

Application No: 18/00382/FULL Full Application

Site: Broadbridge Farm, Rossiters Lane, Woodlands, Southampton, SO40 7HX

Proposal: Retention of external barn as built together with insertion of mezzanine floor; Change of use to office/storage

Applicant: Mr D Creswell, SMB Holdings Ltd

Case Officer: Clare Ings

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP7 The Built Environment
CP8 Local Distinctiveness
CP14 Business and Employment Development
DP1 General Development Principles
DP6 Design Principles
DP19 Re-use of Buildings outside the Defined Villages
DP20 Agricultural and Forestry Buildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 3 - Supporting a prosperous rural economy
Sec 11 - Conserving and enhancing the natural environment
Sec 12 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Netley Marsh Parish Council: Recommend refusal. The information on the application is confused and insufficient. There is concern over:

- a) The disposal of waste if meat packing is to be carried out.
- b) Increased traffic if meat is to be delivered and removed from the site.
- c) Whether there will be any slaughtering on site.
- d) The apparent piecemeal development of the site.
- e) Asbestos, bearing in mind the age of the buildings.
- f) Flooding implications – the area round this site is particularly prone to flooding

No further comments received following amended plans.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: Objection to initial plans. No objection to revised proposal.

9. REPRESENTATIONS

9.1 Initial plans raised 29 objections on the following grounds:

- Inclusion of meat preparation area would be inappropriate attracting unwanted nuisance as a result of odour and traffic movements
- Insufficient information/ ambiguous plans
- Flooding on adjoining road junction
- Concerned that the application is retrospective
- Query need for farm office
- Will the offices be used by others
- Impact on wildlife
- Poor design
- Lack of parking
- Contrary to policy
- Detrimental to heritage buildings and conservation area
- Creation of wider commercialisation of whole site

Amended plans raised 11 objections on the following grounds:

- Need consideration re hazards, and health and safety
- Will start an industrial estate
- Lack of information relating to offices use and storage
- Increase in traffic
- No need for farm offices
- Should be retained as a working farm

10. RELEVANT HISTORY

- 10.1 8 no. new dwellings to include 7 affordable units (5 no. semi-detached; 2 no. maisonettes and 1 no. detached dwelling with detached car port; two storey extension to existing farm house with detached car port/storage shed; change of use of stables to create 1 no. 3 bed holiday let; changes of use of barn to office/coffee shop; access and associated landscaping (demolition of multiple farm buildings) (17/01049) refused on 9 February 2018
- 10.2 Two storey rear extension; single storey side extensions; render; addition of tile hanging; alterations to fenestration (demolition of 3 no. existing single storey extensions) (19/00154) pending decision

11. ASSESSMENT

- 11.1 The wider landholding of Broadbridge Farm lies to the north of Rossiters Lane within the Forest North East Conservation Area, and comprises a collection of buildings (of a mix of age, design, historic significance), the former farmhouse and several Nissen huts together with agricultural land. Access to the site is from Rossiters Lane close to the junction with Woodlands Road. The land rises from Rossiters Lane. Within the wider site are a number of trees, three of which are now covered by a Tree Preservation Order. The current application relates to one of the buildings within the complex, Building 10 on the submitted plans, a tall building, now clad in timber on all four elevations, with the timber cladding on two elevations above a block plinth.
- 11.2 The proposal, where it relates to the cladding, fenestration and the insertion of the mezzanine floor is retrospective, and seeks to retain these changes, whilst the other element of the proposal is to seek a change of use of the building to offices and storage. The initial plans which were submitted with the application referred to the (new) first floor being used for farm offices, with the ground floor being used for meat preparation. During the course of discussions, this latter use was removed with the ground floors now being shown to be used for storage. In addition, the fenestration details were also amended to reflect comments received from the Conservation Officer.
- 11.3 The key considerations are:
- Whether the proposal uses would be appropriate for the site; and
 - Whether the design of the cladding and fenestration would be appropriate for the site and would preserve or enhance the character and appearance of the conservation area

Use of buildings

- 11.4 The initial proposed uses, which included meat preparation, attracted a lot of objection on the grounds of insufficient information and traffic issues. As has been stated this particular use has now been removed, the amended plans were re-advertised, but there were still a number of objections. Policy CP14 supports small scale employment uses, outside the defined villages, where it would support farm diversification through the re-use of farm buildings. Whilst some of the office created may be used as farm offices, other uses may equally be attracted which would support the farm business. In addition, policy DP19 seeks the re-use of buildings outside the defined villages, especially where the proposal would not result in the loss of an employment use. In this case, it would be supporting employment with the use of the buildings for offices and storage. The building is considered appropriate in scale, and no additions are proposed. Again, whilst some of the space may be used for farm offices, the additional storage use would help support the overall agricultural enterprise.
- 11.5 The transport and highway impacts, noise impacts, contamination risks and flooding risks have been considered, but given the previous use of the site as a farm yard, the limited floorspace being used for office and storage is unlikely to significantly increase the amount of the traffic which would access the site, create adverse noise impacts for the adjoining neighbours, or create a contamination risk.
- 11.6 It should be noted that, although a planning application was invited, this was to address the issue of the operational works (i.e. the cladding) rather than any proposed use. The barn has previously been used for agricultural purpose, albeit some time ago, and under Class R of Part 3 of the Town and Country (General Permitted Development) Order 2015, permitted development rights exist for changes of use of agricultural buildings to flexible commercial uses, including Class B1 (offices) and B8 (storage). The insertion of the mezzanine would also not be considered to be development. This "fall back" position has to be taken into account, and it is therefore considered that the uses would be acceptable in this context.

