacceptably harmful. The main living area to Number 8 is served by a south facing window to the front and the proposed extensions would not lie close to this part of the neighbouring property. Whilst it is accepted that some loss of light would occur towards the rear of Number 8 this would primarily impact upon a kitchen window rather than any primary habitable areas within the building. Furthermore, the fact that the development does not lie directly south of the property along with the amended design would ensure the overall level of impact would not be harmful. The outdoor patio area to the rear of Number 8 would also not be significantly affected. On this basis it is considered that there would be no conflict with Policy DP2 and that the absence of a full light survey would not be critical in this case.
- 11.6 Whilst it is recognised that there is significant pressure for on-road parking, the overall scale of development proposed is modest and the addition of one additional bedroom is not likely to significantly exacerbate the problem further. Whilst there may be difficulties associated with contractor parking during the development, this would be a short term issue and any associated impacts would not outweigh the right to develop a property, particularly when having regard to the fact that works carried out under permitted development could have similar implications. If it is the case that the property benefits from commoning rights, the proposed extension would not directly restrict the ability of residents to exercise these rights. Drainage issues and surface drainage considerations are matters which could be addressed at the Building Regulations stage.
- 11.7 With regards to concerns over ecology the applicant has subsequently commissioned a Phase 1 Bat Report (Lindsay Carrington Ecology Services). The survey entailed an internal and external inspection of the building. The house has been assessed as holding negligible potential to support roosting bats with minimal access / egress points. Additionally it has been concluded that the proposed extension would not impact significantly upon the roof void. Ecological enhancement measures have been put forward, however and these include the provision of bird and bat boxes. Based upon this information the proposal would be in

accordance with Policy SP6 of the New Forest National Park Local Plan. Furthermore, no objections have been raised by the Authority Ecologist.

- 11.8 In summary, the submission of amended plans is considered to mitigate any potential loss of amenity to an acceptable level. Having regard to the close relationships between properties along Pemberton Road, it is accepted that development in many cases will give rise to some impact. However, in this case the overall level of harm would be mitigated to an acceptable degree having regard to the amended plans and also the relationship, layout and orientation of the two properties. The submitted ecology survey has established that the proposal is unlikely to give rise to a harmful impact upon protected species and has also brought about the opportunity to secure biodiversity enhancements on site. It is therefore recommended that planning permission should be granted.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

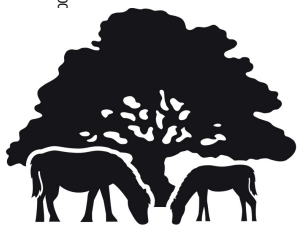
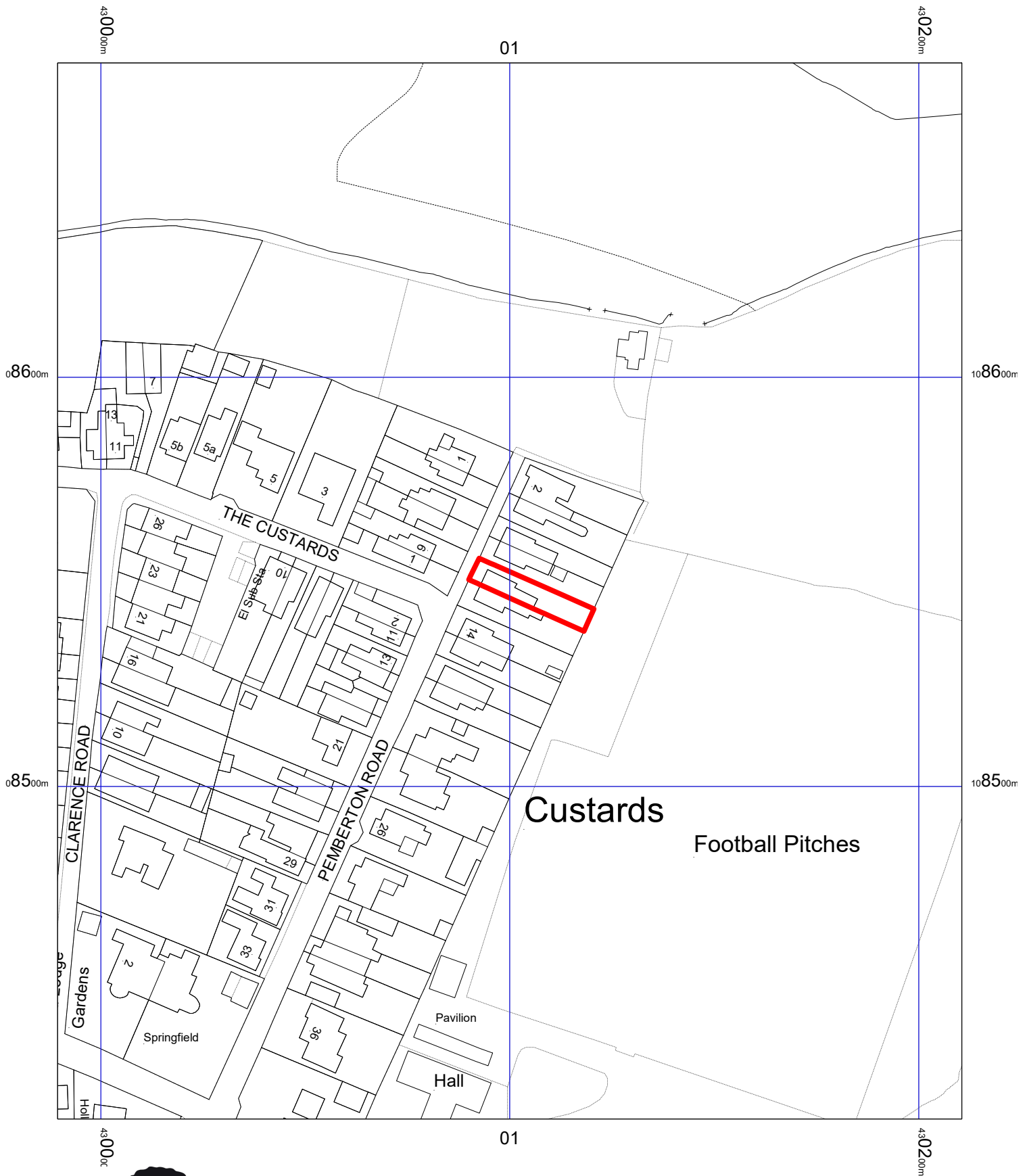
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.  
  
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the New Forest National Park Local Plan.
- 3 The first floor window on the north east elevation hereby approved shall at all times be obscurely glazed and non-opening.  
  
Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the New Forest National Park Local Plan.
- 4 Prior to the commencement of development (including site and scrub clearance), measures for ecological mitigation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall

be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report approved as part of this planning application.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the New Forest National Park Local Plan.

- 5 Development shall only be carried out in accordance with drawing nos: 2 Rev A, 021, 022 Rev A, 023, 024 Rev A, 025 Rev A, 027 Rev A, 028 Rev A, 029 Rev A, 030 Rev A and 031 Rev A. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 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

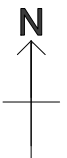
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Date: 03/10/2019

**Ref: 19/00480**

**Scale: 1:1250**

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**Application No: 19/00509/FULL Full Application**

**Site:** 12 Sutton Place, Brockenhurst, SO42 7TX

**Proposal:** Change of use of amenity area to create new vehicle and pedestrian access and car parking

**Applicant:** Mr & Mrs Guiver

**Case Officer:** Liz Young

**Parish:** BROCKENHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by Authority Member.

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP55 Access  
 SP17 Local distinctiveness  
 SP7 Landscape character  
 SP6 The natural environment  
 DP2 General development principles

**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

**6. MEMBER COMMENTS**

Application has generated local concerns.

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Recommend permission but will accept a delegated decision; support the application on the basis that it will alleviate some of the on street parking issues in the area but mindful that this needs to be balanced against local residents' concerns that it may have an



urbanising impact upon the character of Sutton Place. Therefore happy to accept a delegated decision.

## **8. CONSULTEES**

8.1 Tree Officer: No objections subject to conditions.

8.2 Highway Authority (HCC): No objections based upon amended plans.

## **9. REPRESENTATIONS**

9.1 13 representations received (12 objections and one comment only) including a letter from Friends of Brockenhurst:

- There is no public open space in the village of Brockenhurst and the recreational needs of the village are mainly met through misusing the surrounding heath land and designated sites.
- Loss of any amenity land is therefore unacceptable.
- The proposals would compromise highway safety.
- The owners have previously carried out disruptive works to their property.
- The proposal would generate increased traffic movements and a larger number of gas leaks.
- Conditions have previously been imposed which restrict any change of use.
- Improvements to on street parking should be welcomed.
- Proposal would be harmful to the character of the cul-de-sac.
- The current owners do not occupy the building.
- The applicants purchased the land without giving the neighbouring residents any prior notice.
- Previous enlargements to the house itself would lead to increased parking pressure.
- Concern that a ditch adjacent to the site could be filled in which could exacerbate flooding problems.
- Would set an undesirable precedent for similar proposals in Sutton Place.
- Proposals would not bring about any significant benefits.

9.2 One letter of support from the agent on behalf of the applicant:

- The issue of whether or not the applicants occupy the property is not relevant to the planning application.
- The site has suffered a poor level of maintenance.
- No change of use is proposed.
- Any improvements to parking should be welcomed as this would reduce the need to park on designated foot ways and turning areas.

