

Application No: 19/00150/FULL Full Application

Site: Rockford Farm Barns, Rockford Road, Rockford, BH24 3NB

Proposal: 1 No. new commoners dwelling; 1 No. new stable; 1 No. new barn; associated access, fencing and hardstanding; demolition of existing barns

Applicant: Mr W Zeigler, New Forest Trust

Case Officer: Liz Young

Parish: ELLINGHAM HARBRIDGE AND IBSLEY

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP13 Agricultural, Forestry & Other Occupational Dwellings
CP2 The Natural Environment
CP1 Nature Conservation Sites of International Importance
CP19 Access
CP8 Local Distinctiveness
CP7 The Built Environment
CP11 Affordable Housing
DP20 Agricultural and Forestry Buildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 5 - Delivering a sufficient supply of homes
Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council: Recommend permission but will accept a delegated decision:

- The Parish Council request that the ecology report should be taken into account when the drainage system is being designed to ensure nutrients are unable to escape into the environment and the wet areas are being protected appropriately.
- In order for stock to be turned out onto the adjacent commons, the appropriate licence must be put in place between the National Trust and the applicant, New Forest Trust.

8. CONSULTEES

- 8.1 Ecologist: No objections subject to conditions.
- 8.2 Landscape Officer: No objections subject to conditions relating to external lighting and landscaping.
- 8.3 Building Design & Conservation Area Officer: No objections subject to conditions.
- 8.4 Tree Officer: No objections subject to landscaping conditions.
- 8.5 Highway Authority (HCC): No comments received.
- 8.6 Natural England: No objections subject to appropriate mitigation.
- 8.7 HCC Access Development Officer (Planning): No objections subject to ensuring construction would not impact upon the public right of way and limitations being imposed in relation to restrictions on external lighting.
- 8.8 Archaeologist: No objections subject to submission and approval in writing of a Written Scheme of archaeological / historic building Investigation
- 8.9 Verderers of the New Forest: No objections raised.

9. REPRESENTATIONS

- 9.1 Three letters of objection received:
 - Herding cattle have caused significant ecological damage to Gipsy Hollow and Bigbury Hill since the New Forest Trust has taken possession of the tenancy.
 - The previously refused application sets out that the applicant has still failed to show a demonstrable need to undertake commoning from the site.
 - The ecological report sets out that the application site is highly

suitable for protected species.

- The proposal would further exacerbate overgrazing.
- Proposal would be contrary to the objectives of preserving dark skies.
- Potential impact upon ecological habitats with regards to Woodlark, Dartford Warbler and Nightjar.
- The proposals would result in the loss of historic barns and there would have been significant opportunity for the County Council to prevent damage from taking place through preventative measures.

9.2 Three letters of support:

- Finding appropriate sites for this form of development is difficult.
- Proposal would meet an important New Forest need.

10. RELEVANT HISTORY

- 10.1 2 No. new Commoners dwellings; 2 No. new stables; 2 No. new barns; associated access, fencing and hardstanding; demolition of existing barns (17/01077) Refused on 20 July 2018
- 10.2 Installation of new timber post and four strand barbed wire fence (15/00591) approved on 7 September 2015

11. ASSESSMENT

- 11.1 This application relates to a parcel of agricultural land which falls within the Western Escarpment Conservation Area. The site comprises a large, dilapidated L-shaped barn (specifically noted within the Conservation Area Character Appraisal for its vernacular interest) and the access (served by five bar gates) lies on the southern corner. With the exception of the land immediately in front of the barns, much of the site is a designated Site of Importance for Nature Conservation (SINC). An area of woodland and public right of way adjoin the southern boundary. These woods fall within the New Forest Site of Special Scientific Interest. The land rises steeply to the east away from the site and towards the open forest. Open fields lie to the east and north of the site and these also fall within the same ownership, with the total area amounting to just over 6 hectares.

Proposal

- 11.2 Consent is sought to demolish the existing barns and to construct a single commoner's dwelling. The dwelling would be served by a barn and a stable block which would be sited parallel to the south boundary. A small enclosed garden area is proposed to the property and hardstandings are proposed over the front of the site and also between the house and the outbuildings comprising a combination of concrete and hard core / scalping. Additional

planting is proposed to the front of the site to each side of the access including wild flowers, hedgerows and grassland. Additional fencing is also proposed around the site (as this also requires permission due to the existence of an Article 4 Direction restricting means of enclosure). Fencing would include post and rail chestnut fencing to the front of the cottage and stock fencing with five bar gates enclosing the rear garden area along with the rest of the application site from the adjoining fields.