Appearance of building

- 11.7 The wider site comprises a number of buildings which are considered to be non-designated heritage assets, where particular care needs to be taken over their restoration and re-instatement to ensure that important historic elements are not lost. Building 10, the subject of this application, a former metal framed and open-sided barn, is not one of those buildings. Its cladding with timber is therefore considered to be acceptable, subject to the use of appropriate materials, and would be seen to preserve the

conservation area and the setting of the non-designated heritage assets. Some concern was raised initially over the choice of fenestration which was not considered to be suitable, given the other buildings on the site, but amended plans have been received which have addressed these concerns. The proposal is therefore now considered to be acceptable.

- 11.8 Other concerns were raised over how this building would be seen in the context of the others on the site, on which no current applications have been received. Whilst it would be useful to find a use for the site as a whole which would then address the restoration of the other non-designated assets on the site, this application is addressing a particular issue relating to this one building and the unauthorised works which have taken place, and for this reason it is considered that the application can be determined in isolation.
- 11.9 Permission is therefore recommended, but as a new use is being sought for the building, a condition restricting hours of use is recommended to ensure that adjoining neighbours would not be adversely affected by the proposal, together with a further condition restricting the use of the building to a mix of Class B1 and B8 to allow further control over the site.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 Within three months of the date of the decision notice, the amendments shall be carried out in accordance with Drawing nos: 3016-10-002, 3016-10-003 Rev B and 3016-20-004 Rev B. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

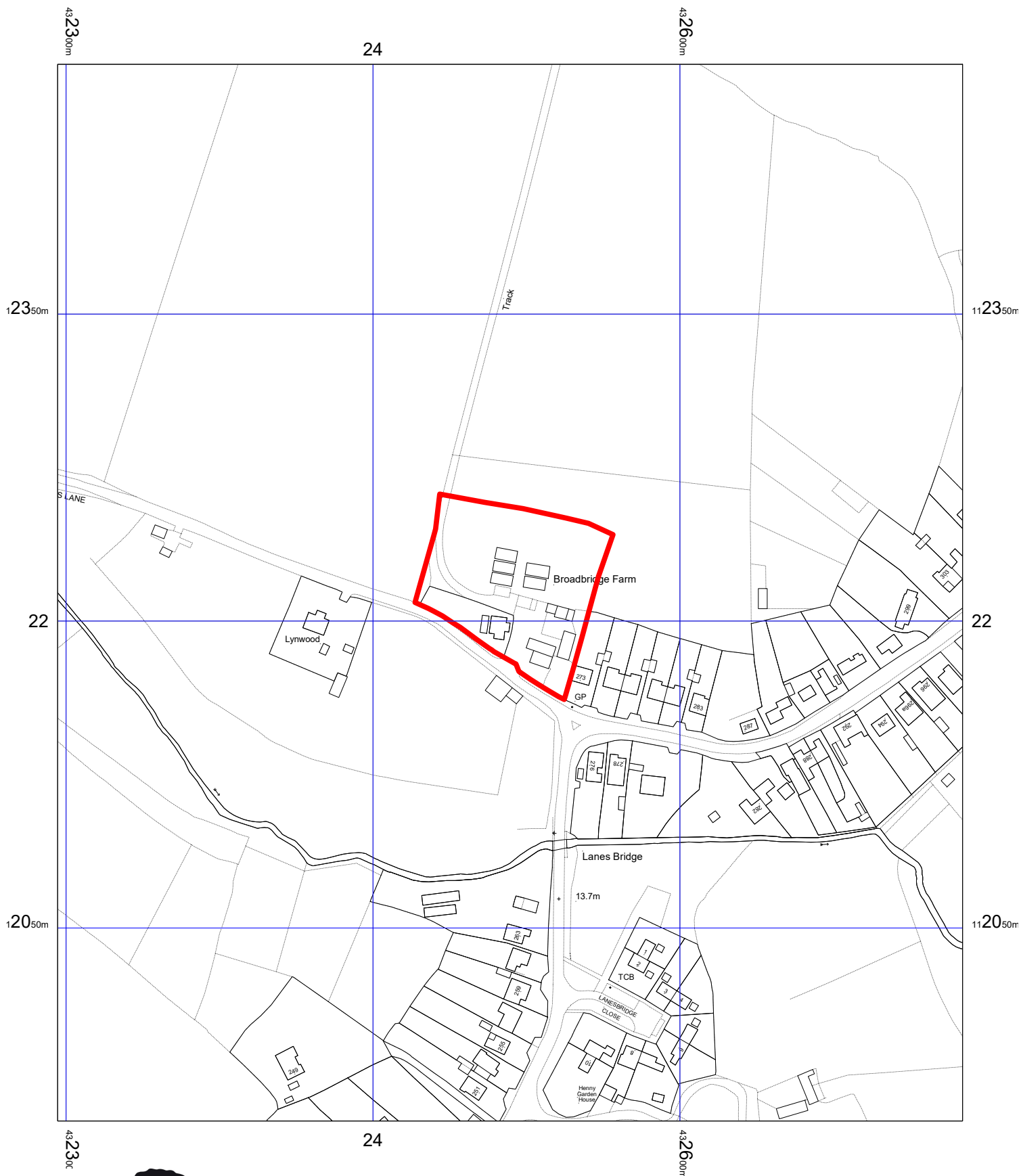
Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 2 No activity shall take place within the building, the subject of this application, other than between the hours of 08.00 hours and 19.00 hours Monday to Fridays, and 08:00 hours and 13.00 hours Saturdays, not including recognised public holidays.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no changes of use otherwise approved by Classes O or R of Part 3 of Schedule 2 to the Order shall take place without express planning permission first having been granted.