## **10. RELEVANT HISTORY**

- 10.1 One and two storey extensions (16/00698) approved on 17 October 2016
- 10.2 Addition of sun room (NFDC/93/53444) approved 02/03/2001
- 10.3 Erection of 12 Dwellings (NFR 14175/1) Approved on 21 November 1966

## **11. ASSESSMENT**

- 11.1 This application relates to a two storey, semi-detached property located in built up residential surroundings within the defined settlement boundary of Brockenhurst. The site lies on flat ground and within a small residential cul-de-sac of 12 properties of a similar design, all of which appear to have been built in the 1960s. Plot frontages are predominantly open and additional restrictions were imposed on the estate when planning consent was granted in the 1970s relating to planting, hard surfaces and means of enclosure.
- 11.2 The application site (and a number of other properties in the estate) does not currently benefit from any formal vehicular access and consent is now sought to remove part of the existing pathway to the front and to form a new driveway in its place with an off road parking area for two cars immediately to the east of the house itself. The proposed hard surface would be "Eco grid", a permeable grid surface with topsoil and hard-wearing grass seed above. No additional planting or means of enclosure is proposed and the rest of the site would remain open.
- 11.3 The main issues under consideration would be:
  - The impact upon the character of the area and the street scene of Sutton Place (having regard to the objectives of the landscaping restrictions originally imposed when consent was granted for the estate).
  - The impact the proposal would have upon trees and the natural features of the site.
  - Any additional implications relating to the amenities of neighbouring residents along with highway safety and parking standards.
- 11.4 In terms of background Condition 11 of Consent NFR 14175/1 (the original consent for the estate) reads as follows:

*Notwithstanding the provision of the Town and Country Planning General Permitted Development Order, 1963, no building, structures or erection of any kind including walls, fences, hedges, trees, shrubs and drainage works shall be constructed or planted on the area coloured in green on the approved plan, without the*

*consent of the Local Planning Authority.*

*Reason: In order to secure good layout, the safety and convenience of traffic and pedestrians and to provide a well-planned environment for the future residents of the area.*

- 11.5 Information which accompanies the application sets out that each of the 12 houses in Sutton Place have only one garage space and that as a result there is significant pressure for on road parking (much of which overrides the pavement due to the limited road width). It is stated that the proposal would effectively remove 2 cars from the road. The plans submitted propose Eco-grid. No additional planting or inclosure is proposed and it is not the applicant's intention to use the application site as garden. Having regard to this additional information along with the fact that significant amount of tarmac would be removed from immediately in front of the house it is considered that the proposed driveway and parking area would not conflict with the conditions originally imposed when consent was granted for the estate. Furthermore, it is likely that car ownership will have increased significantly since the properties were originally built and the removal of pressure for in-road parking would lead to less obstruction of both the foot way and carriage way.
- 11.6 Amended plans have been submitted to satisfy Highway Officer concerns over limited turning space and there would now be sufficient space for vehicles to turn and enter the highway in forward gear. The proposal would also bring about the opportunity to re-instate a protected tree which was previously removed from the site and this would bring about a further enhancement to the wider street scene. In the event that consent is granted it would not be necessary to impose further conditions having regard to the fact that Condition 11 would remain unaffected. It would, however, be necessary to agree an appropriate time scale for the removal of the existing tarmac footpath.
- 11.7 As noted by the Authority Tree officer the dead Horse Chestnut T1, protected by TPO 03/06 was felled in 2007 (ref:sec198/07/0107) as exempt work. A request was made for a similar replacement tree to be planted at that time. This was either not carried out or the tree has since failed. This large open space is a prominent location and has adequate space for a specimen tree. No objections have been raised by the Tree Officer, therefore, subject to a condition for a replacement tree being planted (Horse Chestnut, Oak or Liquidambar being the recommended species).
- 11.8 In terms of the amenities of neighbouring residents the proposal would lie between the house and the main road. The proposal would not encroach any closer towards neighbours and therefore any vehicle movements associated with the development would not give rise to a harmful increase in levels of activity, particularly

when having regard to the relatively suburban context and the proximity to Southampton Road. Therefore, there would be no conflict with the requirements of Policy DP2 of the New Forest National Park Local Plan.

- 11.9 With regards to the other concerns raised by neighbours the existing site is not one which would offer reasonable opportunities for any form of meaningful recreational use and the main reasoning behind the restrictive conditions originally imposed related to the character of the street scene (along with highway safety) rather than provision of public open space. For the reasons set out above, the proposals are not considered to compromise the character of the street scene and no formal objection has been received from the Highways Authority. There would therefore be no conflict with the objectives of Condition 11. The impact and disruption associated with any previous building works would not be relevant to the consideration of any future development proposals as this would relate primarily to contractors' working arrangements. As set out by the agent the issue of whether or not the applicants occupy the property would not be relevant to the consideration of this application. The proposals do not include any works to infill ditches and if this were to take place at a later date then this would be an unrelated issue to be resolved through the County Council.
- 11.10 In light of the above it is considered that the proposals would not give rise to any harmful impact upon the character of the area, the safety and convenience of users of the adjoining highway or the amenities of neighbouring residents. The low-key informal layout proposed would not conflict with the objectives of the restrictive conditions which will continue to remain on the site and the proposal would reduce some of the pressure for on road parking in Sutton Place. It is therefore recommended that planning permission should be granted.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Within 6 months of the commencement of development the existing footpath along with all resultant materials (hatched on Drawing 2) shall be completely removed and the land reinstated to a condition which has been formally agreed in writing by the

National Park Authority.

Reason: To preserve the street scene and landscape character of the locality and to comply with Policies DP2, SP7 and SP17 of the New Forest National Park Local Plan (2016 - 2036).

- 3 Development shall only be carried out in accordance with Drawing Numbers 1 and 2. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

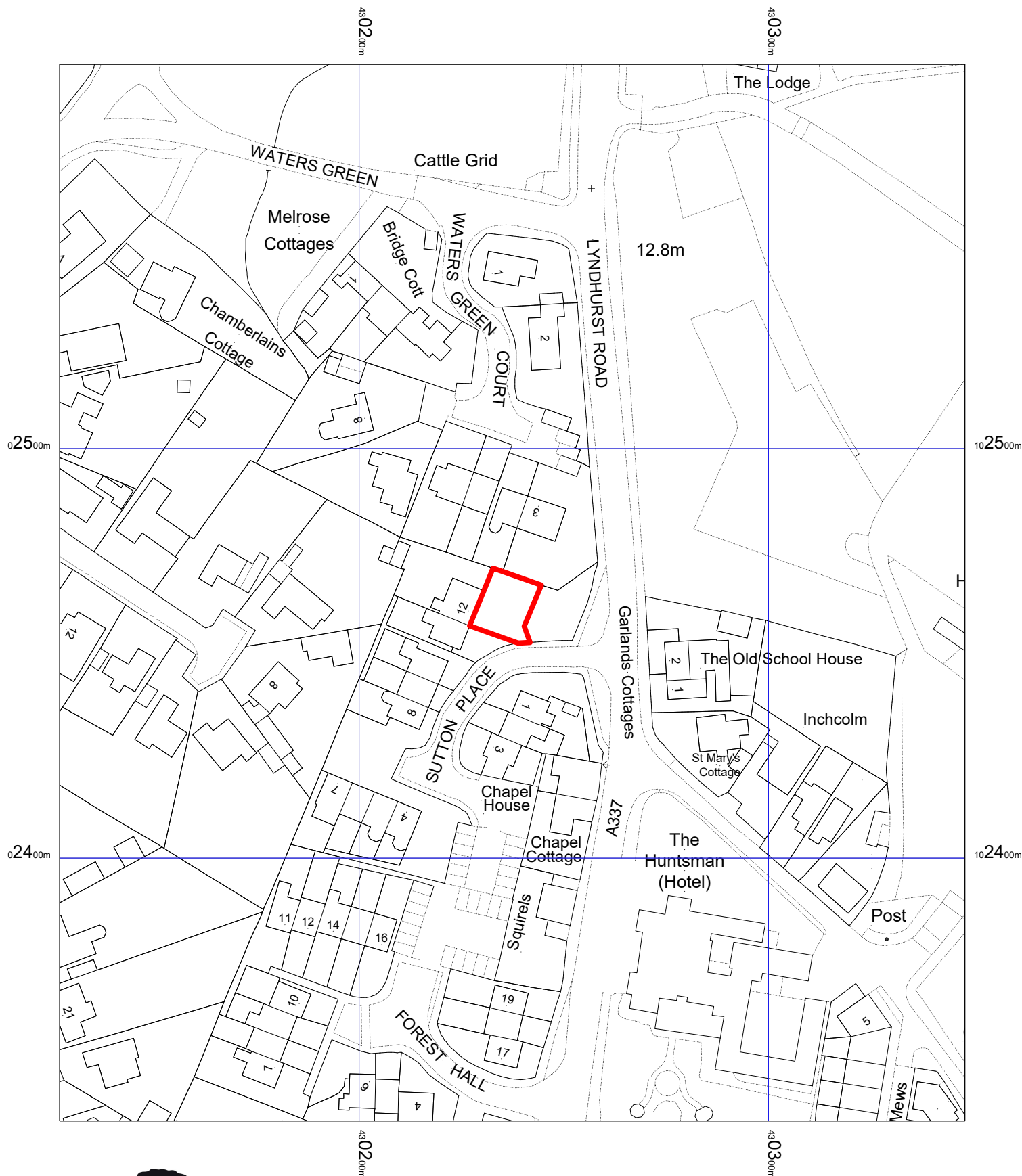
Reason: To ensure an acceptable appearance of the building in accordance with policies SP7, SP17, SP55 and DP2 of the New Forest National Park Local Plan 2016 - 2036.