Background

- 11.3 In terms of background this application has been submitted in order to address the concerns which led to the previous scheme being refused. This earlier application was refused because of the following two reasons:

In the absence of a demonstrable need to undertake commoning from the site, the proposal represents an inappropriate form of residential and agricultural development within the open countryside contrary to Policies DP12 and DP20 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

The proposal to provide two new commoners' holdings with all the attendant farm buildings, hardstandings and boundary enclosures would result in an overdevelopment of the site, to the detriment of the character and appearance of the Western Escarpment Conservation Area and the rural amenities of the surrounding area, contrary to Policies DP1, CP8 and DP20 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 11.4 As noted at the time of the previous application the New Forest Commoning Review (2007) identified poor access to suitable affordable housing as possibly the single largest threat to sustaining commoning in the future. A recommendation of the Review was that the relevant authorities and landowners should look to develop rental schemes to help commoners access affordable housing. In 2015 the New Forest Trust acquired a 99 year lease from Hampshire County Council (the landowner) for 6 hectares of land at Rockford for use *"in connection with the support and management of the lawful depasturing of commonable animals on the Crown Lands"*. This application (and the previous submission) has been submitted following pre-application discussions which have focused on the site layout, dwelling size and building composition.

- 11.5 It remains the case that the main issues to assess relate to:

- The extent to which the proposal would be justified in terms of enabling a viable commoning activity to take place from the site

- and providing essential accommodation to serve the functional needs of the commoning enterprise (having regard to the additional information accompanying this latest application).
- The impact the development would have upon the character and built heritage of the New Forest National Park (having regard to the design changes now proposed, the conservation area designation and the proximity to a Grade II listed building, Rockford Farm).
- Highway considerations.
- Implications for the ecology and natural features of the site.

Consideration of Issues

- 11.6 This follow up application has again been submitted on behalf of the New Forest Trust and it remains the case that the site falls within the ownership of Hampshire County Council. One of the main objectives of the Trust is to build up a stock of land and housing to be let out to young commoners. The Trust identifies a need for back up land and housing. It is proposed that the rental agreement would be conditional on the occupants continuing the practice of commoning. The Landowner, Hampshire County Council has granted the Trust a long-term lease on 15 acres of land at the site specifically to benefit commoning (this being a condition of the lease). The intention is that the property would be built using the existing dispensation for commoners housing.
- 11.7 The submission also now includes statements of interest in the property from five individuals, all of whom are practicing commoners in the New Forest. Having regard to this, along with the unique circumstances referenced above and also the fact that only one unit is now proposed it is considered that there would be a realistic prospect of ensuring that the development meets an identified commoning need.
- 11.8 It is also relevant to note that the Authority's emerging Local Plan now includes a new stand-alone policy for commoners dwellings, which supports proposals for rented accommodation providing it can be managed by an appropriate body such as the New Forest Trust. Since the last refusal, this emerging policy has been upheld following the Local Plan Examination and so it now carries significant weight.
- 11.9 Appropriately worded occupancy conditions (and the availability of back up grazing land) would ensure the property would benefit rural workers involved with commoning, meeting the objectives of the New Forest National Park Core Strategy in terms of benefiting the ecology, landscape and cultural heritage of the New Forest. The proposal would accord with the general thrust of Policy DP13 in terms of there being an identified need to further commoning activities from the site and enabling the viability of the activity to continue. Whilst concerns have been raised in representations that the site does not include sufficient back up grazing, the fields

associated with the site would amount to over 6 hectares (significantly greater than the minimum land required under the Commoners Dwelling Scheme). The site also benefits from direct access onto the open forest.

11.10 Whilst the concerns raised by neighbouring representations in relation to the built heritage are noted and the loss of the existing barns is regrettable, options to retain and convert these buildings were explored during the early stages of the pre-application process. It became apparent that this would not be viable due to the very poor condition of the buildings. Pre-application discussion was then focussed around replacing the barns with two new dwellings. This application (and the previously refused scheme) has also been accompanied by a condition survey for the buildings. Key findings set out within this survey are as follows:

- The majority of the roof is in poor condition due to the decline of the supports and roof spread. The roof has also become distorted due to movement of the external walls.
- The timber frame is in a state of disrepair.
- The wall plates, columns and timber infills are also beyond repair.
- Masonry walls are not vertically aligned.
- Repair and remediation would not be viable or practical and the structures have exceeded their serviceable life.

Based upon this it would be unreasonable to oppose the loss of the existing buildings subject to ensuring an appropriate form of redevelopment. Furthermore, the loss of historic fabric was not raised as a specific reason for refusal at the time of the previous application. The Heritage Statement which accompanies this latest application also concludes that both barns are unsafe and the general principle of redevelopment on the site would be acceptable subject to ensuring an appropriate character and addressing the previous concerns raised in relation to scale and overdevelopment.