Reason: In view of the characteristics and location of the site, 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 and the amenities of neighbouring properties, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



NEW FOREST
NATIONAL PARK

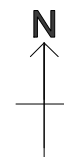
New Forest National Park Authority
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Date: 03/04/2019

Ref: 18/00382/FULL

Scale: 1:2500



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Application No: 18/00794/FULL Full Application

Site: Broom Copse Farm, Ellingham Drove, Moyles Court, Rockford, Ringwood, BH24 3NF

Proposal: Agricultural dwelling; outbuilding; raised patio area; treatment plant

Applicant: Mr T Hordle

Case Officer: Clare Ings

Parish: ELLINGHAM HARBRIDGE AND IBSLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to the advice of the Environment Agency

2. DEVELOPMENT PLAN DESIGNATION

Flood Zone

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP4 Flooding and the Coast
DP1 General Development Principles
DP6 Design Principles
CP12 New Residential Development
DP12 Outbuildings
DP13 Agricultural, Forestry & Other Occupational Dwellings
CP17 The Land Based Economy
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 3 - Supporting a prosperous rural economy
Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council: Recommend Permission

- This local business is demonstrating its success and deserves support to help keep commoning and farming as an important focus of the parish
- The business plan and associated documents must be fully reviewed to ensure the viability of the business and reference to the governance of number of stock being turned out
- The property to be conditioned with a robust agricultural occupancy tie as stated in policy DP13
- Being mindful of the rural location, the applicant should be encouraged to take steps to mitigate all unnecessary light pollution with outside lighting to have Passive InfraRed sensors (PIRs) and all windows to have window coverings or integrated blinds
- No other ancillary buildings to be built on the site. The Parish Council would not look favourably on a future application for a separate office
- Screening to be planted on the eastern boundary

8. CONSULTEES

- 8.1 Tree Officer: No objection subject to conditions to protect retained trees on the site. The proposal is to be situated within a predominantly oak tree woodland with a laurel shrub understory. Two oak trees and one sycamore tree are marked for removal as part of the proposal which is considered acceptable.
- 8.2 Ecologist: No objection subject to conditions to secure an appropriate woodland management/landscape plan to ensure no net loss of biodiversity. The proposal is within a sensitive zone, being within 400m of the New Forest SPA and adjacent to the Avon Valley designated sites. The application is supported by a professional ecological survey which is appropriate in relation to its approach to protected species and provides detail of mitigation and compensation measures to be provided which are acceptable.
- 8.3 Archaeologist: No comments.
- 8.4 Highway Authority (HCC): No objection; there is no direct or indirect impact upon the operation or safety of the local highway network.:
- 8.5 Reading Agricultural Consultants: There is sufficient justification for a permanent agricultural worker's dwelling on the site.
- 8.6 Natural England: Further information is required to determine impacts on the designated sites and how the proposed development would avoid an increase in phosphate discharging into the River Avon Special Area of Conservation. An appropriate assessment should be undertaken. There is potential to provide

additional gains for biodiversity, such as through a woodland management plan.

- 8.7 Environment Agency: Object in principle to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the flood zone (3b functional floodplain). Confirm that the sequential and exception tests are matters for the Local Planning Authority to determine Should the Authority choose to grant permission the Agency should be reconsulted to provide conditions or advice (but the objection will still stand).

9. REPRESENTATIONS

- 9.1 81 representations in support of the application:

- Essential need for the applicant to live on site to sustain the farming activity
- Application supports local farming and traditional commoning practices
- Applicant is a valued member of the commoning community
- Need to support young farmers
- Site has never flooded
- Proposed dwelling of appropriate scale and good design; more in keeping than the current mobile home

- 9.2 Two representations making comments on the application:

- Concern with regard to number of grazing livestock (by applicant) on Rockford Common, and impact upon the SPA and protected species

- 9.3 Seven representations raising objections, including the Rockford Residents Group, on the following grounds:

- Intensification of agricultural activity on site
- Holding too small to accommodate intended livestock
- Area floods regularly; sequential and exception tests not met (alternative sites not covered adequately, proposal does not provide wider sustainability benefits)
- Concern with regard to noise, smell and dust
- Contamination of water courses
- Inappropriate development within a flood zone, contrary to NPPF and NPPG
- Inappropriate site for the proposed development; close to school
- Concern that the business plan put forward in support of the application would not be sustainable in the long term as a result of changes to policy and existing schemes
- Concern with regard to animal welfare

10. RELEVANT HISTORY

- 10.1 Application under Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 in respect of the siting, appearance and design of an agricultural building (14/00661) prior approval not required - 29 August 2014
- 10.2 Retention and continued use of mobile home for agricultural purposes for a temporary period of 5 years (13/98648) temporary permission granted on 5 September 2013
- 10.3 Application under Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 in respect of the siting, design and external appearance of an agricultural barn (10/95901) approved on 17 January 2011

11. ASSESSMENT

- 11.1 The application site forms part a working farm and covers an area of approximately 1.6 hectares of relatively flat land, located to the southern side of Ellingham Drove. The west and southern site boundaries form the boundary of the National Park; the southern site boundary is also adjacent to Dockens Water; this is approximately 40 metres to the south of an existing agricultural building. Beyond Dockens Water is Rockford Lake. The Western Escarpment Conservation Area and Moyles Court School are to the north and east of the site, beyond Ellingham Drove and an agricultural paddock respectively. The site is accessed off Ellingham Drove and the northern section of the site, which includes the access, is heavily wooded. There are two principal agricultural buildings within the southern part of the site whilst the existing mobile home is located in the centre of the site. The site lies within a designated flood zone which has the highest level of flood risk (zone 3b).
- 11.2 This application seeks planning permission for a permanent agricultural worker's dwelling to replace the existing temporary mobile home on the site. The application is supported by a detailed agricultural appraisal, an arboricultural report, a flood risk assessment (FRA) and an ecological impact assessment.
- 11.3 The proposed dwelling would have a floorspace of 120 sqm, to include a 20 sqm farm office within a single storey element upon the rear (south eastern) elevation. The proposed two storey dwelling would be sited within an existing clearing within the site and would be raised by approximately 1.1 metres above the existing ground level (to provide the necessary flood attenuation). Resultantly, the dwelling would measure approximately 8.5 metres in height above the existing ground level. To the rear would be an area of raised patio, with its edges clad in timber,

and steps down to ground level. The dwelling would be constructed using brick, with the single storey element clad in timber, and with a grey slate roof. The proposal includes a detached domestic outbuilding, sited to the south east of the proposed dwellinghouse, and on the approximate footprint of the existing mobile home. The outbuilding would be sited on the existing ground level, and measure approximately 5.2 metres in height.