- 4 The approved planting plan shall be implemented in full within the first planting season following the commencement of development.

If within a period of 2 years from the date of planting the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies, another tree of the same size and species shall be planted in the same place or in accordance with a variation for which the Local Authority give their written consent.

The replacement tree to be of minimum stock size 8-10cm girth at 1m above ground level when planted.

Reason: To ensure that any loss of amenity through the removal of trees is mitigated for future generations and to preserve the character of the local area in accordance with Policy DP2 of the New Forest National Park Local Plan.



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

Date: 03/10/2019

**Ref: 19/00509**

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**Application No: 19/00526/FULL Full Application**

**Site:** 40 New Road, Ashurst, Southampton, SO40 7BS

**Proposal:** Single storey and first floor extension

**Applicant:** Mr K Ward & Ms E Manning

**Case Officer:** Carly Cochrane

**Parish:** ASHURST AND COLBURY

**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  
 DP18 Design principles  
 DP36 Extensions to dwellings  
 DP37 Outbuildings  
 SP17 Local distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Ashurst and Colbury Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Ashurst and Colbury Parish Council: Recommend refusal. Comment:

- Concerned that the proposals did not comply and therefore exceeded the floorspace limit as detailed in DP11 (now DP36)
- Proposals were inappropriate to the existing dwelling and immediate local area, comprising a loss of character to the dwelling and due to the

bulk and visibility of the roof, to the street scene (DP1 a and d, A&C Village Design Statement)

- Loss of amenity to neighbouring properties in the relocation of the garage to the rear of the garden (DP1,e)
- Concerned over the loss of small dwelling

## **8. CONSULTTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 One letter of representation was received, raising an objection to the proposal. The comments made are summarised as follows:

- Concern with regard to setting a precedent, and the impact upon the appearance of the area
- Addition to the roof would appear bulky and imposing when viewed from neighbouring gardens
- Concern with regard overlooking from first floor rear window.

## **10. RELEVANT HISTORY**

10.1 None

## **11. ASSESSMENT**

11.1 The application site is located to the north eastern side of New Road, within the Defined Village boundary. The property comprises a detached bungalow with a detached outbuilding adjacent to the side (eastern) boundary. The dwelling is constructed of brick and render, with a tiled roof.

11.2 Amended plans have been submitted since the application was originally made, in order to overcome the floorspace restriction; the proposed replacement outbuilding has also been removed from the application. This application therefore seeks planning permission for the erection of a ground and first floor extension, with an increase in the ridgeline height, to facilitate new habitable floorspace within the roof of the dwelling. The integral porch area upon the front elevation would be in-filled, and all materials would match those existing. The existing outbuilding would be demolished.

11.3 Although the property is located within the Defined Village, it has an existing floorspace of 67 square metres, and as such, is a small dwelling and limited in total floorspace to a maximum of 100 square metres in accordance with Policy DP36 of the Local Plan. It is calculated that the proposal would meet, but not exceed, this limitation. As part of the original rear elevation would remain intact, it is considered reasonable and necessary to remove



permitted development rights to ensure that the property is not further enlarged. The Parish Council have raised concerns that the proposal would result in the loss of a small dwelling, however the proposed increase in habitable floorspace would not result in the property with a floorspace in excess of 100 square metres and would therefore meet the floorspace restriction for small dwellings.

- 11.4 Concern has been raised by neighbours and the Parish Council with regard to loss of privacy by virtue of the proposed rear dormer window and rooflights upon the side roof slopes. The proposed rooflights would be set 1.7 metres above floor level and therefore would not facilitate any direct overlooking into neighbouring properties. The rear garden of the application property measures approximately 20 metres in depth; this is considered sufficient distance so as not to result in any significant overlooking to the gardens of the properties to the rear, ie 67 Ashdene Road and 9 Ash Grove. The neighbouring property of 38 New Road has dormer windows upon its front and side (west) elevations, and also a window within the gable end of the first floor rear elevation. The respective dwellings are angled away from each other, and as such, any overlooking impact upon 38 New Road as a result of the proposed development is not considered to be significantly harmful, nor would it be greater than that currently experienced by the occupiers of number 40 New Road as a result of the windows at number 38. The property of number 42 New Road is identical in scale and appearance to the application property. Whilst, it is considered reasonable to suggest that the proposed first floor window upon the rear elevation would introduce an opportunity for overlooking into the rear private amenity area of number 42 not currently experienced, because there would be a distance of approximately 5 metres between the dormer window and boundary with number 42 (comprising a detached outbuilding adjacent to the boundary), it is not considered that the proposal would result in any significantly adverse impact upon neighbouring amenity.
- 11.5 Concern has also been raised by the Parish Council with regard to the loss of character by virtue of the increased bulk of the first floor. It is also proposed that the integral porch would be in-filled. The porch is set under a curved archway upon the front elevation, and this feature is also present on the neighbouring property of number 42 New Road. Whilst this feature adds character, as do the curved bay windows present at other properties along New Road, it is not considered that the loss of this feature would be significantly harmful to the character or appearance of the area due to the variety in the appearance of dwellings. The proposal would result in the ridgeline height being increased by approximately one metre, and an overall increase in the bulk of the roof and would have a resultant appearance not dissimilar to that of 1 Ash Grove. As aforementioned, there is variety in the appearance, as well as the scale, form and materials, of properties fronting New Road. Whilst the proposal would alter the

appearance of the dwellinghouse by virtue of the increased scale, it is not considered this would be incongruous or significantly harmful to the character or appearance of the area.

- 11.6 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP2, DP18, DP36 and SP17 of the adopted Local Plan 2016-2036.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

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

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

- 2 Development shall only be carried out in accordance with drawing nos: 1, 2, 869.01 Rev E

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

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

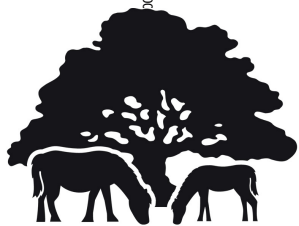
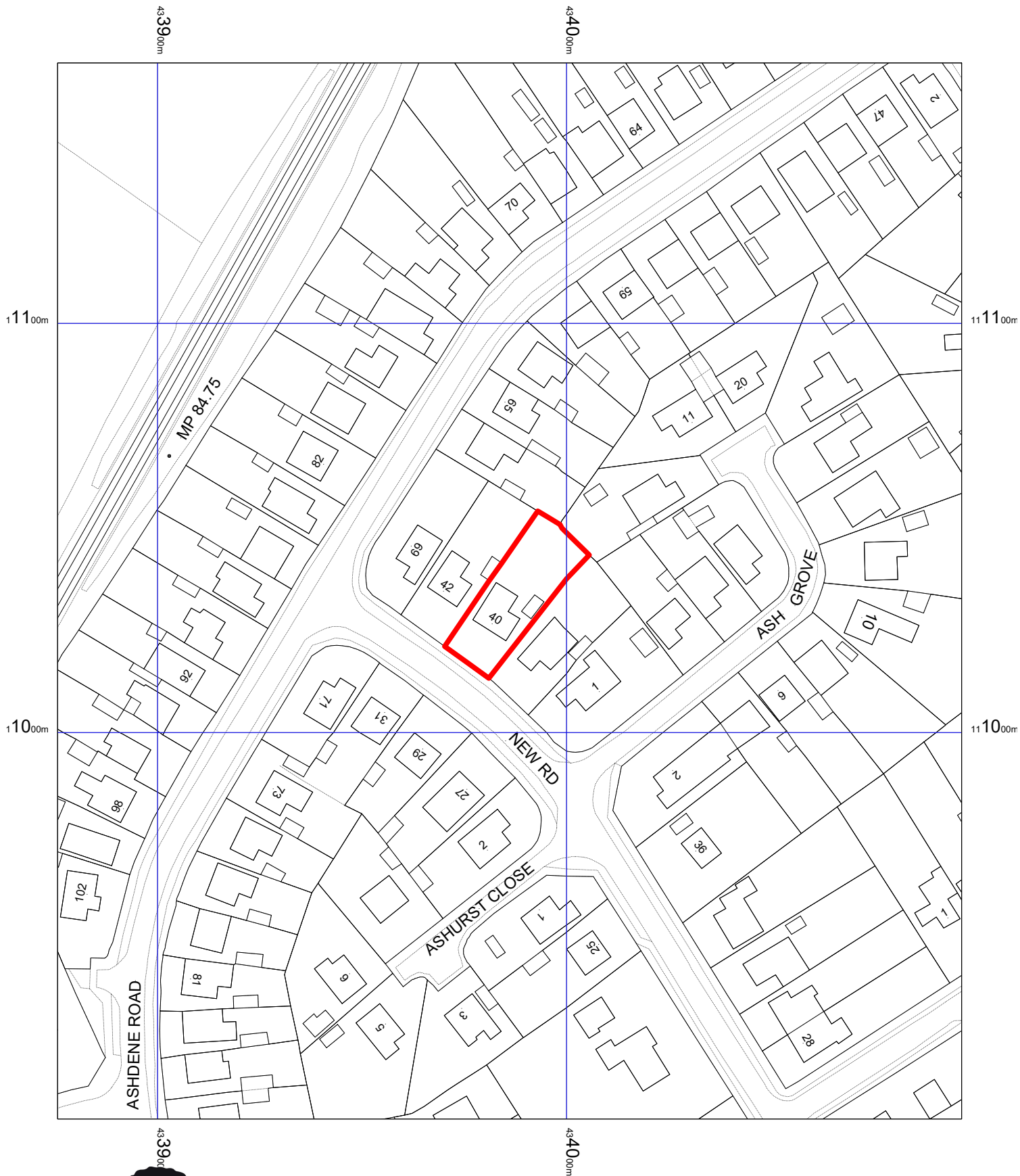
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, C or D of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National

Park Local Plan 2016- 2036 (August 2019).