11.11 As set out above the previous application was primarily turned down due to the overall extent of development. In the case of these latest proposal the simple design of the proposed dwelling, its modest scale and traditional fenestration and materials (facing brickwork, clay tiles, timber cladding and natural slate) would ensure the buildings preserve the character and appearance of the conservation area. The accompanying Heritage Statement sets out that the cottage has been designed with a simple, rectangular form to enable it to appear as a plain worker's cottage typical of the New Forest. The bricks would be handmade and the cladding of the side extension in timber would pick up on the existing cladding to the barns. The proposed ancillary buildings would be clustered close to the proposed dwelling incorporating a relative traditional layout arranged around open yard areas. The reduction in the number of buildings from the earlier application would now achieve a tighter and more rural composition. The extent of hardsurfacing

has also been reduced further. Landscaping would (subject to additional planting information) be appropriate to the rural context.

- 11.12 In terms of wider impacts, it was established at the time of the previous application (and following a more recent site visit) that the proposal would be readily visible from the public right of way to the south. However, the proposed dwelling would be well distanced from this boundary (to a greater degree than the previous scheme). Whilst the stables and barn would lie close to the south boundary the roofs would slope away from the edge of the site and the boundary trees would offer partial screening. These buildings would also be cut into the sloping ground, mitigating their impact further. It is also noted that concerns have been raised in relation to the setting of Rockford Farm. However, this property lies approximately 60 metres from the site and across the road. The two sites form two distinct and visually separate building groups and it is therefore considered that there would not be any visual harm to the setting of the listed building, particularly when having regard to the rural design and scale of the dwellings and the agricultural appearance of the ancillary buildings. No objections have been raised by the Building Design and Conservation Officer with regards to the setting of Rockford Farm or the character of the wider area and the proposal would therefore preserve the character and appearance of the conservation area in accordance with Policies CP7 and CP8 of the New Forest National Park Core Strategy.
- 11.13 A number of representations received raise concerns over the impact the development would have upon the ecology of the New Forest in terms of designated sites, the SINC for Nature Conservation and protected species. Additional survey work was submitted whilst the previous application was under consideration in order to address these concerns (Arcadian Ecology, May 2018). No objections were raised by the Authority's Ecologist at this stage and ecological impact was not included as a reason for refusal. The Ecology Report accompanying this latest application (February 2019) also refers back to the ecological assessment undertaken on 3 May 2018. The report notes the presence of two priority habitats including purple moor grass and rush pastures along with lowland dry acid grassland. Field subdivision is noted as having potential to impact upon the integrity of the Site of Importance for Nature Conservation (SINC) - an issue which has also been highlighted by the Authority's Ecologist. However there is an Article 4 Direction in place on the land which ensures any means of enclosure would require planning consent. The report includes a number of mitigation and enhancement measures and the Authority's Ecologist is satisfied that these would satisfactorily mitigate against any harmful ecological impact, particularly having regard to the reduction from two to one unit.
- 11.14 The Authority's Ecologist highlights the requirement for appropriate assessment as the proposal would result in a net increase of one

dwelling with potential to impact upon the New Forest SPA and other New Forest designated sites. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') a further Appropriate Assessment has been carried out in relation to this follow up application as to whether granting planning permission would adversely affect the integrity of the New Forest European site, 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.

- 11.15 Although representations raise concerns in relation to grazing densities, the ecological survey indicates that the designated SSSI around Rockford has been associated with insufficient numbers of livestock to suppress non-native vegetation. Recent commoning from the site has brought about some benefit, however, in terms of opening up bracken swards through trampling together with tree and shrub regeneration. The report concludes that the establishment of a holding at Rockford would enable a secure commoning use by commoning families addressing the identified risk of reduced stock numbers. Based upon this additional survey work (and the implementation of appropriate mitigation) the proposal would preserve the ecology of the site and the wider area in accordance with Policies CP1 and CP2 of the New Forest National Park Core Strategy.
- 11.16 Due to the conservation area status of the site the trees are protected. The loss of the self-sown trees within the site are not considered to have any implications for wider amenity. The proposed scheme in its revised form will also result in the loss of an Ash tree and could result in a detrimental impact on a group of Ash trees and Holly trees growing along the southern boundary of the site. This is considered acceptable if a full landscaping plan is submitted which includes a hedgerow along the southern boundary and individual trees. The applicant has indicated that they would be happy to accept a condition ensuring additional planting. Subject to these requirements being met the proposal would be in accordance with Policy CP2 of the New Forest National Park Core Strategy.
- 11.17 Whilst concerns raised in relation to flood risk and drainage are noted, the site does not lie within a designated flood zone (as noted at the time of the previous application). Furthermore, it is evident that many of the drainage issues referred to already exist and would not be directly associated with the proposals. Notwithstanding this a drainage report has been submitted in order to address concerns and the change from two dwellings down to