11.4 The key issues for consideration in this case are:

- The agricultural need for the proposed dwelling;
- Impact on the landscape;
- Impact on flood risk; and
- Ecological and tree impacts.

Need for the Proposed Dwelling

11.5 Policy DP13 supports new agricultural dwellings in the National Park subject to a proven agricultural need to live on the application site, supported by evidence of financial soundness and the future sustainability of the enterprise. In this case, the accompanying agricultural appraisal sets out the history of the holding, the applicant's purchase of the application site in 2010 and details the level of investment made by the applicant in the site since that time which includes the erection of two steel framed barns (390 sqm and 32 sqm).

11.6 The applicant's holding extends to some 46.5 ha of which 1.6 ha is owned (the application site), the remainder being rented on a range of different licensing and tenancy agreements. The report details how the applicant has built up a herd of 40 cows with proposals to expand the herd to 60, providing 60 calves per year (with a high number of calves being kept at the application site). The agricultural appraisal has been independently evaluated by Reading Agricultural Consultants who conclude that the business is both profitable and sustainable, and that there is sufficient justification for a permanent agricultural worker's dwelling on the application site. The applicant's agricultural and commoning credentials are further supported by the many representations that have been received in support of the application.

11.7 For all these reasons, there is a justifiable need for a permanent agricultural dwelling on the site to attend to livestock.

11.8 Impact on landscape

11.9 The proposed dwelling is designed as a traditional two storey property and would sit within the centre of the site, close to the two existing agricultural barns. The proposed dwelling would be well screened by the surrounding deciduous trees and whilst it would be slightly more visible in the landscape during the winter

months, it would relate well to the existing buildings on the site and for these reasons, there would be no adverse landscape impacts resulting from the proposal.

11.10 Impact on flood risk

11.11 The site lies within the Environment Agency's designated flood zone 3b which comprises the functional flood plain, with a small part located within flood zones 2 and 3a (with a medium and high probability of fluvial flooding). The accompanying FRA details how the property would be constructed using piled foundations to lift the house clear of the ground in order to create a compensatory void underneath the property to provide the necessary flood storage on the site. The property would also be built on the highest part of the site above ordnance datum. The FRA acknowledges the site's location within flood zone 3b and that it would normally "not be suitable for development of this kind". The FRA sets out the applicant's case for an exception to be made; that no other suitable properties are reasonably available and that the applicant's agricultural enterprise contributes to the wider sustainability of the New Forest landscape and its commoning and farming traditions.

11.12 The National Planning Policy Framework (NPPF) directs new residential development to areas with a low risk of flooding. Only where there are no reasonably available sites within flood zone 1 should sites in flood zone 2 be considered, with sites in flood zone 3a only being considered following application of the exception test. The National Planning Practice Guidance (NPPG) also sets out that new residential development, which is a more vulnerable use, is not compatible with a location within flood zone 3b. The Environment Agency are opposed to the application but confirm that it is for the local planning authority to decide whether the sequential and exception tests have been demonstrated satisfactorily.

11.13 In applying the sequential test "*defined by local circumstances relating to the catchment area for the type of development proposed*" officers are satisfied that no other land or dwellings are readily available to the applicant (with no prospect of that situation changing in the near future). It is clear that the applicant conducts his established farm business from the application site (complete with farm buildings) and has demonstrated a functional need to live on the site to support his farm business. On this basis, it is considered that it would be "*impractical to suggest that there are more suitable alternative locations for that development elsewhere*" in the locality and that the sequential test has been met (the italic quotes are taken from the NPPG)

11.14 Paragraph 160 of the NPPF advises that for the exception test to be passed it should be demonstrated that:

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

(b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 11.15 Having regard to part (a) of the exception test, it is considered that the applicant's enterprise makes an important contribution to the wider sustainability of agriculture and commoning in the New Forest National Park, as evidenced by the high number and content of representations received in support of the application. With regard to part (b) the submitted FRA has demonstrated that the proposed development would be safe (with identifiable measures to safely evacuate the site and/or take refuge in the first floor of the house) and would not lead to increased flood risk elsewhere (through the use of flood attenuation features under the house).
- 11.16 On the issue of flood risk, it is therefore considered that an exceptional case can be supported in this instance notwithstanding the Environment Agency's objection. The Environment Agency have since been advised of the recommendation to approve this application and as requested by them, invited to provide conditions and/or further advice, which will be reported orally at the meeting.
- 11.17 Impact on Ecology and Trees
- 11.18 The site is located within 400 metres of the New Forest Special Protection Area (SPA) and River Avon Special Area of Conservation (SAC). The Authority's Ecologist confirms that the submitted ecological survey is broadly appropriate in relation to its approach although there was some concern that the report underplayed the establishment of a permanent dwelling in a woodland setting. In this regard, the views of the Authority's Tree Officer are relevant, who raises no objection to the proposal.
- 11.19 Natural England have requested further information on how the proposed development would avoid an increase in phosphate discharging into the River Avon SAC. More generally, a joint statement from the Environment Agency and Natural England advises that any new development within the catchment of the Hampshire Avon needs to be "phosphate neutral". In response to this statement, the Authority, together with New Forest District Council and Wiltshire Council, has adopted an Interim Strategy on Phosphate Neutral Development which requires the imposition of a pre-commencement condition as set out in condition 9 below. It is considered that the further information requested by Natural England can be adequately dealt with through the details required by condition 9.

11.20 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 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 (i.e. the standard charge for habitat mitigation of £1,250 per new residential unit, payment of which is accepted within the applicant's accompany ecological report).