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

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST  
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New Forest National Park Authority  
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Tel: 01590 646600 Fax: 01590 646666

Date: 03/10/2019

**Ref: 19/00526**

**Scale: 1:1250**



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**Application No: 19/00552/FULL Full Application**

**Site:** Spring Cottage, Queen Street, Hale, Fordingbridge, SP6 2RD

**Proposal:** Two storey extension

**Applicant:** Ms Brookes

**Case Officer:** Liz Young

**Parish:** HALE

**1. REASON FOR COMMITTEE CONSIDERATION**

Referred by Authority Member.

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

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

**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**

Cllr A Sevier: Considers application has generated local concerns.

**7. PARISH COUNCIL COMMENTS**

Hale Parish Council: Recommend permission:

- The revised plan no longer breaches the 30% limitation.
- Wish to endorse the recommendations of the Conservation Officer to

ensure the impact of the design on the street scene is minimised.

- Wish to endorse the recommendations made by Natural England.

## **8. CONSULTEEES**

- 8.1 Natural England: No objections subject to appropriate mitigation in relation to adjacent designated sites.
- 8.2 Historic England: No comment.
- 8.3 Building Design & Conservation Area Officer: No objections raised subject to conditions.

## **9. REPRESENTATIONS**

- 9.1 19 objections received (including one from New Forest Friends of the Earth and comments from a Historic Buildings Consultant):

- Whilst the amended plans have brought the proposal within the 30% limit this limit is not an allowance or an entitlement.
- The amended plans do not address the additional concerns raised in relation to design.
- Queen Street is frequently referenced within the Conservation Area Character Appraisal.
- Proposal would overwhelm the existing dwelling significantly altering its historic farm cottage character.
- Out of scale and unsympathetic to neighbouring properties.
- Proposal would exceed the 30% limit.
- A large amount of vegetation has previously been removed from the site to the detriment of the wider street scene.
- The form of the existing pair of building is typical of many listed properties in Hale and they appear to have been built as estate workers cottages.
- Notwithstanding previous alterations to the buildings the properties continue to make a positive contribution to the character and appearance of the Conservation Area and should be considered as non-designated heritage assets in their own right.
- A heritage statement should have been a validation requirement for the application.
- Harmful impact upon views from rights of way.
- Proposal would result in an unbalanced form between the two dwellings.
- The reduction in gap between the extension and the existing detached outbuilding would lead to a more solid form.
- Insufficient justification for additional bedroom accommodation.
- The existing dwelling was not designed to accommodate further extensions.
- Concern raised that part of the site lies within the New Forest SSSI.

## **10. RELEVANT HISTORY**

- 10.2 Addition of a porch and store and garage (86/32822) approved on 5 June 1986
- 10.1 Garage (existing to be demolished) (14346) approved on 23 October 1979
- 10.2 Alterations and additions of diner / kitchen (75/02263) approved on 25 April 1975

## **11. ASSESSMENT**

- 11.1 Spring Cottage is a modest, semi-detached 1.5 storey cottage located within rural surroundings on sloping ground within the Western Escarpment Conservation Area. The two properties are of a fairly symmetrical, compact form and front north directly onto Queen Street. The facing materials comprise modern concrete roof tiles with UPVC windows and doors. The buildings are characterised by their fairly compact form and steeply pitched gabled roofline. The land slopes steeply away to the south and both properties lie within spacious plots which back onto fields.
- 11.2 Consent is sought to erect a two storey extension on the side of the property with a single storey lobby / porch to the rear. The plans also include a proposal to add a dormer window to the front roofslope of the existing house. The two storey element would provide additional bedroom accommodation at both ground and first floor level and would replace an existing single storey utility room to the side of the property. The rear single storey element would form a rear porch / lobby. The ridge and eaves height would be slightly lower than those of the main house and it would also be set slightly back from the front elevation. A dormer is proposed to the front and this would match the design of the existing dormers. A conservation style roof light if proposed to the rear. The extension would incorporate timber windows.
- 11.3 The main issues under consideration would be:
  - The extent of floorspace increase based upon the house as it stood on 1 July 1982.
  - The impact the development would have upon the character and appearance of the Conservation Area.
  - Any potential loss of amenity to neighbouring residents.
- 11.4 Having regard to a porch extension which was added to the property in 1986, the proposed total floor area of 114 square metres would (based upon the submission of amended plans) fall just within the 30% limit which applies under Policy DP36. The

dining room and kitchen) were in place in 1982 (having been added in 1975) and would therefore be included as part of the *original* floorspace (which measures 89 square metres). In the event that consent is forthcoming, it is considered it would be necessary to remove permitted development rights. With regards to the specific representations on floor area the correct definition of a small dwelling is “*a dwelling with a floor area of 80 square metres or less as it existed on 1 July 1982, or as the dwelling was originally built or legally established, if the residential use post-dates 1 July 1982.*” The Local Plan definition has therefore been misquoted by taking the floor area back to the original dwelling before the 1970s kitchen extension was added, therefore wrongly claiming it is a small dwelling. It is clear that at the base date of mid-1982, Spring Cottage had a floor area of greater than 80m<sup>2</sup> and is therefore not a small dwelling. The term ‘post-dates’ appears to have been misunderstood, as this clearly refers to residential uses created since 1982 (i.e. dwellings created in the last 37 years). This is not applicable to Spring Cottage, which was clearly in residential use at the 1982 base date.

- 11.5 Whilst concerns raised in relation to the design and form of the proposed extension, the existing dwellings have not been specifically noted within the Conservation Area Character Appraisal for their vernacular interest and the various alterations and introduction of modern materials and UPVC additions have significantly compromised their character. The buildings have nevertheless retained their compact, narrow form and steeply pitched roof profile and it is considered that the extension now proposed would replicate these characteristics. The use of timber windows would also serve to restore a more traditional appearance. The slight drop in ridge and eaves line would, along with the set back from the front elevation, ensure a subservient form and the proposal would broadly be in line with the advice set out within the Design Guide Supplementary Planning Document. The combination of a two-storey element with a simple lean-to to the rear would mitigate the overall scale and impact of the proposed enlargement. Whilst the extension would clearly be visible from the road, it would appear subservient to the main house and it is therefore considered that the proposal would be appropriate to the character and appearance of the dwelling and would preserve the wider conservation area in accordance with Policies DP2, SP16, SP17 and DP36 of the New Forest National Park Local Plan
- 11.6 The additional concerns raised by neighbours in relation to Hale Park and the absence of a heritage statement are noted, but neither the application site, nor the adjoining semi-detached cottage, lie within the Hale Park Historic Park and Garden. Whilst this designation includes Garden Cottage opposite, it does not include any of the properties to the south of Queen Street. That being the case, there is no requirement to either submit a Heritage Statement with the application (the property is not listed,



nor has it been identified as of local historic importance) or consult with Historic England. Historic England have nevertheless been consulted and have confirmed that they have no wish to comment. Similarly, no objections have been raised by the Building Design and Conservation Officer.

- 11.7 The proposed extension would not be readily visible from the rear garden of the neighbouring property because it would largely be obscured by the existing two storey rear extension. The proposal would therefore not lead to a harmful loss of amenity in terms of overlooking, loss of light or visual intrusion and the proposal would be in accordance with Policy DP2 of the New Forest National Park Local Plan.
- 11.8 Whilst concerns have been raised over the proximity to the designated New Forest Site of Special Scientific Interest (SSSI), there would be a distance of approximately 18 metres between the flank wall of the extension and this designation. Furthermore, the existing garage and driveway lie between the site of the development and the designated SSSI. The proposal would not impact upon any interest features of the designated site and it would be well distanced from the site boundary. The verges and site access along the north (roadside) boundary fall wholly outside the designated site and any implications arising from construction (vehicle movements etc) could therefore be mitigated. Natural England are satisfied that the proposal would not have a harmful impact upon the designated site subject to appropriate mitigation to ensure equipment, materials and machinery would be stored within the residential curtilage for the duration of the development. The proposals would therefore be in accordance with Policy SP5 of the adopted Local Plan.
- 11.9 In conclusion, the submission of amended plans has ensured the proposal would fall within the floorspace limitations set out under Policy DP11. The reduced size of the extension has also achieved a greater degree of subservience and, in the absence of any demonstrable harm to the character and appearance of the conservation area or the amenities of neighbours, it is recommended that planning permission should be granted subject to conditions removing the right to carry out further extensions under permitted development.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

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

The carrying-out of any further extension or enlargement to the dwelling otherwise permitted under Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order subsequently revoking or re-enacting that Order; whichever is the sooner.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure the dwelling remains of an appropriate size in accordance with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, C or D of Part 1 of Schedule 2 to the Order, shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 The external facing brickwork to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 No development shall take place above slab level until samples or exact details of the roofing materials for the two storey extension have been submitted to and approved in writing by the New Forest National Park Authority. The roof tiles to the extension should be handmade clay tiles.

