Planning Committee - 17 September 2019

Report Item

1

Application No: 19/00357/FULL Full Application

Site: Mill Lane Farm, Mill Lane, Minstead, Lyndhurst, SO43 7FP

Proposal: Change of Use of existing stables to 1no. self contained holiday let;

agricultural barn (Demolition of existing stables)

Applicant: Mr M Hanslip

Case Officer: Clare Ings

Parish: MINSTEAD

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP46 Sustainable tourism development

SP48 The land-based economy

SP6 The natural environment

DP2 General development principles

DP18 Design principles

DP49 Re-use of buildings outside the Defined Villages

DP50 Agricultural and forestry buildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 6 - Building a strong, competitive economy

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

Minstead Parish Council: Objection. Comment:

- Farm diversification is not proven and it appears to result in a separate 4-bedroom house that is difficult to see is compatible with tourism.
- Maintain objection despite some additional financial information having been submitted.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

- 10.1 Cattle shed (demolition of existing stables) (16/00878) granted on 12 December 2016
- 10.2 Replacement dwelling; replacement barns and stables; buildings to provide four holiday/residential units; use of land for seasonal storage of caravans (09/94121) granted on 20 August 2009
- Demolition of dwelling; barns, stables (application for conservation area consent) (09/93872) granted on 18 June 2009

11. ASSESSMENT

- 11.1 Mill Lane Farm lies at the end of Mill Lane about 1 mile to the south-east of Minstead. The wider site comprises a dwelling (replaced following consent in 2009), several agricultural barns and stables, four units of accommodation, agricultural fields and woodland. The barns, the subject of this application, are single storey stables lying well within the complex of farm buildings. The site lies within the Forest Central (South) Conservation Area, and close to the SSSI of the New Forest.
- 11.2 This proposal is in two parts:
 - The conversion of a stable block to a four bedroomed self-contained dwelling to be used for tourist accommodation the conversion would involve minimal external changes, other than replacing the roof with similar materials, and inserting modest openings; parking for two cars would be provided to the front of the unit, which would also be accessible for wider use.
 - The removal of a stable block and its replacement with a barn for cattle - this barn would measure 28m by 7m with a height of 5m at its highest) and be constructed of blockwork and timber under a corrugated fibre cement roof.
- 11.3 The key considerations are:
 - Its compliance with policy;

- Its design and appropriateness to the wider site, and also the character and appearance of the conservation area; and
- Any impacts on ecology.

Its location is such that neither element would adversely harm the private amenities of the nearest neighbours. It is also unlikely that the proposal would significantly increase traffic in the area.

Replacement barn

- 11.4 Policy DP50 of the Local Plan permits buildings required for agricultural purposes provided:
 - that there is a functional need for the building and its scale is commensurate with that need and setting in the landscape;
 - the building is designed for the purposes of agriculture;
 - the site is related physically and functionally to existing buildings associated with the business; and
 - they do not involve large or obstructive structure or generate a level of activity which would have a detrimental effect on the National Park.
- The supporting statement from the applicant refers to expanding the beef herd, having removed any indication of the past use as a livery yard, and the proposed barn is required in connection with that use. It would replace the existing stables and, although larger (196m² as oppose to approximately 138m²), it is considered acceptable in terms of scale and would be commensurate with the agricultural enterprise at the site. It would be located within the farmyard, with little impact on views from outside the site, and therefore would be closely related to other buildings associated with the use. Its design would be typical of many farm buildings, and also others on the site, and its height (at just under 5m) would also be appropriate without appearing obtrusive in the landscape.
- 11.6 It is therefore considered that the agricultural barn would be acceptable and would comply with Policy DP50 and also Policy SP48 (the land-based economy) which seeks to support land-based businesses that help maintain the overall character and identity of the National Park as a working landscape. In addition, it is considered that it would preserve the character and appearance of the conservation area.

Change of use to holiday let

11.7 Policies SP48 and SP46 (sustainable tourism development) are both relevant and would support the change of use to tourist accommodation where it is part of a farm diversification scheme. As can be seen from the history of the site, some farm diversification already takes place with the existing tourist accommodation. As has also been referred to, there is a proposal to expand the beef herd to a total of 30 cattle (by the end of 2020, and then further increase it to 70 cattle by the end of 2025), and

the evidence that there is this intention comes from the previous permission for a large cattle shed in 2016, and the other element of this current proposal.

- To support the issue of farm diversification, financial information has been submitted which sets out the costs of maintaining the beef herd (£15,500.00 per annum based on the current size of the herd which would only increase with the expansion of the herd) against the income generated from the sale of meat (ranging from £400-800 per heifer depending on weight), and it has been demonstrated that the income would not be sufficient to maintain the herd. Only a small percentage of the herd would be sold at any one time to maintain it. The capital cost of building the new barn and converting the stables would be borne by the applicant.
- 11.9 The continuing change from a livery use to agriculture is to be welcomed, and any additional income to support this enterprise should be supported. It is clear from the financial information submitted that the income from the additional tourist unit would be used to support the beef herd, and this it is therefore considered that the proposal would constitute farm diversification.
- In terms of the physical changes to the stable building, these are minimal, and the overall appearance of the building would therefore remain similar. The location of the stable block is very closely related to the barns within the farmyard, reducing the likelihood of the accommodation becoming separated from the wider farm, or a separate curtilage being created. A small area is shown for parking associated with the unit. In the wider context, the barn would still appear very much associated with the farm. Overall, the minimal changes are considered would preserve the character and appearance of the conservation area.
- 11.11 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.
- 11.12 In addition, as the proposal includes accommodation, and is for tourist use, it is likely to increase activity on the designated sites. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest

and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's Mitigation Strategy or mitigation to at least an equivalent effect. For this reason, a financial contribution towards SPA mitigation for the New Forest SPA is required, and this world also be secure by condition. In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement condition.