11.21 Conclusion

11.22 The applicant has demonstrated a functional need to live on the site (which cannot be met in any other way) in order to sustain and grow a financially sound agricultural enterprise. There are no adverse impacts on the landscape or the amenities of adjoining properties. The site's location within the flood zone and proximity to the New Forest SPA and SAC require particularly careful consideration and mitigation. However, it is the officer's view that the applicant has put forward a credible case that meets both the sequential and exception tests set out in the NPPF whilst the associated ecological impacts can be suitably mitigated by conditions. For these reasons, and subject to the further views of the Environment Agency, and any additional planning conditions that they might suggest, conditional approval is recommended.

12. RECOMMENDATION

Subject to the further views and advice of the Environment Agency, 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 occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The dwelling is only justified on the basis that it is necessary to provide accommodation for an agricultural worker in accordance with Policy DP13 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

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

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

- 4 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.

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

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

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

- 7 The trees 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 statement by John Shutler Tree Services Arboricultural Report dated 10 October 2018.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

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

Reason: To ensure that the development takes place in an appropriate way having regard to the site's location within the designated flood zone and in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 No development shall be carried out until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the New Forest National Park Authority. Such proposals must:

- Provide for mitigation in accordance with the Authority's Interim Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect; and
- Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC), in accordance with the Authority's Interim Phosphorus Mitigation Strategy.

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

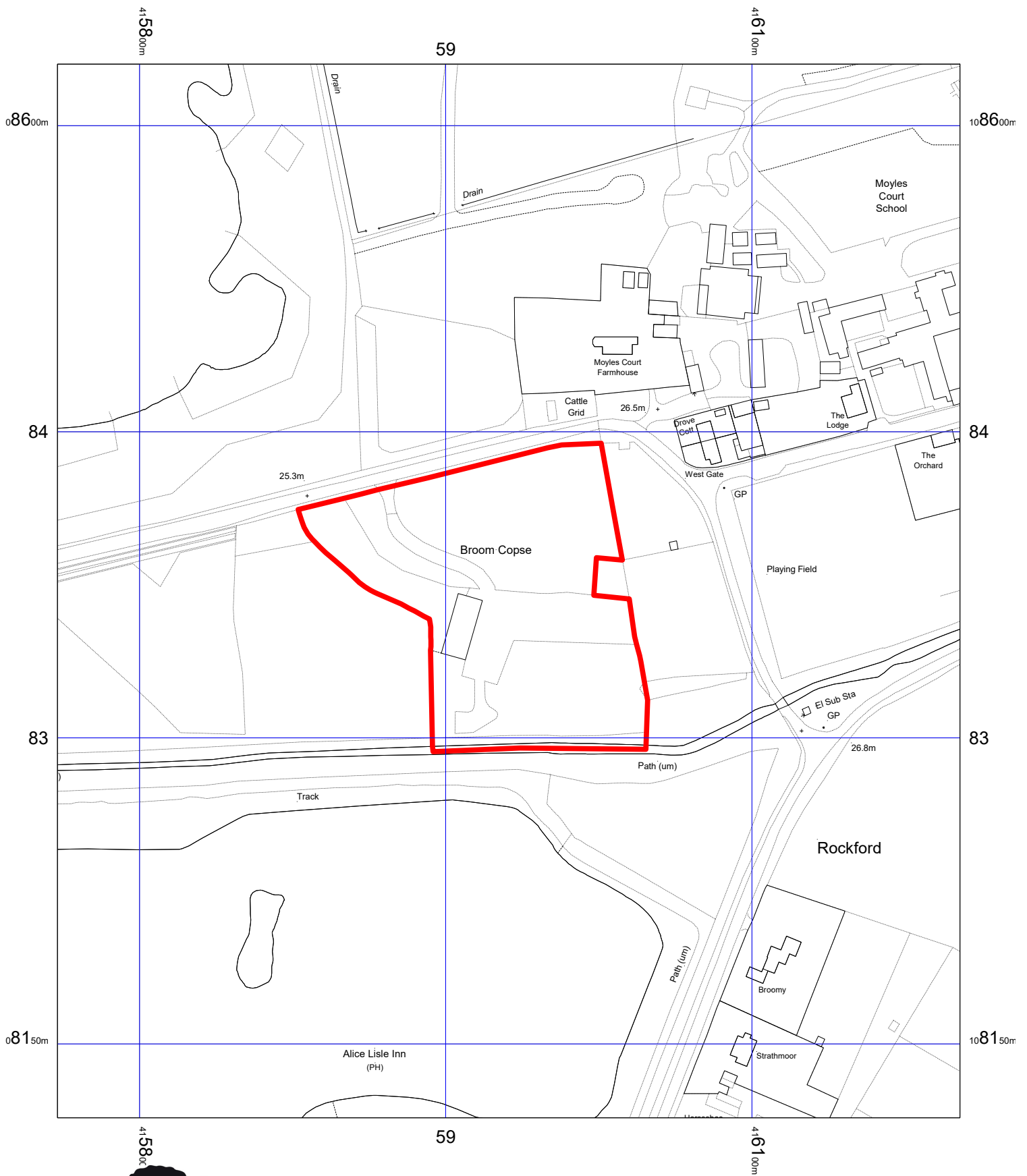
No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

11 The woodland management plan, and 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 DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



New Forest National Park Authority
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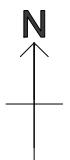
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Date: 03/04/2019

Ref: 18/00794/FULL

Scale: 1:2500

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Application No: 18/00977/FULL Full Application

Site: 38 Peterscroft Avenue, Ashurst, Southampton, SO40 7AB

Proposal: Single storey extension; demolition of existing garage

Applicant: Mr N Hatfield

Case Officer: Ann Braid

Parish: ASHURST AND COLBURY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP8 Local Distinctiveness
 DP11 Extensions to Dwellings
 DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 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, for the reasons.