one along with an associated reduction in hardsurfacing would further reduce pressure on local drainage. This report concludes that the proposed development would increase the total impermeable area by 370m² (significantly less than the previous 755m² which would have resulted from the 2017 proposal). The right of way and also the highway adjacent to the site currently contribute to a significant amount of runoff and significant runoff has been observed both into and from the site, much of which enters the existing ditch. The report recommends the use of soakaways and a piped water system if necessary. Drainage and flooding did not form part of the reasoning behind the refusal of the previous planning application and the proposal is therefore not considered contrary to Policy DP4 of the New Forest National Park Core Strategy.

- 11.18 As noted at the time of the previous application 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 11 below.

Conclusion

- 11.19 This application provides for a new commoner's holding that would uniquely be made available to practicing New Forest commoners on a sustainable rent giving them a secure base from which to develop their commoning activities. The scheme has been designed to take full account of its sensitive surroundings and the terms of condition 2 below, together with the existing agreements that already govern the use of the land for New Forest commoning, would ensure that the development can only be occupied by qualifying applicants. The previous concerns raised in relation to lack of a demonstrated need for the development along with the impact upon the character of the area have been addressed by the submission of additional information relating to potential occupants along with the reduced scale of the proposal down to one unit. It is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 The occupation of the dwelling and associated development hereby permitted shall be limited to persons solely or mainly working in the locality in commoning. Furthermore, the occupation of the dwelling shall be for rental purposes only, such tenancies to be managed solely by the New Forest Trust in perpetuity. The associated farm buildings and grazing land shall only be used in association with the occupation of the dwelling and shall at no time be severed from the holdings or sublet to another third party.

Reason: The dwelling and associated development is only justified on the basis that they are necessary to sustain the practice of commoning in the New Forest and to provide more affordable accommodation for New Forest commoners in accordance with Policy CP11 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 for the dwelling, barn and stabling 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 buildings and to preserve the character and appearance of the Conservation Area in accordance with Policies DP1, CP8 and DP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 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) 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 CP8, CP2 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 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).

- 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 or C of Part 1 of Schedule 2 to the Order, shall be erected or carried out on the approved dwellings 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 DP11 and DP13 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 7 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).

- 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 in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 No development shall take place until a Construction Environment Management Plan has been submitted and approved in writing by the National Park Authority. The Management Plan shall include the measures and recommendations within the Ecology Assessment (Arcadian Ecology Feb 2019) in respect of timing of works, ecological clerk of works, management of water on site, management of excavations and excavated material, location of materials storage, construction compound and contractor parking. Operations shall proceed and be maintained in accordance with the plan unless otherwise agreed in writing.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 10 No development shall take place until a Biodiversity Conservation and Enhancement plan for the land contained within the blue line along with a final specification of the artificial biodiversity compensation measures (e.g. type/design) for the site has been submitted and approved in writing by the National Park Authority. This shall include the following details:

- details of desired nature conservation outcomes
- limits of acceptable environmental change, management measures proposed
- a monitoring framework to inform management and assess success of delivery, timetable for the implementation of the actions.

The plan shall cover the lifetime of the occupation and use of the land in question and include a five-year plan with annual actions which will be subject to renewal and review as required by the Authority after each five-year period.

Reason: To safeguard protected species and designated sites in accordance with Policies DP1, CP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 11 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;
- 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.