11.13 In conclusion, it is considered that the replacement barn would be acceptable as it would be required for agricultural purposes in compliance with Policies DP50 and SP48. The conversion to tourist accommodation is also acceptable and seen as being necessary to the continuing agricultural enterprise at the site, in compliance with Policies SP46 and SP48. Permission is therefore recommended, subject to conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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.

Development shall only be carried out in accordance with drawing nos: 1004-PL, 1005-PL, 3002-PL, 4002-PL, 17062-3003-PL. 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).

The external facing materials to be used in the development shall be as defined on the application form and on Drwg Nos: 17062-3003-PL, 4002-PL and 3002-PL, 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).

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 and the SRMP.

- 5 The change of use 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 DP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

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

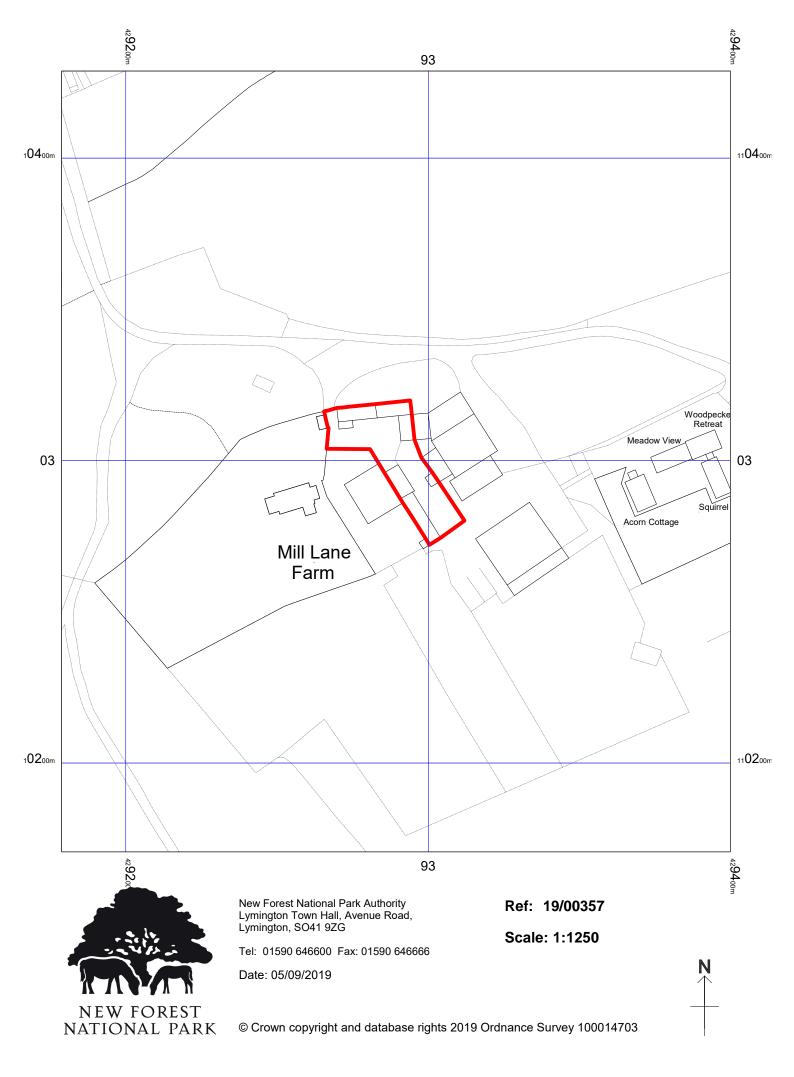
Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area contrary to Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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).

The building the subject of this permission shall only be used for agricultural purposes and for no other commercial, business or storage purposes whatsoever.

Reason: The building is only justified on the basis that it is necessary for agriculture and in accordance with Policy DP50 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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Report Item

2

Application No: 19/00434/FULL Full Application

Site: Ramsley, Southampton Road, Boldre, Lymington, SO41 8PT

Proposal: Detached outbuilding with office over

Applicant: Mr S Rose

Case Officer: Clare Ings

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP16 The historic and built environment

SP17 Local distinctiveness

DP2 General development principles

DP18 Design principles

DP37 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal. Comment:

- Objection to the vast scale of this proposed outbuilding, in particular the height of nearly 6m which would be excessive in this rural setting.
- Maintain objection following receipt of amended plan.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 None recent

11. ASSESSMENT

- 11.1 Ramsley is a detached dwelling lying to the west of the A337. It is set well back from the entrance, and the dwelling is approached via a gravel driveway. To the front of the dwelling is a grassed area. Immediately to the south and west of the site are paddocks, and there are other residential properties and a public house in the vicinity.
- The proposal is for the erection of an outbuilding to the front of the dwelling. The outbuilding, which is to be used as a four-bay garage with a garden office over accessed via an external staircase, would measure approximately 12.4m by 6m (78m²) with a height to ridge of 5.5m. The external facing materials would comprise timber cladding under a clay tile roof, and three rooflights (amended from the previous dormer windows) on the front elevation would provide natural light to the first floor.
- 11.3 The key consideration is:
 - The scale and design of the outbuilding and the implications for Policy DP37.

Given the position of the outbuilding on previously undeveloped garden land, it is unlikely that there would be any adverse impact on ecology in the area. In addition, the outbuilding would be sited away from any adjoining dwellings so as not to harm any private amenities.