Note that the cladding proposed on the exterior of the extension is timber which is not the same as the rest of the dwelling. This makes the extension look out of keeping with the existing dwelling. It would be out of character with the immediate area as the extension would be visible from the road,

thus going against the provisions of Policy CP8 (Local Distinctiveness), the Village Design Statement, and NPPF S12. There would be no negative impact on neighbouring properties by way of loss of outlook or shading.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

11.1 38 Peterscroft Avenue is a two-storey semi-detached house built in brick and tile, located on the southern side of Peterscroft Avenue backing on to the railway line. The house is one of a close of houses of similar design and scale and is situated within the defined New Forest village of Ashurst.

11.2 This application seeks permission for a side extension comprising an attached single garage, together with the demolition of the existing detached garage in the rear garden. The front roof slope of the proposed garage extension would match the pitch of the existing house and the slope to the rear would have a shallower pitch. The roof is proposed to be tiled to match the house and the walls would have a brick plinth with vertical timber cladding above. The ridge height of the proposed extension would be 4.9 metres, and the ridge height of the existing house is 7.9 metres.

11.3 The property is not a small dwelling and is located within the defined village therefore the 30% floorspace restriction set out in Policy DP11 does not apply. The issues to assess are therefore the impact of the proposed extension on the existing house and the locality. The estate has a coherent design and character in this part of the close. Policy CP8 states that built development that would erode the Park's existing character will not be permitted. The Parish Council has referred to the adopted Ashurst and Colbury Village Design Statement SPD, which recommends that buildings should be constructed of materials which match or complement those currently in use in the nearby area. It also advises that important gaps between buildings should be retained to ensure glimpses of trees and longer views across the village. The scale, form and mass of any new development should be in keeping with surrounding buildings and be sympathetic to the character, appearance and rural outlook of the village.

- 11.4 Peterscroft Avenue is not part of a conservation area and the houses in the close do not have any particular architectural merit. Timber cladding, which although not a particular characteristic of the close, is a facing material that will mellow over time and has been found to be acceptable in the National Park. A matching brick has been specified for the plinth and the cladding would complement the existing materials. The use of contrasting materials would break up the mass of the building and add interest to the close. The scale and form of the extension, which would be three metres lower to the ridge, would be in keeping with the surrounding locality. The gap between the houses would be retained at the upper floor level and the site would not be overdeveloped as it is proposed to demolish the existing garage. The proposal will therefore accord with Policies CP8 and DP1 of the adopted Core Strategy.
- 11.5 The existing house is located to the south of the neighbour closest to the proposed extension and, for this reason, the new development would not increase any shading to that neighbour. There are no upper floor windows in the side of the neighbour's house, and existing ground floor windows look into their own car port. It has been concluded therefore that neighbouring amenity would not be compromised by the proposal. No trees or protected species would be adversely affected.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall take place above slab level until the demolition of the detached garage has been carried out.

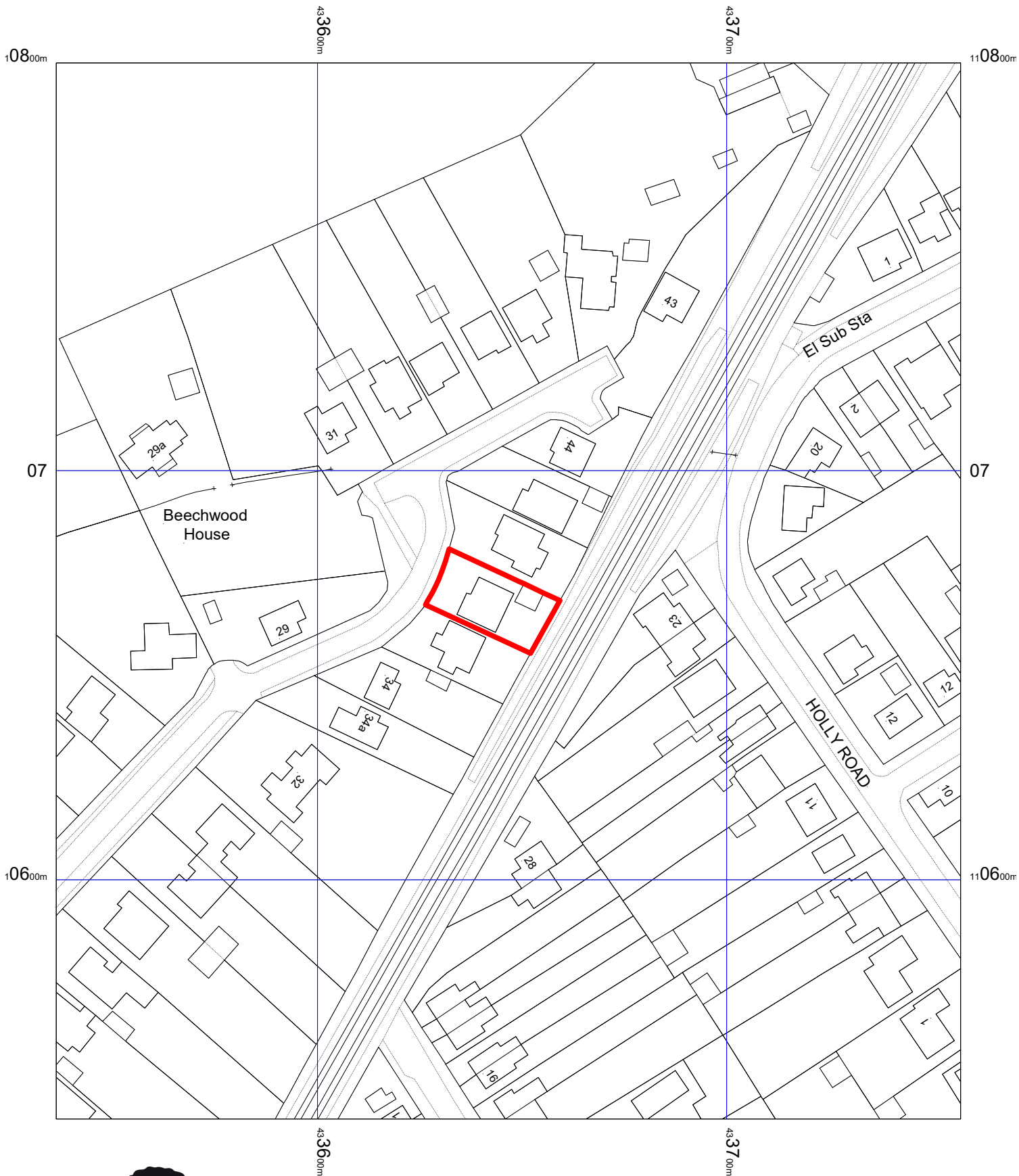
Reason; To ensure an appropriate level of built development and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
- 3 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