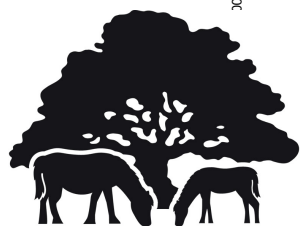
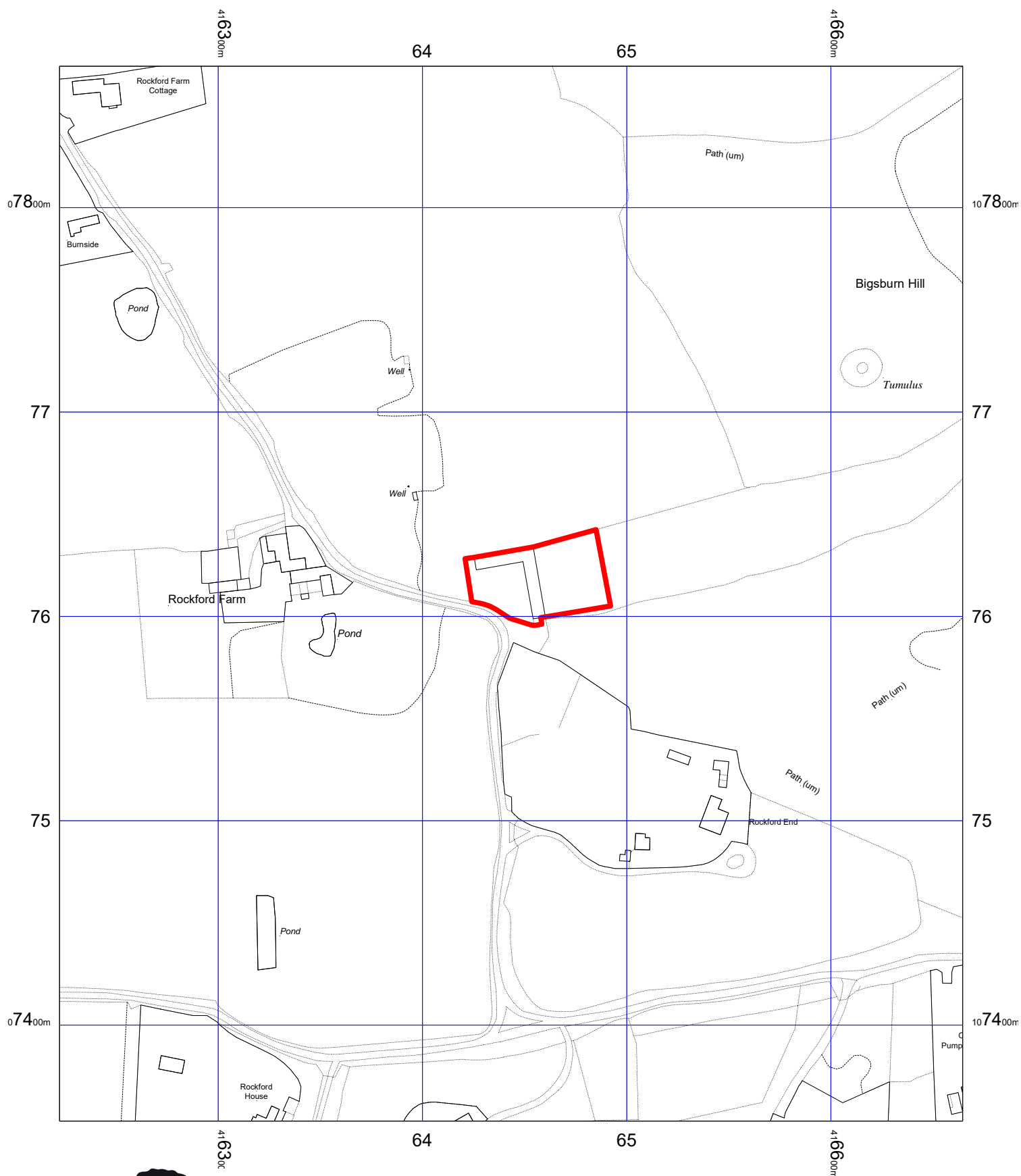
Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC), in accordance with the Authority's Interim Phosphorus Mitigation Strategy.

- 12 The stables and barn subject of this permission shall only be used for commoning or agricultural purposes and for no other commercial, business or storage purposes whatsoever.

Reason: The buildings are only justified on the basis that it is necessary for agriculture and in accordance with Policy DP20 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 13 Development shall only be carried out in accordance with (list relevant plans). 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.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 01/05/2019

Ref: 19/00150/FULL

Scale: 1:2500

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Application No: 19/00206/FULL Full Application

Site: Southways, Lisle Court Road, Lymington, SO41 5SH

Proposal: Extension to existing garage

Applicant: Mr P Chapman

Case Officer: Katie McIntyre

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
 DP6 Design Principles
 DP12 Outbuildings
 CP7 The Built Environment
 CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places
 Sec 15 - Conserving and enhancing the natural environment
 Sec 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal. The proposed enlargement from the existing 3 bay garage to a 5 bay garage is thought to be excessive in close proximity to a very rural road in the Conservation Area and furthermore, has the appearance of a separate dwelling.

8. CONSULTEEES

- 8.1 Tree Officer: No objections as no important amenity trees would be affected

9. REPRESENTATIONS

- 9.1 None received

10. RELEVANT HISTORY

- 10.1 Single-storey extension to existing porch / conservatory; extension of first floor balcony (19/00133) granted on 15 April 2019
- 10.2 Application for a certificate of lawful development for a proposed single-storey rear extension (16/0095) resolved that planning permission is not required on 17 February 2016
- 10.3 First floor extension, detached triple garage, render and cladding to house, replacement roof tiles and hardstanding (15/00869) granted on 22 December 2015

11. ASSESSMENT

- 11.1 The application site comprises a detached dwelling and garage, and is sited within the Forest South East Conservation Area. The property shares an access from Lisle Court Road with the adjacent hotel, Elmers Court. This application seeks consent for an extension to the existing garage.