- 11.4 Policy DP37 permits outbuildings where they:
 - a) are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing;
 - b) are located within the residential curtilage of an existing dwelling:
 - c) are required for purposes incidental to the use of the main dwelling:
 - d) are not providing additional habitable accommodation; and
 - e) will not reduce private amenity space including parking provision around the dwelling to an unacceptable level.

- 11.5 Whilst the proposed outbuilding would be large in scale, it would be considered acceptable in terms of scale and would be subservient to the main dwelling on the site. The materials (timber and clay tiles) and the replacement of the previously proposed dormer windows with rooflights, would ensure that the outbuilding would appear acceptable in design, and would not appear overly domestic in appearance.
- 11.6 The outbuilding would be located to the front of the dwelling, but still set back from the main A337 by some 12m. Although it would be glimpsed by passing traffic, it is not considered that the outbuilding would be unduly harmful in public views. The A337 is characterised by buildings which abut the roadside, and this outbuilding is therefore not considered to be out of keeping in the wider area.
- 11.7 Permission is therefore 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.

Development shall only be carried out in accordance with drawing nos: 6517 PL 01, 6517 PL 02 Rev A and 6517 PL 05. 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).

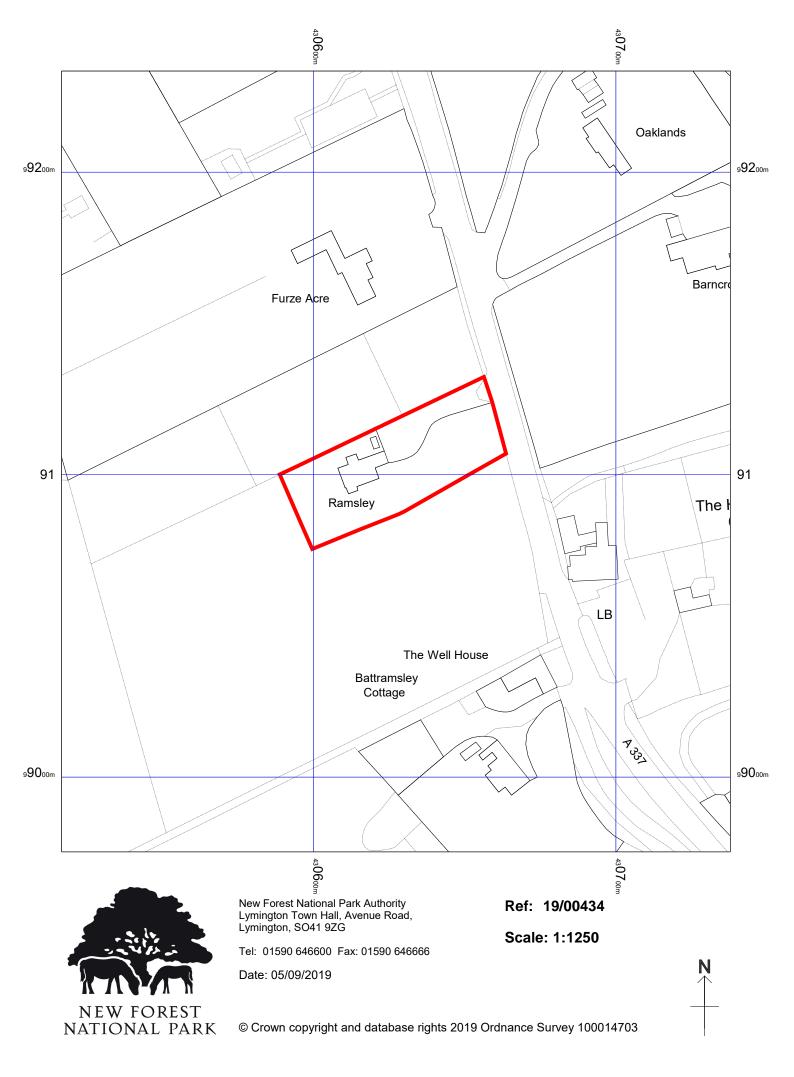
The external facing materials to be used in the development shall be as described in the application form, unless otherwise agreed in writing by the New Forest National Park Authority.

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).

The building the subject of this permission shall only be used for

purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

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



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Report Item 3

Application No: 19/00499/FULL Full Application

Site: Jolly Sailor, Ashlett Road, Ashlett Creek, Fawley, Southampton,

SO45 1DT

Proposal: Single storey extension

Applicant: Mr Cox, Ashlett Pub Ltd

Case Officer: Katie McIntyre

Parish: FAWLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area Flood Zone

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP39 Local community facilities

DP2 General development principles

DP18 Design principles

SP6 The natural environment

SP16 The historic and built environment

SP17 Local distinctiveness

DP45 Extensions to non-residential buildings and uses

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

Sec 14 - Meeting the challenge of climate change, flooding and coastal

change

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Fawley Parish Council: Recommend permission subject to the extension remaining within the curtilage of the site.

Further comments received 13 August 2019:

The Parish Council would like the application to be referred to the Planning Committee.