- 4 Development shall only be carried out in accordance with drawing no: MT/1547/1 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 CP8 and DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 03/04/2019

Ref: 18/00977/FULL

Scale: 1:1250



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Application No: 19/00063/FULL Full Application

Site: Woodpeckers, Sandy Lane, Lyndhurst, SO43 7DN

Proposal: New dwelling; garage; access alterations

Applicant: Mr M Davis

Case Officer: Clare Ings

Parish: LYNDHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP7 The Built Environment
CP8 Local Distinctiveness
CP9 Defined Villages
CP12 New Residential Development
DP1 General Development Principles
DP6 Design Principles
DP9 Residential Density in the Defined Villages

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

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
Sec 11 - Making effective use of land

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal.

- Adverse impact on the adjoining conservation area
- Loss of amenity to neighbours
- Fire safety implications from the long driveway
- Inappropriate and poor design for the area

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objection

8.2 Tree Officer: No objection

9. REPRESENTATIONS

9.1 Five representations received objecting on the following grounds:

- One dwelling has already been built in the grounds of Woodpeckers, and this additional one would be overdevelopment.
- The land is subject to a covenant stating that there should be one dwelling per plot.
- Would affect privacy and peace (Sandy Coombe).
- Would add to volume of traffic in Sandy Lane - used as a rat run and already experiences difficulties in traffic and parking (due to theatre and tennis club).
- Would have a detrimental impact on the character of the area and adjoining conservation area - loss of spacious plots.
- Concerned over shared access (with Heather Lodge).

10. RELEVANT HISTORY

10.1 New dwelling; garage; access alterations (18/00562) - withdrawn on 25 October 2018

11. ASSESSMENT

11.1 Woodpeckers is accessed via a short gravelled track from Sandy Lane. It is a chalet bungalow with facing materials of render above a brick plinth under a clay tiled roof. A conservatory extends off the north elevation, and the plot also contains a detached garage. The existing dwelling occupies a large plot, the northern half of which is mainly lawn containing a number of ornamental trees and shrubs and garden sheds. The boundaries of the plot comprise close-boarded fencing and tall mature vegetation. The site adjoins the Lyndhurst Conservation Area (to the north and south). The site is surrounded by residential development, many within similarly large plots, but also shares a boundary with Hartwood House Nursing Home. The site lies within the defined village.

- 11.2 The proposal is to sever the plot of Woodpeckers and erect a detached dwelling in the northern half. The proposed dwelling would be a chalet-style bungalow of 100m² of habitable floorspace; it would have a height to ridge of just under 7m and a low eaves height. It would be constructed of brick under a clay tile roof (to match the existing dwelling at the site). A detached single garage is also proposed which would be constructed in the same materials. The conservatory of the existing dwelling would be demolished to allow sufficient amenity space around that dwelling.
- 11.3 The key considerations are:
- The principle of development;
 - The design of the proposed dwelling;
 - Any impact on the amenities of adjoining dwellings; and
 - Any impact on ecology or highways.
- 11.4 As stated above, the site lies within the defined village of Lyndhurst where the principle of new residential development would be acceptable (CP12), thus the addition of a single new dwelling would not be contrary to policy. However, there are other policies within the Core Strategy which also require consideration and these are DP1 (General Development Standards) and DP9 (Residential Density in Defined Villages). Policy DP9 seeks to ensure the conservation and enhancement of the built heritage, one way being that development densities should be informed by the character of the local area, and that areas of spacious residential plots should not be compromised by making efficient use of land. The site lies close to a number of large plots with mature landscaping, but also within close proximity to a number of smaller plots. It is therefore considered that the size of the two plots created, i.e. the new one and the plot of the existing dwelling, would not be of a significantly smaller size which would compromise the overall character of the area. The proposal also complies with paragraph 122 of the National Planning Policy Framework on achieving appropriate densities.
- 11.5 Policy DP1 requires that the layout and siting would be appropriate and it is considered that, in the context of the surrounding area, this layout would be acceptable. The dwelling (and existing dwelling) both retain reasonable sized plots which would ensure that the layouts would not appear cramped. Several objectors have referred to the fact that Woodpeckers has already severed part of its site for Heather Lodge, and as that there is covenant which establishes one dwelling per plot. The key consideration is whether the proposal would adversely harm the overall area, rather than any historic covenant, which is not a material planning consideration.