- 11.2 The relevant considerations are:

- The impact upon the character and appearance of the area and the surrounding Conservation Area;
- Whether the proposal would comply with Policy DP12.

Due to the position of the outbuilding there would not be any adverse impact upon the amenities of the neighbouring dwellings. The Parish Council have raised concerns with regards to the close proximity of the garage to Lisle Court Lane as well as its future use.

- 11.3 It is proposed to add a further two bays onto the existing detached outbuilding serving the site resulting in a 5 bay garage in order to provide space for the applicant's classic car collection. Currently the area to the side of the outbuilding is tarmac and provides space for the parking of vehicles. The proposed extension would have a gable form and would have a slightly higher ridge height than the building in situ with a small front projection. The proposal would result in a large outbuilding serving the site, however the

site is of a size which could comfortably accommodate a building of this size without it appearing cramped. Furthermore, the footprint of the outbuilding would also still appear in proportion with the host dwelling which is a substantial two-storey 'L' shaped dwelling.

- 11.4 Views of the addition would be possible from Lisle Court Road. This boundary is screened by a tall brick wall. Views of the existing outbuilding are available from this lane, however due to the height of the boundary wall only the roof line of the existing outbuilding is visible. This would also be true of the proposed addition which, from Lisle Court Road, would appear as an extension to the existing slate roof. Although views of the addition would be visible from the public realm it is not considered this would appear visually imposing or to the detriment of the character and appearance of the rural locality.
- 11.5 The proposed use of the outbuilding would also be for incidental purposes to provide storage for the applicant's classic cars which would be in accordance with policy DP12. A condition is recommended to ensure that the future use of the outbuilding remains incidental in accordance with policy DP12. The applicant has stated in writing that there are no objections to this condition.
- 11.6 To conclude, it is therefore recommended that permission is granted subject to appropriate conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

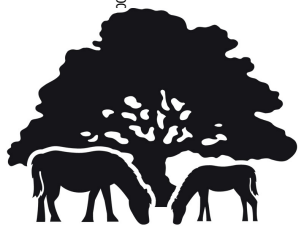
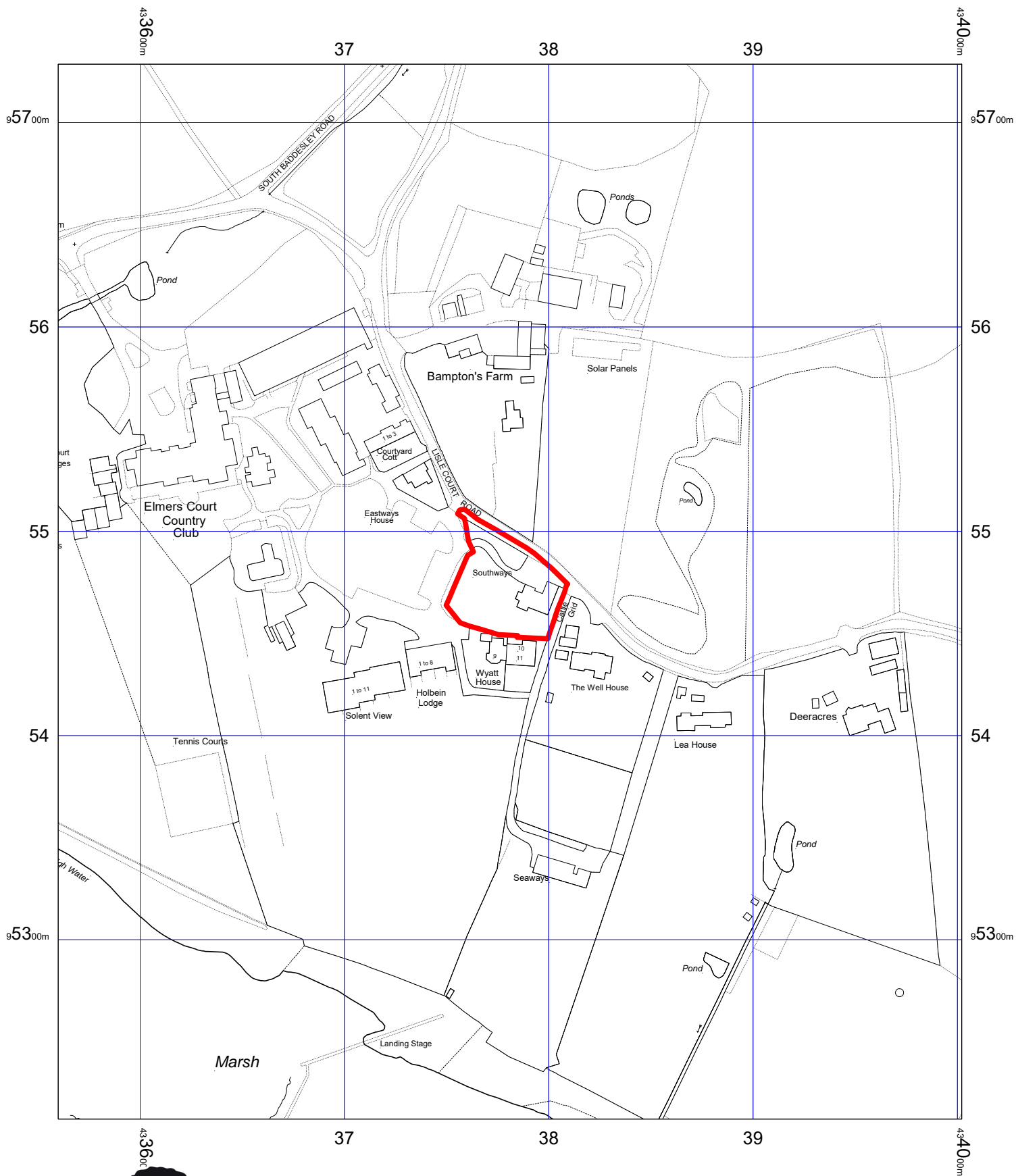
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Development shall only be carried out in accordance with drawing numbers: R101 and R102. 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 Unless otherwise first agreed in writing by the New Forest National Park Authority the external facing and roofing materials shall be as stated on the application form hereby 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 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 DP11 and DP12 of the adopted 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