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

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

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

b) Rainwater goods. (which should be cast iron / extruded aluminium with gutters of a traditional form).

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

Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 The external facing roofing tiles to be used on the approved dormer on the existing roof slope shall match those used on the existing dwelling, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

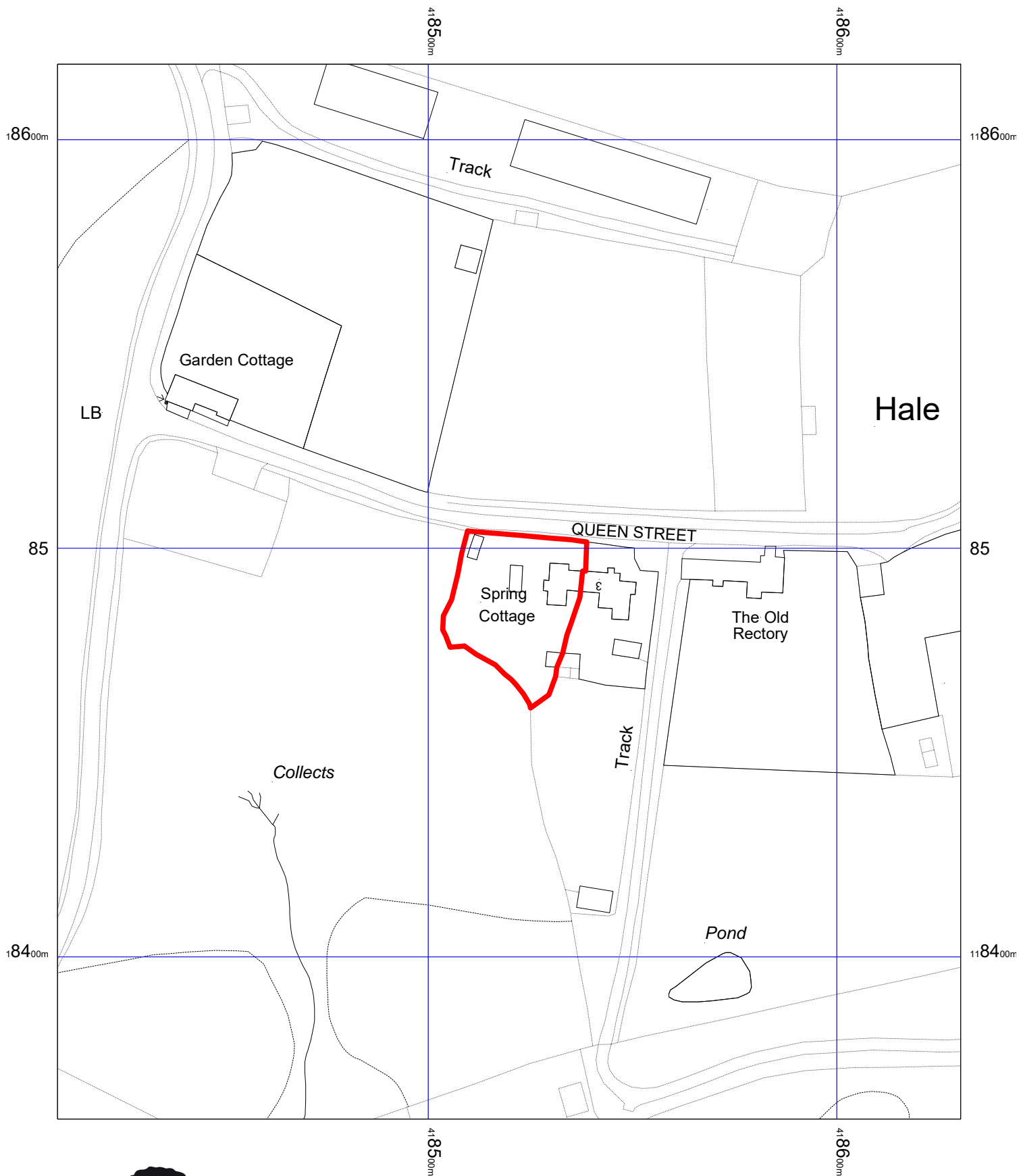
- 8 Development shall only be carried out in accordance with drawing nos: 1, 2A and MBN DB /2A. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

#### **Informative(s):**

- 1 Please be advised that in the interests avoiding any harmful impact upon the designated New Forest SSSI work shall be carried out in such a way as to give rise to as little damage as possible to the adjacent verges. This would include restricting vehicle movements to a minimum.

All contractors working on site shall be made aware of the designation afforded to the New Forest and should ideally be provided with a map that clearly shows the site boundary in relation to the designated site.



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

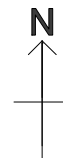
Tel: 01590 646600 Fax: 01590 646666

Date: 03/10/2019

**Ref: 19/00552**

**Scale: 1:1250**

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**Application No: 19/00556/FULL Full Application**

**Site:** Torhaven, Pauls Lane, Sway, Lymington, SO41 6BR

**Proposal:** Outbuilding

**Applicant:** Mr J Haynes

**Case Officer:** Claire Woolf

**Parish:** SWAY

**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  
DP18 Design principles  
DP37 Outbuildings  
SP17 Local distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
Sway Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Sway Parish Council: Recommend REFUSAL for the reasons listed below:

- The specified materials are not in line with the Sway Village Design Statement

- Large building which seems excessive for a home office
- The proposed usage is not clear – references to wood working and the sale of wood off cuts indicates the possible inclusion of machinery which could create noise and other nuisance
- Rooflights are not in-keeping with the dark skies policy of the NFNPA

## **8. CONSULTEEES**

No consultations required

## **9. REPRESENTATIONS**

- 9.1 Three representations received objecting on the following grounds:
- size (height and massing) of the outbuilding
  - its use as a business premises
  - noise and light pollution
- 9.2 Correspondence from the applicant stating that outbuilding would not be used for business premises.

## **10. RELEVANT HISTORY**

- 10.1 Rear extension and roof alterations (08/92604) grant permission on 2 February 008

## **11. ASSESSMENT**

- 11.1 The detached bungalow of Torhaven is a small dwelling situated within semi-rural residential surroundings and has a rear conservatory. The plot itself extends southwards and is of a narrow, rectangular shape and lies upon fairly flat ground. The site is directly adjoined by three residential properties and faces fields to the north. Much of Pauls Lane is lined by trees and hedgerows, and the surrounding properties are of varied styles and ages, but the majority are fairly modest in terms of footprint. The property has several outbuildings that have already been built via permitted development totalling approximately 38 square metres.
- 11.2 Permission is sought for a large outbuilding at the far end of the garden measuring approximately 60 square metres for the use as an office and store. The dimensions measure approximately 4 metres in height, 10.2 metres long and 6.6 metres wide. The materials to be used are box profile steel with Douglas fir feather edge cladding on the front elevation.
- 11.3 The main considerations are:
- whether the proposed outbuilding would comply with Policy

#### DP37

- whether the proposed building would be of appropriate design
- whether there would be any significant negative impact on neighbour amenity

- 11.4 Policy DP37 of the Local Plan permits domestic outbuildings where they are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing.
- 11.5 The proposed outbuilding would be relatively large in scale compared to the house but given its location at the rear end of the garden it is not considered that it would dominate the house, and would also be comparable in scale to other outbuildings in adjacent gardens. The outbuilding would lie within the residential curtilage of the existing dwelling. Notwithstanding the comments of the Parish Council, the agricultural style of the outbuilding is considered to be appropriate to the rural location as it would be located towards the very rear of the garden, and timber cladding is proposed on one elevation. It would also be considered to be incidental to the main dwelling. The private amenity space around the dwelling would not be unacceptably reduced, nor would parking around the dwelling be reduced to an unacceptable level. the inclusion of three rooflights is not considered to significantly increase light pollution in the area, especially as these would face into the garden.
- 11.6 Neighbour amenity would not be likely to be significantly harmed despite there being several objections to the scale, use and noise pollution. Subsequent correspondence with the applicant refutes a commercial use for the outbuilding, and this would also be conditioned.
- 11.7 It is considered that the proposed outbuilding is compliant with policies DP2, DP18, SP17 and DP37 of the Local Plan, and therefore permission is recommended subject to conditions.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

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

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

- 2 Development shall only be carried out in accordance with drawing

nos: 1, 2, 1821-1.

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

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3      The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms, nor any commercial or business purposes.

Reason: To protect the character and appearance of the countryside and the amenities of adjoining occupiers in accordance with Policies DP2, DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4      The external facing materials to be used in the development shall be as stated on the application form hereby approved, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the New Forest National Park Local Plan (2016 - 2036) (adopted August 2019).

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

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).