8. CONSULTEES

8.1 Tree Officer: No objections subject to conditions

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

- 10.1 Single-storey extension (19/00334) withdrawn on 19 June 2019
- 10.2 Single-storey extension of cold store (97/62463) granted on 12 November 1997
- 10.3 Alterations and extension to public (79/13619) granted on 3 July 1979
- 10.4 Extension of lounge bar (NFR/14650) granted on 16 September 1965

11. ASSESSMENT

- 11.1 The application site is located within the Ashlett Creek Conservation Area outside of the defined New Forest Villages in Environment Agency Flood Zone 3. The property is a non-designated heritage asset and has been identified within the Conservation Area Character Appraisal as a building of local importance. It dates back to the late C18th and was originally a beer house, becoming a public house in the mid C19th. Although the building has been unsympathetically extended, its survival in this small group of buildings forming the hamlet of Ashlett Creek is important to the historic development and social history of the area. The building also fronts onto Ashlett Green which is an important open space within the conservation area, and it appears prominent within views from Ashlett Green. To the north east of the site is an area of car parking and the Grade II listed Ashlett Mill.
- 11.2 A previous application at the site was withdrawn as the ownership certificate submitted was incorrect. Concerns were also raised by Officers during the consultation period in relation to the size of the

addition proposed and the fact it appeared to be extending outside of the curtilage of the site. No changes have been made to the proposal and this application seeks consent for a single-storey extension.

- 11.3 The relevant considerations are:
 - The impact upon the historic character of the non-designated heritage asset and the contribution it makes to the Ashlett Creek Conservation Area:
 - Whether the proposal would comply with Policy DP45: Extensions to non-residential buildings and uses;
 - Flood risk: and
 - Any impacts upon trees.
- 11.4 As identified in the above paragraphs the application site is sited within a conservation area and has been identified as a building of local importance (non-designated heritage asset) which contributes positively to the character and appearance of the Conservation Area by way of its historic and architectural interest. Whilst the building has undergone some unfortunate unsympathetic alterations, the original scale and form of the building is still evident, and the essence of the building's traditional forest character remains evident. The building thus contributes positively to the architectural evolution of this hamlet and the New Forest.
- 11.5 Section 15 of the National Planning Policy Framework (NPPF) confirms that great weight should be given to conserving landscape and scenic beauty in National Parks as these have the highest status of protection. It is also the statutory duty of National Parks to conserve and enhance the natural beauty, wildlife and cultural heritage (our emphasis) of the National Park being the first statutory purpose as set out in the Environment Act 1995. The NPPF also states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area (paragraph 130). Furthermore, the guidance requires that when Local Planning Authorities are considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The NPPF states that significance can be harmed or lost through alteration or destruction of the heritage asset and as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraph 194). The Authority therefore has a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area. Where a proposal would result in either substantial harm or less than substantial harm, the NPPF advises that Authorities should refuse consent unless there are substantial public benefits which would outweigh the harm or loss.

- 11.6 The requirement for new development to demonstrate high quality design which enhances local character and distinctiveness and protects or enhances national and locally important features of the built environment, including local vernacular buildings, is echoed within policies DP2, DP18 and SP16 of the New Forest National Park Local Plan 2016 2036. Policy SP16 emphasises that proposals should protect, maintain or enhance features of the historic and built environment, including local vernacular buildings.
- 11.7 The proposed extension would be sited to the rear of the existing building attached to a single-storey timber outshot adjacent to the north eastern boundary of the site. The addition would have a footprint of circa 12m by 5m and a ridge height to match. It would also be clad in horizontal timber boarding to match. The proposed addition would protrude further to the rear than any of the other additions which have been added to be building over the years by approximately an additional 7m adding to the sprawl of the building. It is considered that by virtue of its size it would appear out of scale and disproportionate in relation to the original building detracting from the architectural and historic interest of this non-designated heritage asset and the positive contribution it makes to the visual amenities of the Ashlett Creek Conservation Area.
- 11.8 This concern is exacerbated by the fact it would appear from the site visit that the extension would be sited outside of the boundary of the site encroaching upon an area of grass adjacent to the adjoining car park. The existing mature boundary hedge, which contributes positively to the rural character of the hamlet, currently wraps around the timber addition in situ and extends along the north eastern boundary of the site. This would be removed as part of the proposal, as would existing trees on the area of landscaping adjacent to the adjoining car park. The physical boundary treatment at the site, together with the fact that this strip of land is not within the Applicant's ownership, leads the Authority to believe that this piece of land does not fall within the existing site boundary. Policy DP45: Extension to non-residential buildings and uses states that the limited extension of existing non-residential buildings and uses will be permitted where it would not materially increase the level of impact of the activity on the site and is contained within the existing site boundary. A limited extension will be considered as one which is capable of being achieved with minimal impact on the overall physical appearance and prominence of the building and/or site. The proposal is therefore considered to be contrary to Policy DP45. It would not be contained within the existing site boundary and would significantly increase the prominence of the site as viewed from the conservation area, eroding existing rural features and representing a suburbanisation of the site.
- 11.9 Policy SP39 supports the retention of existing community facilities such as public houses and will support the development of local

community facilities where the proposal is of clear and direct benefit to the local village or rural community. The Authority did make the applicant aware of the concerns regarding the proposal through correspondence with the planning agent in relation to the previously withdrawn application for an identical proposal. Officers made the applicant aware that the size of the addition should be reduced, and that further justification would be required with regards to extending beyond the existing site boundary in this sensitive area. No additional information has been submitted. There are not, thus, considered to be any overriding material considerations which would outweigh the harm identified in the above paragraphs.

- 11.10 The application site is located within Environment Agency Flood Zone 3. It is not a requirement to consult the Environment Agency in relation to 'minor development'. The application has been accompanied by a detailed Flood Risk Assessment which sets out a list of flood resistant design measures. It is not considered that the proposal would result in an increase in flood risk elsewhere in accordance with Section 14 of the NPPF.
- 11.11 To conclude, it is recommended permission is refused as the addition by virtue of its size would appear out of scale and disproportionate in relation to the original building and would result in the further sprawl of the building projecting significantly beyond the existing rear out shoots. This is further exacerbated by the removal of the existing boundary treatment and the physical extension of the site boundary increasing the prominence of the site and the erosion of existing rural features. The proposal would thus result in the suburbanisation of the site and would detract from the architectural and historic interest of this non-designated heritage asset and the contribution the building and the site makes to the visual amenities of the Ashlett Creek Conservation Area contrary to local and national planning policy.