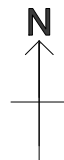
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Ref: 19/00206/FULL

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Application No: 19/00279/FULL Full Application

Site: Inchcolm, North Road, Brockenhurst, SO42 7RQ

Proposal: 1 no. detached dwelling; 1 terrace of 3 no. dwellings; parking; access alteration; demolition of existing dwelling

Applicant: Mr S Tizzard, Bisterne Developments Ltd

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

DP1 General Development Principles
 CP2 The Natural Environment
 CP12 New Residential Development
 CP9 Defined Villages
 DP6 Design Principles
 CP8 Local Distinctiveness
 CP7 The Built Environment
 CP19 Access
 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 16 - Conserving and enhancing the historic environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal:

- The plans do not accurately reflect the surrounding properties or the site itself and this is not a sound basis on which to determine the application.
- It is unclear whether or not the plans have been amended to address case officer concerns over the increased footprint from the appealed scheme.
- Concerned that the proposal would amount to overdevelopment of the site along with overlooking and loss of amenity to neighbouring properties and the Conservation Area.
- Proposed access and parking arrangements also remain unsatisfactory.

8. CONSULTEES

- 8.1 Tree Officer: No objections raised.
- 8.2 Highway Authority (HCC): No objections raised subject to conditions and further clarification of visibility splays.
- 8.3 Ecologist: No objections subject to appropriate mitigation and appropriate assessment.
- 8.4 Natural England: No comment.

9. REPRESENTATIONS

- 9.1 One letter of objection from a neighbouring property:
- The proposal would lie closer to the boundary with the Old School House than the approved scheme.
 - Buildings are not correctly shown on the submitted plans.
 - Previous concern raised in relation to cramped layout has not been addressed.
 - The application site is set on more elevated ground than that of the Old School House.
 - The proposal would have a suburbanising impact on the character of the area.

10. RELEVANT HISTORY

- 10.1 3 No. new dwellings; alterations to existing access; demolition of existing dwelling (18/00372) approved on 20 September 2018.
- 10.2 Outline Application for 3 No. new dwellings; demolition of existing dwelling; access to be considered (17/01011) refused on 08 January 2018.
- 10.3 Outline application for 4 new dwellings and demolition of existing dwelling with access to be considered (17/00529) (revised design

to application 17/00274) refused on 20 September 2017. Appeal against refusal dismissed on 23 October 2018.

- 10.4 Outline application for 4 new dwelling; Access to be considered (17/00274) withdrawn 31 May 2017
- 10.5 2 no dwellings (demolition of existing dwelling) (16/00486) Land adjoining September Cottage, North Road approved on 21 September 2016.
- 10.6 One pair of three-bedroom semi-detached dwellings; new access (revised scheme to planning permission 14/00008) (15/00615) approved on 11 January 2016.
- 10.7 One pair of two-bedroom semi-detached dwellings; access (14/00008) approved on 3 September 2014.