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

Tel: 01590 646600 Fax: 01590 646666

Date: 03/10/2019

**Ref: 19/00556**

**Scale: 1:1250**

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**Application No: 19/00609/FULL Full Application**

**Site:** Camerons Cottage, Franchise Cottage, Telegraph, Redlynch, Salisbury, SP5 2PX

**Proposal:** Change of use and single storey extension to existing dwelling to create outdoor study centre; porch; solar panels; alterations to fenestration; single storey study centre; sewage treatment plant

**Applicant:** Ms C Elcoate, The RSPB

**Case Officer:** Clare Ings

**Parish:** LANDFORD

**1. REASON FOR COMMITTEE CONSIDERATION**

The Authority has an interest in the site.

**2. DEVELOPMENT PLAN DESIGNATION**

Site of Special Scientific Interest

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP6 The natural environment

SP16 The historic and built environment

SP17 Local distinctiveness

SP42 Business and employment development

SP48 The land-based economy

DP2 General development principles

DP18 Design principles

DP45 Extensions to non-residential buildings and uses

DP49 Re-use of buildings outside the Defined Villages

SP7 Landscape character

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Landford Village Design Statement

**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**

Redlynch Parish Council: Very supportive of the proposal. Comment:

- It will provide a residential outdoor educational facility for your people allowing them to directly experience the natural world
- It will give them appreciation of the countryside and the importance of maintaining and respecting it for future generations
- Proposed works are appropriate and sympathetic in terms of scale, appearance, form, siting and layout, and will not adversely affect the local distinctiveness
- Compliant with relevant policies

Landford Parish Council: Recommend permission, but would accept the decision reached by the NPNFA.

Comment: A very interesting proposal with all issues well researched and analysed

## **8. CONSULTEEES**

- 8.1 Rights of Way (WC): No comments received
- 8.2 Ecologist: Verbal update to be provided
- 8.3 Tree Officer: No objection, subject to conditions
- 8.4 Natural England: Further information is required to determine impact on designated sites, in particular with respect to nitrate neutrality
- 8.5 Planning Policy Officer: Provides an opportunity to promote greater understanding of the special qualities of the New Forest. No objection subject to conditions requiring appropriate contributions towards mitigation measures.
- 8.6 Landscape Officer: No objection, subject to conditions
- 8.7 Wiltshire Council- Dev Control: No comments received.

## **9. REPRESENTATIONS**

- 9.1 28 representations received in support of the proposal. Comments:
  - Valuable addition to the work of the RSPC / Cameron Bepolka Trust
  - Wonderful facility for young people to experience nature first hand
  - Inspirational and exciting project
  - Opportunity to work and learn
- 9.2 Friends of the New Forest support the proposal. Comment:

- Meets second purpose for "education and information to increase understanding and appreciation of the Forest's special qualities"

## **10. RELEVANT HISTORY**

10.1 None relevant.

## **11. ASSESSMENT**

11.1 The site lies within a large area of mixed woodland, known as Franchises Wood to the east of the B3078 (Cadnam to Fordingbridge road). It is accessed via a long unmade single-width undulating track and comprises a fairly substantial brick cottage under a slate roof (currently vacant), a small brick outhouse and timber shed. The cottage lies on a level plateau in a clearing within the wood, and the ground then slopes quite steeply down to the north and east. There is an area of gravel hardstanding (circling a Pine tree). The entrance to the site is from the B3078, where there are two dwellings.

11.2 The proposal is to extend the cottage with single storey rear and side extensions, and then to use the extended building for residential accommodation for up to 18 students and 2/3 leaders, together with dining and kitchen facilities. In addition, a separate new single storey building for a study centre is proposed. The study centre would be capable of operating independently. Both the extension and the new building would be faced with Douglas Fir board cladding under a metal (graphite) roof. Photovoltaic panels are also proposed

11.3 The site would be run as a joint facility between the Cameron Bepolka Trust and the RSBP as an outdoor educational enterprise to allow access to 1000 acres of woodland to provide outdoor experiences for young people.

11.4 The key considerations are whether the proposal would:

- Meet the purposes of the National Park
- Comply with relevant policies of the Local Plan
- Be appropriate in terms of scale and design
- Not have any significant impacts on trees or ecology in the area

Given the remote location of the site, there would not be any direct impact on the amenities of other residential development in the area, although there is likely to be some increase in the use of the track adjacent to Little Orchard, one of the dwellings at the entrance to the site, but it is not considered that this activity would adversely harm the amenities of this dwelling.

### National Park purposes

- 11.5 As with all National Parks, the New Forest has two purposes which are set out in primary legislation, and these are:
- to conserve and enhance the natural beauty, wildlife and cultural heritage of the New Forest; and
  - to promote opportunities for the understanding and enjoyment of the special qualities of the New Forest by the public

Where there is conflict which cannot be reconciled, then the first purpose should take precedence.

- 11.6 It is considered that the re-use of the existing cottage as an outdoor study centre (to be run by a national conservation charity) could promote the understanding and enjoyment of the New Forest's special qualities, and in principle, the proposal would comply with this purpose. However, the site lies immediately adjacent to the New Forest SSSI, SAC and within 400m of the SPA, and consequently the proposal outlined above relating to the property could have a potential impact on the adjacent designated sites through the increased presence of people at the site.

- 11.7 The activities associated with the facility would be encouraged to take place on the non-designated land, to avoid direct harm to the designated sites, but it is not considered that this would always be possible. Potential impacts cannot therefore be ruled out, but with conditions which would clearly restrict the use of the development to what is being proposed, i.e. a study centre with limited accommodation, so that any alternative use would require planning permission, together with a limit on the number of occupants and users of the study centre at any one time, it is considered that the likely level of harm could be reduced, and in this particular instance, the development would be acceptable. Unrestricted use of the site is likely to be considered contrary to the first purpose.

### Compliance with policies

- 11.8 The Local Plan supports development which provides opportunities for the understanding and enjoyment of the National Park's special qualities - one of the Strategic Objectives. Policy SP46 supports small-scale proposals which provide for the understanding and enjoyment of the special qualities within the defined villages, or outside of these villages, through the re-use or extension of existing buildings. Policy DP49 further supports this type of activity for the re-use of buildings outside the defined villages, but usually not for residential use. The re-use and extension to the existing cottage as an outdoor study centre (albeit that the study centre element would be contained within an additional building within the same site) could therefore be considered contrary to this policy, but in this case, as the site would be based within a 1000 acre reserve, and would promote

the understanding and enjoyment of New Forest, the development would be considered acceptable as a unique opportunity to manage the woodland and allow a greater understanding of the area. It would, however, be subject to controls in relation to the use of the site and a restriction on visitor numbers.

#### Appropriateness of the development

- 11.9 The existing cottage on the site is considered to be a non-designated heritage asset and therefore the proposal to retain the cottage is welcomed, and would also be in line with the advice contained within the National Planning Policy Framework (NPPF) in Section 16.
- 11.10 In design terms, the single storey extension to the cottage in contrasting materials (which would also be traditional in the wider area) would be acceptable, being relatively low-key and allowing the existing non-designated heritage asset still to be read. The scale of the extended cottage would be marginally in excess of the 30% allowed for extensions to residential dwellings (approximately 32%), but for the proposed use this is considered acceptable. No additional first floor accommodation is proposed, and the single storey extension would respect the existing dwelling.
- 11.11 The study centre would also be modest in scale providing approximately 56m<sup>2</sup> of covered floorspace, with only around 20m<sup>2</sup> forming a separate room; the remainder being open sided. It would also be single storey and of materials similar to those for the extension, thus offering some harmony across the site. However, given the location of the centre, it would have very limited impact outside the site.
- 11.12 The development is keen to rely on the use of renewable energy, and proposes both photovoltaic panels on the cottage and the study centre, and also a biomass installation, making use of the existing outbuildings. Exact details of the renewable energy elements, especially the panels, are required and these would be conditioned to ensure that they would be appropriate in design to the appearance of the non-designated heritage asset (the cottage).
- 11.13 The Landscape Officer has sought some clarification on some aspects, to ensure that the external elements (footpaths, surfaces and lighting) are kept as natural as possible, due to the woodland setting. For example, timber edging would be used for the new pathways within the curtilage, but all existing areas of gravel surfacing would not be affected. The layout of the paths would respect the need for the gradients to be acceptable for all users, and thus their appearance does tend to be more formal. However, this formality has been kept to a minimum between the existing cottage and study centre building only. External lighting

should be kept to a minimum, and further information is sought on this aspect through the imposition of a condition.

#### Impact on trees

- 11.14 The Authority's Tree Officer has no objection to the proposal. The tree protection measures proposed within the submitted arboricultural information are considered to be suitable to protect the most significant trees on the site. Those trees marked for removal are justified as part of either safety management or because they are non-native species where no objection is raised. Other trees were noted to have failed and further safety work is likely, but this should form part of a woodland management plan or a felling licence, and advice should be sought from the Forestry Commission.