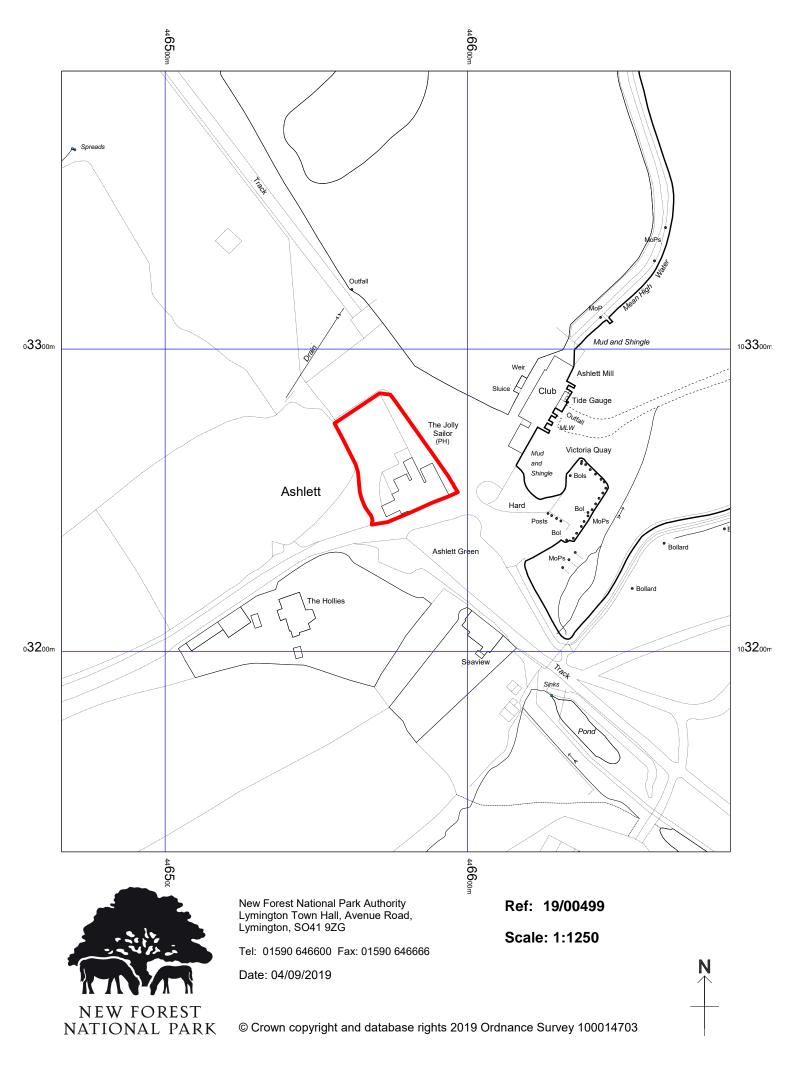
12. RECOMMENDATION

Refuse

Reason(s)

The proposed addition by virtue of its size would appear out of scale and disproportionate in relation to the original building and would result in the further sprawl of the building projecting significantly beyond the existing rear out shoots. This is further exacerbated by the removal of the existing boundary treatment and the physical extension of the site boundary increasing the prominence of the site and the erosion of existing rural features. The proposal would thus result in the suburbanisation of the site and would detract from the architectural and historic interest of this non-designated heritage asset and the contribution the

building and the site makes to the visual amenities of the Ashlett Creek Conservation Area. The proposal is therefore contrary to policies DP2, DP18, SP16, SP17 and DP45 of the New Forest National Park Local Plan 2016 - 2036 and the National Planning Policy Framework.



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Report Item 4

Application No: 19/00547/FULL Full Application

Site: 13 Chestnut Road, Brockenhurst, SO42 7RF

Proposal: New dwelling; creation of new vehicular and pedestrian access; 3No.

new parking spaces; 1.8 metre high close boarded fence; demolition

of existing oubuilding

Applicant: Mr Perry

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP34 Residential character of the Defined Villages

SP55 Access

SP17 Local distinctiveness

SP38 Infrastructure provision and developer contributions

SP19 New residential development in the National Park

SP5 Nature conservation sites of international importance

SP6 The natural environment

SP21 The size of new dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 5 - Delivering a sufficient supply of homes

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- Detrimental impact upon the street scene along Chestnut Road which is characterised mainly by bungalows.
- Too great a density of development contrary to Policy DP9.
- A recent similar development in Chestnut Road was refused.
- Neighbours have concerns over the impact upon the sewerage system and noise and disturbance from the cattle grid.
- Loss of hedgerow would have an urbanising impact.
- Most of the residents in the road have objected to the proposal.

8. CONSULTEES

- 8.1 Highway Authority (HCC): No objections based upon submitted amended plans.
- 8.2 Ecologist: No objections subject to conditions.

9. REPRESENTATIONS

- 9.1 13 representations received (one comment only and 12 objections):
 - Would set a precedent for similar forms of development taking place.
 - Inappropriate form of high-density development to the detriment of the character of the area.
 - Insufficient infrastructure (including drainage) to support this level of development.
 - The plot has been designed for one house.
 - Proposed cattle grid will cause noise nuisance to neighbouring properties.
 - Proposals would not be benefial to property values along Chestnut Road.
 - Inappropriate plot size.
 - Proposal would exacerbate parking problms in the locality.
 - Proposals could lead to remove existing hedgerows.
 - Proposal would not be in keeping with established building lines.
 - Rainwater goods and windows should be white rather than grey to ensure the proposal would be in keeping with neighbouring properties.