- 11.6 The area displays a number of dwellings of differing designs, and consequently the design of the dwelling is considered would not harm the appearance of the overall area. It is modest in scale and height, making use of materials which would match those of the surrounding development, and for that reason, it is considered to be acceptable and would comply with Policies DP1 and DP6.
- 11.7 The proposed dwelling would be a chalet-style bungalow with use being made of the roof space, thus there would be windows at first floor level. However, care has been taken over the design to ensure that the windows would not overlook adjoining development, including the host property. The modest height of the first floor, together with distances to adjoining development and the intervening tall vegetation would all combine to ensure that there is no overlooking or overshadowing of adjoining development.
- 11.8 Whilst it is acknowledged that Sandy Lane carries a large number of vehicles due to its position (it is used as a link between Chapel Lane and Shrubbs Hill Road), and also the presence of Vernon's Theatre and tennis courts and bowling green, it is not considered that the introduction of a single dwelling would significantly increase traffic in the area to an unacceptable degree, such that the application should be refused on this basis.
- 11.9 There are a number of small shrubs within the garden area of Woodpeckers which would have to be removed to enable the development to be implemented, but none of these are of such significance as to merit their retention. There are no other issues relating to trees, and therefore there are no objections on these grounds.
- 11.10 Whilst the site lies outside the 400m buffer of the New Forest SPA, any new residential development is considered could add to the increased pressure on the sensitive areas of the protected areas, and add to the potential for harm. 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 Council's Mitigation Strategy or mitigation to at least an equivalent effect. An appropriate condition seeking this is therefore recommended.
- 11.11 In conclusion, the application proposes one new dwelling and a garage within a defined New Forest village. The proposal would

be acceptable in this location and would not harm the overall character and appearance of the area, nor would it harm the amenities of adjoining occupiers. Permission is therefore recommended.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 Development shall only be carried out in accordance with Drawing nos: 101 Rev A, 102 Rev C, 103 Rev A and 104 Rev A. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

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

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

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

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

Reason: 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 and the amenities of neighbouring properties, contrary to Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 The garage 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 DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 6 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 CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD, Development Standards SPD and the SRMP.

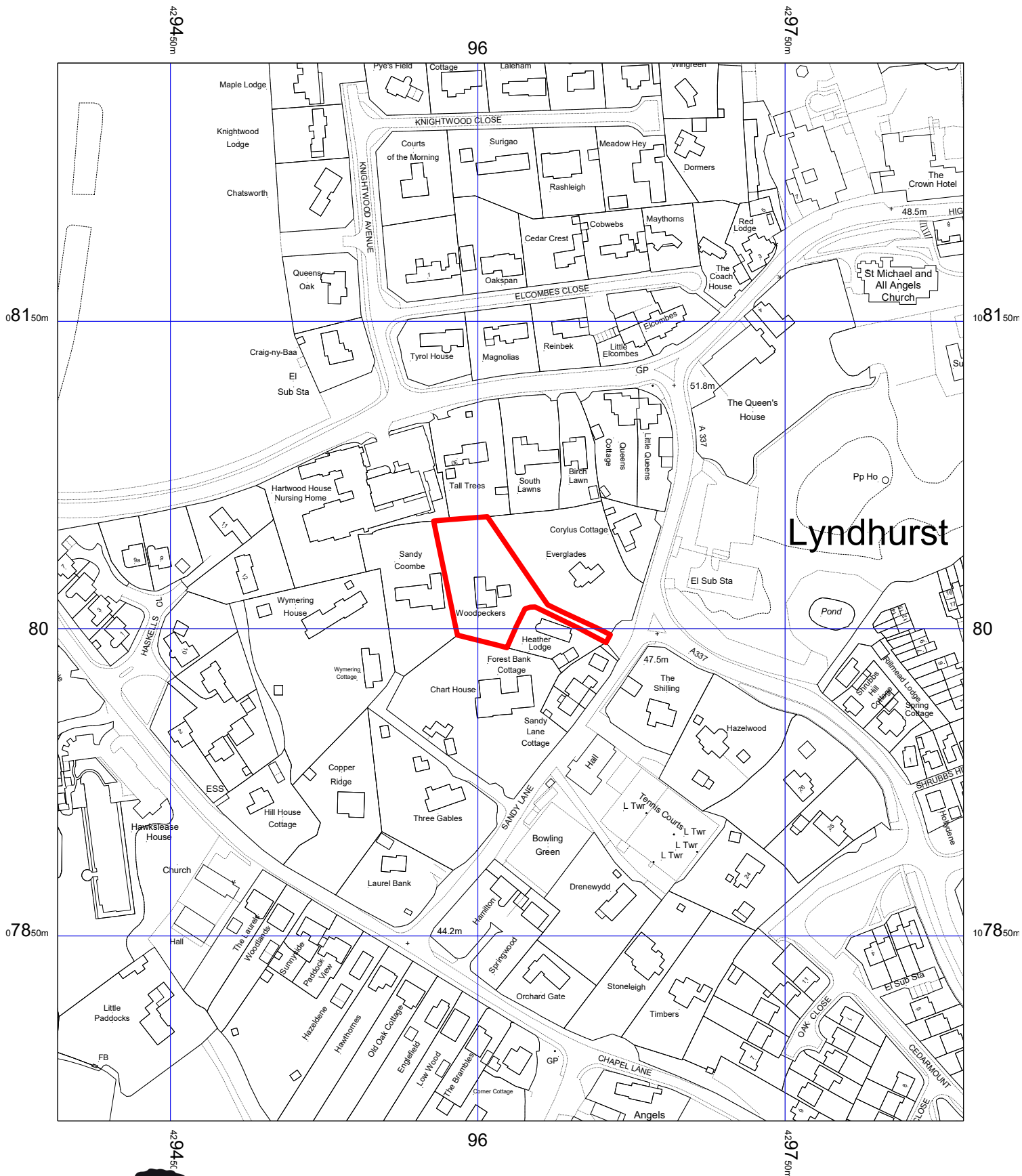
- 7 The building the subject of this permission shall not be first occupied until:

- (a) details of the treatment of the southern boundary of the site have been approved in writing by the New Forest National Park Authority, and
(b) these means of enclosure have been implemented in accordance with the details thus approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policies CP8 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 8 The conservatory hatched green on the attached drawing shall be removed prior to the commencement of any development.

Reason: In view of the characteristics of the plot, to ensure that there would be sufficient amenity space in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).



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