#### Impact on ecology

- 11.15 The proposed development would not directly affect the designated sites, but it does lie in very close proximity to them. As stated above, there is reference within the submitted ecological survey that the activities associated with the facility would be encouraged to take place on non-designated land, but it is not considered that this would always be possible, and that potential impacts cannot therefore be ruled out. That being the case, a financial contribution towards mitigation measures would be justified based on the likely occupancy rates of the centre over and above what might be expected from its occupation as a conventional dwelling, and this would be sought by condition (with the agreement of the applicant).
- 11.16 To the west of the site, the woodland is classified on the Ancient Woodland inventory. However, it not considered that the development would adversely harm this area - there are no objections from the Tree officer on this aspect.
- 11.17 Bats, including a rare Greater Horseshoe bat, have been using the cottage as a feeding, night and day roost, and consideration, under the Habitats Regulations, has to be given as to whether the proposed development would adversely harm (or destroy) the roost. Local authorities should consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of Regulation 9(5) of the Conservation of Habitats and Species Regulations (2017) which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions. The tests include compliance with the development plan, whether alternatives have been considered (including doing nothing), and whether the maintenance and favourable conservation status of the species would be ensured. The submitted Assessment of Ecological Impact includes details of mitigation and enhancement measures (to be carried out under

an ESP licence) to ensure that the roost would not be harmed, and Members will be updated on the suitability of these measures. A condition that works should be carried out in accordance with the information is therefore recommended.

- 11.18 Natural England have recently advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's recent advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application and a condition is included to address the issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) are met.

### Conclusion

- 11.19 In conclusion, it is considered that this is an exceptional project which would provide a unique opportunity to promote greater understanding of the special qualities of the New Forest National Park without adversely harming those qualities which make it special. The scale, design and layout of the development would be acceptable and would not directly harm the adjacent designated areas. Mitigation measures can be secured through contributions (by condition). Permission is therefore recommended subject to stringent conditions restricting the use and numbers of visitors.

I

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

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

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

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

Drawing Nos: CC EX 00 Rev P1, CC 01 Rev P1, CC 06 Rev P2, CC H 10 Rev P1, CC H 11 Rev P1, CC H 12 Rev P1, CC H 20 Rev P1, CC H 21 Rev P1, CC S 10 Rev P1, CC S 20 Rev P1, CC S 21 Rev P1.

No alterations to the approved development shall be made unless



otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Arboricultural Method Statement dated 19 June 2019 ref: 011/AS/FRA and the Tree and Site Protection Plan dated 16.07.19 ref: CC06 together with the recommendations as set out in BS5837:2012.

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).

- 5 No development, demolition or site clearance shall take place until a woodland management plan and, where appropriate, a felling licence, have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be carried-out in full prior to any 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).

- 6 The development hereby permitted shall not be occupied until:
- a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which

demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

The development shall be carried out in accordance with and subject to the above details.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy DP8 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 Prior to the commencement of development ecological mitigation for the New Forest Special Protection Areas, Special Areas of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's adopted Development Standards (SPD).

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), Development Standards SPD.

- 8 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

(a) the existing trees 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) an external lighting plan; and
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 10 The development hereby permitted shall not be occupied until the arrangements for parking and turning within the site boundary have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

- 11 The proposed use of the site shall be as described on the application form as an outdoor study centre (sui generis) and for no other purpose whatsoever. Overnight occupation of Camerons Cottage shall be restricted to no more than 18 people at any one time unless otherwise agreed in writing with the National Park Authority.

Reason: The proposed use has been considered acceptable in meeting the purposes of National Parks, and to prevent any unsuitable increase in activity at the site, in accordance with Strategic Objective No 8 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 12 Unless otherwise agreed in writing by the National Park Authority,

development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report (Ecological Impact Assessment (EclA)) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

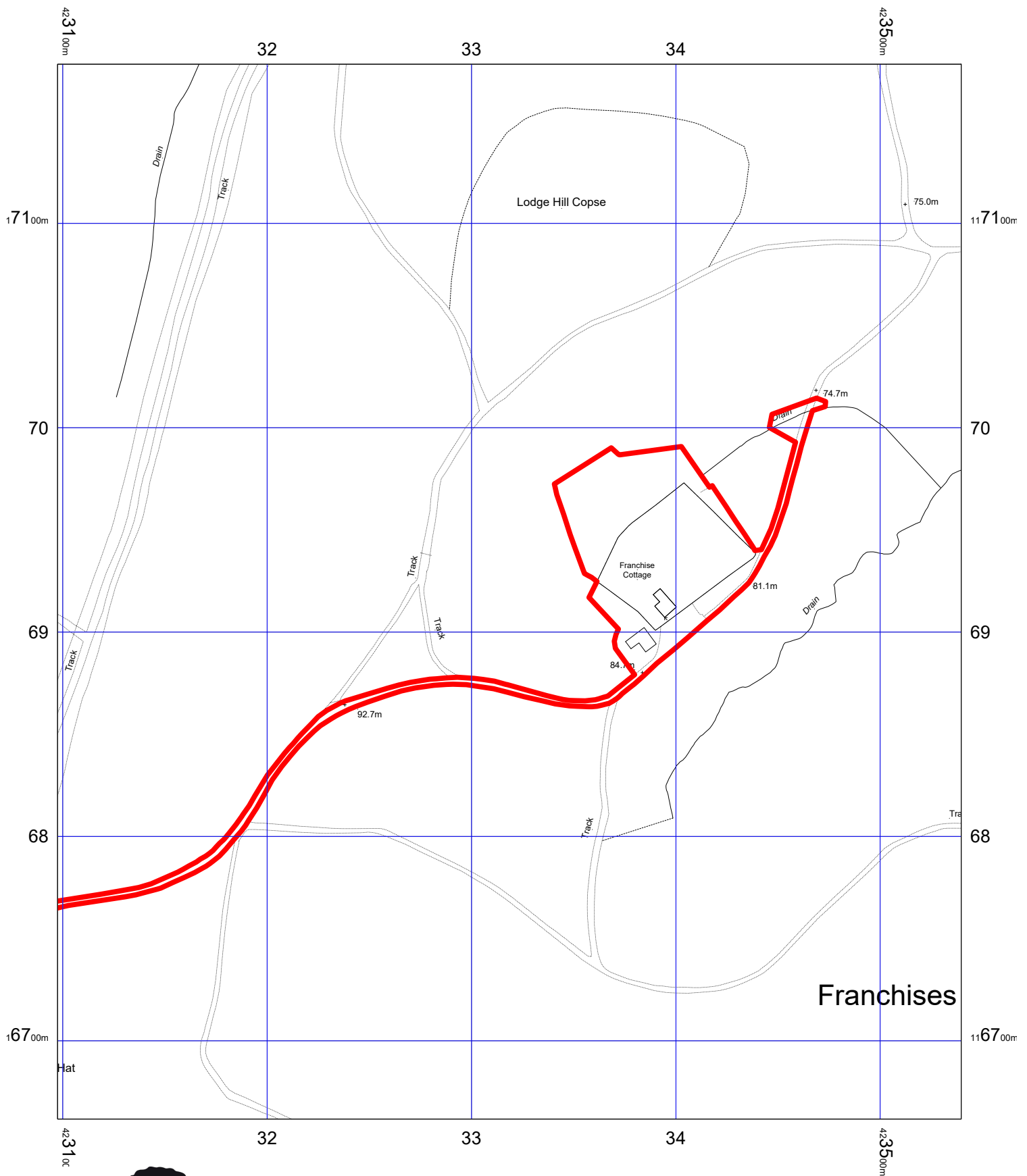
- 13 No development shall take place above slab level until samples or exact details of the photovoltaic panels and other renewable, including the biomass installation, have been submitted to and approved in writing by the New Forest National Park Authority.

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

Reason: To ensure an acceptable appearance of the building in accordance with Policies DP2 and SP14 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 14 Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the National Park Authority.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), Development Standards SPD.



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

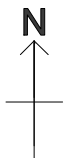
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Date: 03/10/2019

**Ref: 19/00609**

**Scale: 1:2500**

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**Application No: 19/00612/FULL Full Application**

**Site:** Land Adjacent To Lantilla, Elmfield Lane, Calshot, SO45 1BJ

**Proposal:** Dwelling; Outbuilding; access alterations

**Applicant:** Mr S Pink

**Case Officer:** Katie McIntyre

**Parish:** FAWLEY

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP21 The size of new dwellings  
 SP5 Nature conservation sites of international importance  
 SP6 The natural environment  
 SP7 Landscape character  
 DP2 General development principles  
 DP18 Design principles  
 SP17 Local distinctiveness  
 SP4 Spatial strategy  
 SP19 New residential development in the National Park

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Fawley Parish Council: Recommend permission. Comment: Access to be maintained to properties on Elmfield Lane and concerns regarding the retaining wall are addressed.

## **8. CONSULTEEES**

- 8.1 Highway Authority (HCC): Standing advice applies.
- 8.2 HCC Access Development Officer (Planning): No objections subject to conditions
- 8.3 Tree Officer: No objections subject to conditions

## **9. REPRESENTATIONS**

- 9.1 One representation of comment:
  - Concerns with regards to subsidence.