10. RELEVANT HISTORY

10.1 Addition of 1 bay window, porch, bedroom and bathroom and new garage (90/44033) approved on 8 February 1990

11. ASSESSMENT

- 11.1 This application relates to a modest, detached bungalow located within built up, residential surroundings within the defined village boundary of Brockenhurst. The property lies on flat ground on the corner of a residential cul-de-sac with an enclosed rear garden to the east. Both the east and south boundaries of the site are adjoined by detached bungalows. Buildings in the immediate locality are characterised by low roof lines and off-road parking with turning space to the front. The majority of the boundary of the application site is enclosed by an established evergreen hedgerow where it adjoins Chestnut Road.
- 11.2 Consent is now sought to erect a detached single storey dwelling and associated vehicular access within the rear garden area of the existing property, replacing the existing detached outbuilding that currently serves Number 13. The proposed dwelling would occupy an external footprint of just over 90 square metres. Off road parking for three cars is proposed to the front and a 1.8 metre high fence would be erected along the boundary between the new dwelling and the existing property. The majority of the road frontage would remain enclosed by hedgerow, however, a cattle grid is proposed on the main entrance and a dropped kerb would be installed.
- 11.3 Because the site lies within the defined settlement boundary of Brockenhurst, the general principle of introducing new residential development is acceptable under Policy SP19 of the New Forest National Park Local Plan. The main issues to assess would therefore be:
 - The impact upon the prevailing character and street scene of the locality;
 - Any potential implications for the amenities of the occupants of neighbouring properties;
 - The impact the development would have upon the safety and convenience of users of the adjoining highway; and
 - The impact the development would have upon the ecology of the New Forest National Park (having regard to designated sites and protected species).
- 11.4 Policy DP34 of the New Forest National Park Local Plan 2016-2036 (August 2019) seeks to ensure new development respects the development densities and built heritage of defined villages and would be informed by the character of the local area. The policy also recognises that the need to make effective and efficient use of land should not compromise the character of the local area. Whilst it is the case that the resultant plot size would be more modest than others in the immediate locality, it is not considered to be the case that the proposals would undermine the objectives of Policy DP34. The character of development along Chestnut Road is relatively suburban and does not comprise any significant uniformity in terms of plot sizes and layouts, building footprints, orientation or building line. The low roof line of the

proposed dwelling would reflect the character of other buildings in the immediate locality (which includes a number of 1.5 storey dwellings) and the retention of the established boundary hedgerow would mitigate any harmful impact upon the street scene.

- 11.5 With regards to the additional design concerns raised, it is not agreed that the proposal would set a precedent for harmful infill development in the locality having regard to the fact that the application site is relatively unique in a corner plot with two road frontages (avoiding the need for any "back land" style layout). In any event, any future proposals for residential development in this location would be assessed on their own merits. Whilst concerns raised over the hedgerow are noted, there is nothing preventing this from being removed and in the event that consent is granted, it would be appropriate to impose a condition ensuring its retention. With regards to windows and rainwater goods, a grey finish is not considered unacceptable as this would achieve a less harsh, suburban appearance. Devaluation of property is not a material planning consideration and the fact that the application site was originally designed for one house would not necessarily rule out a form of residential infilling in future, subject to ensuring an appropriate character and form. It is therefore considered that the proposed development would not undermine the character of the local area and would meet the requirements of Policies SP17 and DP34 of the New Forest National Park Local Plan 2016-2036 (August 2019).
- There would be a distance of just over two metres between the eastern flank wall of the proposed dwelling and the immediate neighbour, and it would lie adjacent to the front driveway and parking area associated with the neighbouring property. This boundary is also well screened by an established evergreen hedgerow. The main windows serving Number 12 face south west towards their rear garden rather than the application site and, having regard to this (along with the low roofline of the proposed dwelling), it is considered that the development would not give rise to a harmful loss of amenity to the occupants of this property. The property would be well distanced from Number 13 and also the property to the south and overall the proposal would not give to a harmful loss of amenity to neighbouring residents.
- 11.7 Whilst concerns raised by neighbouring residents in relation to parking are noted, no specific objections have been raised by the Highways Authority in relation to this issue. Whilst the limited turning space may cause some inconvenience, in the absence of an objection from the Highways Authority, the Authority would not have sufficient grounds to refuse the application. Amended plans have been submitted to address Highway Officer concerns relating to visibility splays and subject to imposing conditions relating to the retention of these splays the Highways Officer has confirmed no objections to the development.

- 11.8 The Parish Council have made reference to a previous refusal in Chestnut Road. It is not clear which particular site they are making reference to. It is noted that permission was refused at Number 6 in 2017 (replacing the existing bungalow with two units). However, this scheme is not considered to be comparable with the current proposal at Number 13 which lies within a much larger site on a corner plot. Furthermore, the refused 2017 scheme incorporated a different form and design with bulkier roof lines, and, on this basis, it was considered to be a harmful development. In the case of the 2017 scheme the proposal was also refused due to the absence of any mitigation in relation to the New Forest SPA and in the case of the current application the applicant has indicated a willingness to provide the appropriate level of mitigation. The site of Number 13 occupies a significantly more lengthy frontage enabling much of the hedgerow to be retained and the current proposal is therefore not considered to amount to the same level of harm identified at Number 6.
- The proposed development lies approximately 200 metres from the New Forest Special Protection Area and the Authority's Ecologist advises that there appears to be no direct impact arising from the development upon this designation as no changes are proposed to the boundary to Chestnut Road. Furthermore, the interests of the designated area are not present on the tarmac verge outside the property. Notwithstanding this, the issue of contractor parking and materials storage is of importance to ensure activities do not cause harm. It would therefore be appropriate to request this additional information on construction methods as part of a pre-commencement condition.
- 11.10 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.
- 11.10 The Authority's Ecologist also advises that strategic mitigation would be required for additional visitor pressure (the New Forest and Solent international sites), nutrient impacts arising for the new dwelling along with appropriate biodiversity enhancement. The applicant has already indicated a willingness to secure the appropriate mitigation in relation to these impacts. The Authority's Ecologist is satisfied that the impact could reasonably be mitigated subject to appropriate mitigation along with measures