## **10. RELEVANT HISTORY**

- 10.1 Dwelling; outbuilding; access alterations (19/00260) withdrawn on 02 July 2019
- 10.2 Bungalow (79/114527) appeal dismissed on 24 October 1979

## **11. ASSESSMENT**

- 11.1 The application site is a parcel of land sited to the rear of two properties, Ower Batch and Cameo Cottage. The site is located outside of the defined New Forest villages and is accessed via a single width unmade track which is also a public right of way and serves several other properties. This application seeks consent for a new dwelling, access alterations and an outbuilding. A previous application was withdrawn earlier this year for an identical proposal.
- 11.2 The relevant considerations are:
  - Whether the proposal would comply with Local Plan policies for new residential development;
  - The impact upon the character and appearance of the locality;
  - The potential impact upon neighbouring properties' amenities;
  - Highway safety; and
  - Ecology considerations.
- 11.3 The site lies outside of the defined New Forest villages. Policies SP4 and SP19 are clear in that they seek to ensure that any new residential development would be restricted to these four defined villages. The proposal would therefore result in a new residential unit outside of the defined village boundaries in direct conflict with the requirement of Policies SP4 and SP19, and the National Planning Policy Framework. The proposal would fail to maintain the character of the area, particularly when having regard to the

fact it would set a highly undesirable precedent for similar developments which would cumulatively erode the special rural qualities of the New Forest National Park. The Local Plan seeks to ensure that all new development which would individually or cumulatively erode the Park's local character or result in a gradual suburbanisation effect within the National Park will not be permitted.

- 11.4 In addition, the proposed development does not comprise affordable housing and no justification has been included with the submission demonstrating an essential need for a rural worker to live permanently on-site. It would not therefore be appropriate in this instance to warrant a departure from the strict presumption against new residential uses in the open countryside of the New Forest National Park.
- 11.5 The applicant has asked the Authority to have regard to the fact that there were previously two dwellings at the site: Haytor and The Nest, and these were demolished 25 and 35 years ago. No detailed assessment has been submitted from the applicant or planning agent as to why this would form a material planning consideration which would warrant a departure from the development plan or how this previous use has not since been abandoned. Notwithstanding this, it is quite clear in that the residential use of the site ceased a considerable time ago when the property was demolished.
- 11.6 The proposal would also fail to comply with Local Plan Policy SP21 which seeks to ensure that the housing stock of the New Forest as a whole is balanced, and as such new dwellings shall not have an internal habitable floor area exceeding 100m<sup>2</sup>. The proposed dwelling would be directly contrary to this policy having an internal floorspace of circa 111m<sup>2</sup>.
- 11.7 With regards to the overall design of the dwelling and garage proposed, this would be similar to a recent proposal granted for a replacement dwelling at a nearby site called Windwards and is considered to be acceptable. The relationship with the neighbouring properties is also such that it is not considered there would be undue loss of light or outlook. There are, however, concerns with regards to the perception of overlooking to the main rear amenity space of Ower Batch from the first floor rear dormer window. It is understood that this window could be conditioned to be obscurely glazed and fixed shut, however this would not overcome the increase in the perception of overlooking. Due to the distance to the rear boundary with this dwelling (of approximately 4.5m) and the proposed rear window, it is considered that the proposal would result in an unacceptable perception of overlooking to the detriment of the amenities of Ower Batch.
- 11.8 Policy SP5 seeks to ensure that all development complies with



the Conservation of Habitats and Species Regulations 2017 (as amended). The application fails to demonstrate that adequate measures would be put in place to avoid or mitigate against the potential harmful impacts upon the ecological integrity of the New Forest SPA and Solent SPA. Without such supporting information, it has not been demonstrated that any additional impact associated with increased recreational pressures arising from the proposal would be mitigated against. The proposed development would therefore be contrary to the requirements of Local Plan policy SP5.

- 11.9 Furthermore, following recent case law, there is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication in the Solent's Europeans Sites. As such, there is considered to be a likely significant effect from development providing overnight accommodation located within the New Forest National Park. The application is silent on this matter and does not include the submission of a Nitrate Mitigation Checklist. Adverse impacts upon the ecological integrity of the Solent SPA cannot therefore be ruled out contrary to Policy SP5 and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 11.10 Access to the proposed dwelling would be from Elmfield Lane, which also forms a public right of way. The proposal would comply with the Highway Authority standing advice for an additional dwelling.
- 11.11 There are no important amenity trees at the site, however should the proposal be granted, vegetation management would be required to enable new planting as part of the development. The Authority's Tree Officer therefore has no objections to the proposal subject to a scheme of landscaping being submitted for approval.
- 11.12 To conclude, the proposal is contrary to the spatial strategy set out in the recently adopted Local Plan and would set a highly undesirable precedent for similar developments which would cumulatively erode the special rural qualities of the New Forest National Park. It is therefore recommended that the proposal is refused.

## **12. RECOMMENDATION**

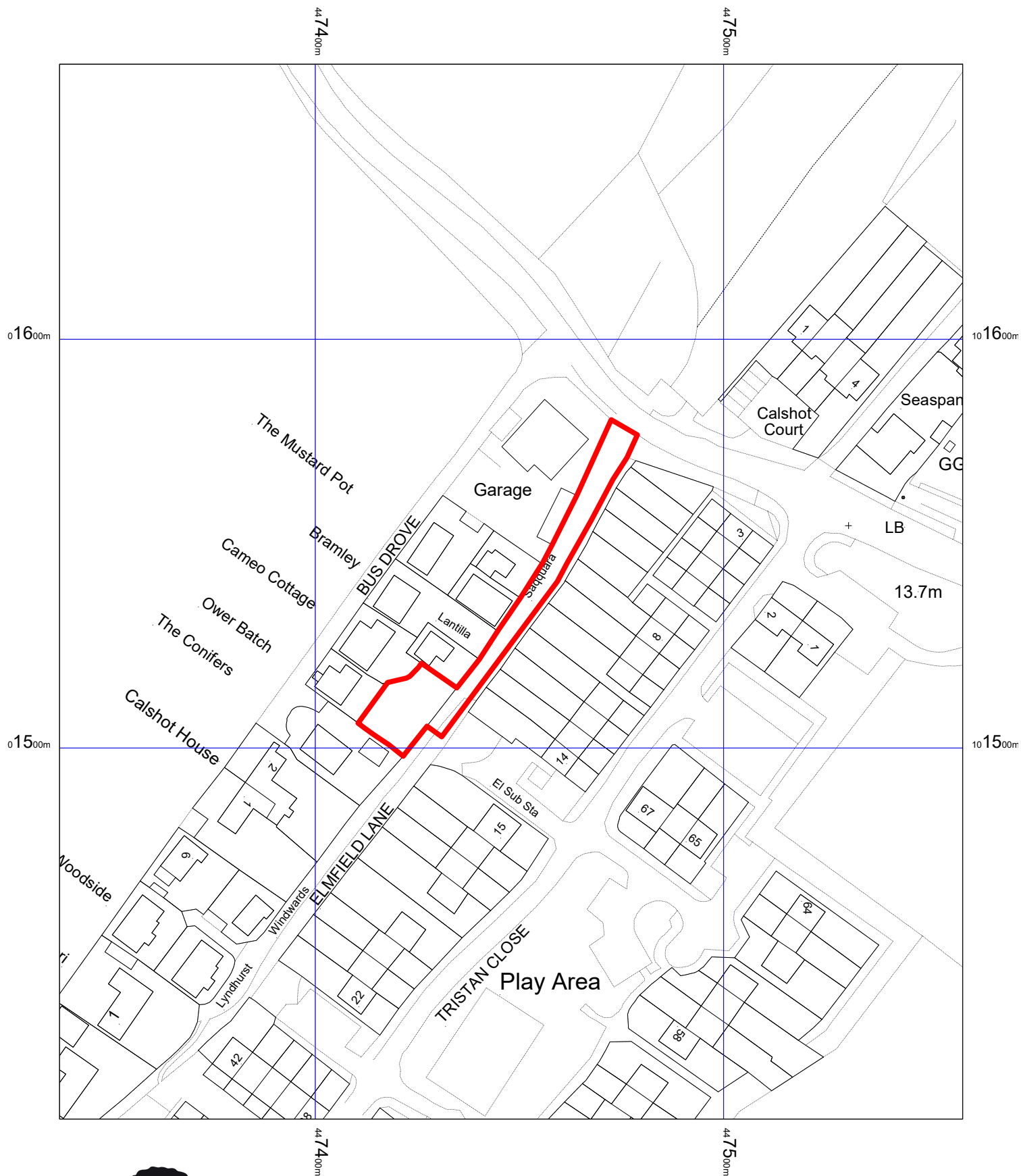
Refuse

### **Reason(s)**

- 1 The proposal would result in the creation of a new dwelling in the open countryside of the National Park which would be directly contrary to Policies SP4, SP19, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019)

and the National Planning Policy Framework.

- 2 To ensure the dwelling stock of the New Forest as a whole is balanced, the New Forest National Park Authority considers it important to restrict the size of new dwellings in order to address the housing need of the National Park. Consequently policy SP21 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) seeks to limit the size of new dwellings to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large and would undesirably add to pressures for change which are damaging to the future of the countryside.
- 3 The proposed dwelling, by reason of the rear dormer window, would result in the perception of overlooking to the neighbouring property Ower Batch, to the detriment of the amenities of the occupants of this property. The proposal is therefore contrary to policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the National Planning Policy Framework.
- 4 No information has been submitted to demonstrate that adequate measures would be put in place to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest SPA and Solent SPA through increased recreational pressures and increased levels of nitrogen in the water environment. Therefore there would be insufficient information to assess the potential impact upon the SPAs and the proposal would therefore be contrary to the requirements of Policy SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 and the National Planning Policy Framework.



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Date: 03/10/2019

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