for biodiversity enhancement. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authoritv's Mitigation Strategy or mitigation to at least an equivalent effect. In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

11.11 In conclusion, it is considered that the proposed development would not compromise the character of the area having regard to the relatively built up, residential context. The proposal would not lead to any significant precedent for further infill development in the immediate locality having regard to the specific characteristics and layout of the site. The proposed dwelling would not exceed the size limits imposed under Policy SP21 (subject to restricting any future accommodation within the roof). The proposal would not lead to a harmful loss of amenity to neighbouring residents and the Highways Authority are satisfied that highway safety would not be compromised subject to the retention of sufficient visibility splays. The modest scale of the development, the characteristics of the site and the distance from the open forest would ensure that any additional impacts upon designated sites could reasonably be mitigated and it is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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 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 SP5 of the adopted New Forest National Park Local Plan (2016 - 2036).

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, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the development remains of a size and character which is appropriate to its location within the countryside and the street scene and to comply with Policies SP21 and SP17 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

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 submitted mitigation and enhancement measures shall include a Construction Method Statement to avoid pollution and disturbance of protected species) and measures of biodiversity enhancement to meet government and planning policies for net gains in biodiversity, thereby securing accordance with policy.

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 SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

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 SP2 of the New Forest National Park Local Plan 2016 - 2036 (August 2019)

The boundary hedgerows shall be maintained completely in accordance with Drawing 279.04B to ensure the retention of sufficient visibility splays.

Reason: In the interest of highway safety and to comply with Policy SP55 of the New Forest National Park Local Plan (2016 - 2036) and Section 4 of the National Planning Policy Framework.

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

Reason: To safeguard sites of international ecological importance in accordance with Policies CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development

Management Policies DPD, Development Standards SPD and the SRMP.

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

Reason: To ensure the accommodation provided on the site remains of a size appropriate to its location within the countryside and to comply with SP21 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019)

- 9 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:
 - a) the existing trees and shrubs which have been agreed to be retained;
 - b) a specification for new planting (species, size, spacing and location);
 - c) areas for hard surfacing and the materials to be used;
 - d) other means of enclosure;
 - e) (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 Policies SP17 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)

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

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

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019)

Development shall only be carried out in accordance with drawing nos: 279.02, 279.04 Rev B, 279.05, 279.06. 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).

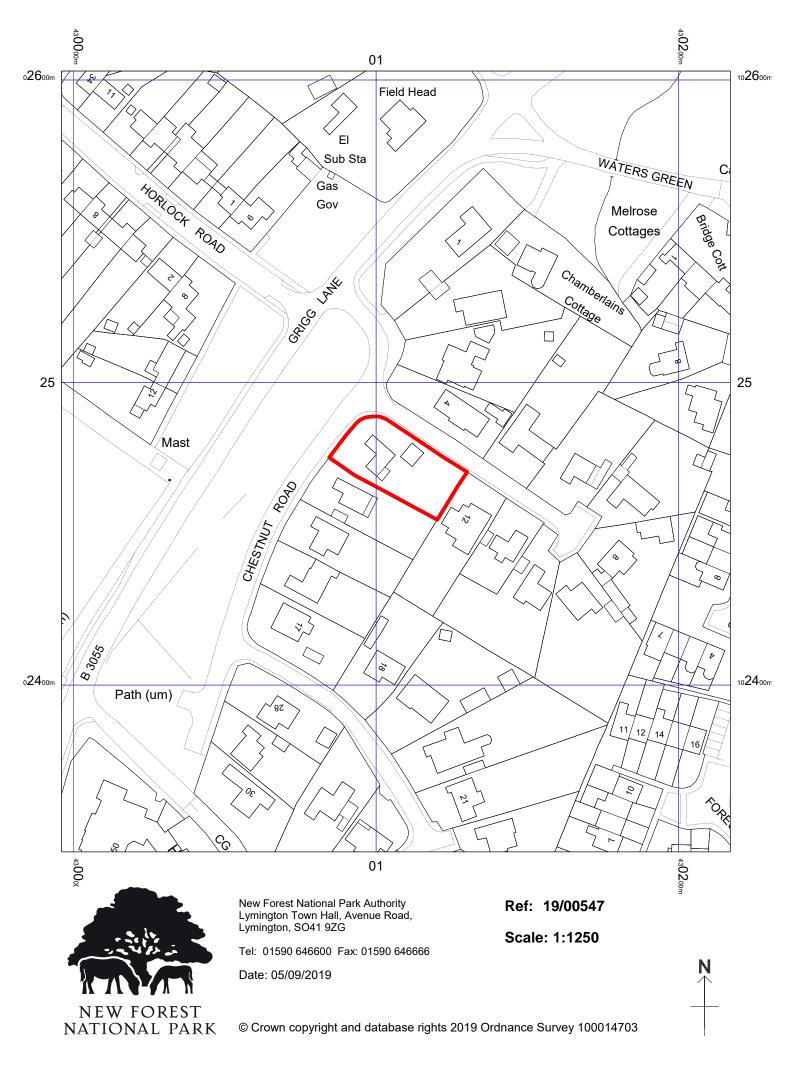
Informative(s):

Please be advised that because the proposal involves the creation of a new access onto the highway, the Highways Authority advise that the applicant needs to be made aware of the requirement to carry out any works on the highway to the appropriate standard laid down by and under a licence agreement with the highway authority.

The footway should be reinstated at the applicant's expense.

The applicant can apply to the County Council via the following link for permission to have a new access/vehicle crossing installed.

https://www.hants.gov.uk/transport/parking/droppedkerbs



Planning Committee - 17 September 2019

Report Item 5

Application No: 19/00554/FULL Full Application

Site: The Pound, Pound Lane, Burley, Ringwood, BH24 4EE

Proposal: Outbuilding; demolition of existing outbuilding

Applicant: Mr C Goddard

Case Officer: Clare Ings

Parish: BURLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP6 The natural environment

SP16 The historic and built environment

SP17 Local distinctiveness

DP2 General development principles

DP37 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

Burley Parish Council: Recommend refusal for the following reasons:

- Larger outbuilding than that approved under 19/00292
- Lack of details relating to the rear access on the site that is shared with the adjoining properties - its existence is long-established and contractually documented and is of mutual interest and concern to the

- three contiguous residences.
- There are deeds dating from 1960 which show this track. Concerned that the applicant will block shared access to adjoining properties.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

- 9.1 Two representations received raising the following comments:
 - Concerned that position of the sole access to the rear of property (Turbary) has not been shown on plans, and concerned that the access may be blocked due to the number of vehicles kept by the applicant
 - No objection to the building, but concerned that it should not impede on the access track which is the only rear access to the adjoining properties

10. RELEVANT HISTORY

- 10.1 Outbuilding (19/00292) granted on 17 June 2019
- 10.2 Dormer to form room in roof space (0069690) granted on 11 September 2000

11. ASSESSMENT

- 11.1 The application site lies to the south of Pound Lane and comprises an end of terrace (four dwellings) two storey dwelling with external facing materials of red brick and tile roof, lying within a generous plot. Within the plot are two dilapidated timber outbuildings, and a rear access to two of the adjoining terraced properties runs through the site. A large Oak tree lies within the north-east corner of the site, and the whole site is slightly elevated above Pound Lane. A native hedgerow forms the boundary of the site with Pound Lane. The site lies within the Burley Conservation Area.
- The application, which follows a recent approval for a similar proposal, is for a detached outbuilding to lie to the rear of the dwelling on the site of, but larger than, an existing outbuilding which is currently in poor condition. As previously, the building would be open at ground floor level to the front and rear, but the side elevations would be clad with shiplap timber cladding. The gable ends would be also be clad with shiplap timber cladding, and the roof would be of slate. The outbuilding would measure 6.8m by 5.6m, and with a height to ridge of 5.3m. The location of the outbuilding has been relocated from adjoining the dwelling to the rear.

- 11.3 The key considerations are:
 - The compliance with Policy DP37;
 - Its scale and design; and
 - Its impact on the character and appearance of the conservation area.

Although the outbuilding would be closer to Shappen Cottage to the rear than the existing outbuilding, it is not considered that any private amenities are likely to be adversely harmed as a result of the proposal. However, issues and objections have been raised by both the adjoining neighbours in the terrace and the Parish Council concerning the position of the outbuilding in relation to the access through the site. This has been raised with the applicant who has indicated that the outbuilding would not obstruct the access (and this was also noted at the time of the site visit).

- 11.4 Policy DP37 permits outbuildings where they:
 - a) are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing;
 - b) are located within the residential curtilage of an existing dwelling;
 - c) are required for purposes incidental to the use of the main dwelling:
 - d) are not providing additional habitable accommodation; and
 - e) will not reduce private amenity space including parking provision around the dwelling to an unacceptable level.
- In terms of footprint, the proposed outbuilding is considered to be acceptable being relatively modest at just over 52m² (it would be replacing an outbuilding of 38m²), but its height to ridge is taller than would normally be acceptable. However, the height is a result of the steep pitch, which has been designed to maintain the same pitch as the projecting gable of the existing dwelling (and others in the terrace). It would result in the outbuilding being visible from the street, but its overall impact would be reduced as a result of its being set back into the site so that its ridge would appear much lower in relation to the host property. It is therefore considered that the outbuilding would be acceptable and would not have a dominant impact on the street scene. It would also preserve the character and appearance of the conservation area.
- The previous application indicated the siting of the outbuilding in close proximity to the Oak tree in north-east corner of the site, which would have required special foundations to prevent any harm. The revised location is to avoid any need for such foundations, and the outbuilding would no longer affect the tree.
- 11.7 As stated above, the comments received relate to the presence of an access to the adjoining properties, however, this is not a material planning consideration, but an informative is proposed to be added to the decision notice pointing out the applicant's legal obligations.

11.8 In conclusion, therefore, it is considered that the outbuilding would be acceptable in terms of its scale and design and would preserve the character and appearance of the conservation area.

Permission is therefore recommended.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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.

Development shall only be carried out in accordance with Drwg No: 45-102. 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).

The external facing materials to be used in the development shall be as described in he application form and on Drwg No. 45-102, 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).

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

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

Informative(s):

The Authority has considered the application in relation to its adopted Local Plan, the National Planning Policy Framework and

any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.

The applicant is advised that a private right of way serving Turbary and Holly Steps runs through the site, and that this should be obstructed at any time.