11. ASSESSMENT

- 11.1 Inchcolm is a detached 1.5 storey dwelling located within the defined settlement boundary of Brockenhurst. The Brockenhurst Conservation Area runs along the south and west boundaries of the site and the site also lies close to Grade II listed buildings, the Rose and Crown Public House to the south, and a pair of semi-detached cottages across the road to the west. Brockenhurst College lies to the north, whilst the rest of site is adjoined by residential properties (including a site which has recently been developed with two detached dwellings following the granting of consent 16/00486). Protected trees lie along the north and east boundaries.

Proposal

- 11.2 Consent is sought to replace the detached property at the front of the plot with a detached four-bedroom property and to construct a terrace of three properties to the rear of the site. These three properties would share an access which would run along the north west boundary with the neighbouring property and a parking and turning space is also proposed. This would be located immediately between the rear elevation of the unit fronting north road and the front elevations of the three rear units. The front unit (Unit 1) would be constructed in a similar style to the two recently completed dwellings to the south east (land of September Cottage) with a combination of red brick, white render and clay tiles. The rear units would incorporate similar materials with a combination of hipped and gabled roof lines. All three would include a modest front porch.

Background

- 11.3 In terms of background, this application has been submitted as a follow up from a recent appeal decision (17/00529). This earlier

decision was dismissed on ecology grounds only, with the general principal of replacing the main house and introducing a terrace of three properties to the rear considered acceptable (subject to undertaking further ecology survey work). The Inspector was not satisfied that the proposal would avoid or adequately mitigate unacceptable harm to bats having regard to the fact that the ecological survey work did indicate that there was a bat roost on site. This was the main grounds on which the appeal was dismissed, and the Inspector considered that there would be no harmful loss of amenity to neighbours or any detrimental impact upon the character of the wider area. Following the refusal of this appealed application but prior to the determination of the appeal, the Authority has also consented a more modest scheme comprising two additional units to the rear. However, this has not been implemented.

- 11.4 Following on from the previous appeal decision where the Inspector referred to the plans at the time as "a reasonable guide to the layout and scale of buildings likely to be presented for approval at a later stage," it would be appropriate to consider whether the updated ecological survey satisfactorily rules out any harmful impact upon protected species (identified previously as the main issue). The current proposal does include some design changes to the appealed scheme and it would therefore also be necessary to consider whether these changes bring about any harmful impacts in relation to the character of the wider area along with the amenities of neighbouring residents.

Design and Layout

- 11.5 The main changes from the approved scheme are summarised as follows:

- The positioning of the access and front unit has been altered.
- The design has also been amended (with gabled rather than just hipped roof lines along with more varied ridge heights).
- A greater amount of parking is also now proposed.
- It is evident that the overall building footprint has increased (by approximately 20 square metres).
- The row of three units have been slightly re-positioned closer to the north boundary with Brockenhurst College.

- 11.6 The impact the proposed development would have upon the character of the area was considered at the time of the previous appeal decision and the main points noted by the Planning Inspector at this stage are set out as follows:

"The development at the back of the site accessed off North Road would not be read in relation to the Lymington Road frontage, and this would be reinforced by its limited visibility from Lymington Road. As such the development at the back of the site would not adversely affect appreciation of the historic layout of development

within the Conservation Area".

"Similarly compact plots occur in conjunction with various terraced developments along Lymington Road, and at Drays Mews"

"Coverage by buildings of the adjacent plots fronting Lymington Road is also much greater"

"No reason to consider that the development proposed would appear cramped".

- 11.7 Notwithstanding the slight overall increase in built footprint since the appealed scheme the overall impact of this would be negligible having regard to the size of the plot, the number of units proposed and the slight re-positioning of the buildings. The design of Unit 1 at the front of the site would largely replicate the character and appearance of the development at September Cottage (which includes slate effect tiles, UPVC windows, tile hanging and white painted brick work). In the case of this current proposal the applicant has now indicated that they would be willing to use an off white / buff painted brick work rather than white, natural slate roof tiles and composite windows (rather than UPVC). The amended elevational design to the three units (from the appeal scheme) has achieved a less monolithic scale and form as a result of the varied heights and roof form and this would also break down the overall scale and impact of the development. The proposals would therefore not have a harmful impact upon the character of the area, particularly when having regard to the limited impact upon views from the conservation area along with the main road. Furthermore, the existing dwelling on site has a fairly suburban character with modern materials and the removal of this building would bring about an overall improvement to the street scene. The development would therefore meet the requirements of Policies CP8 and CP9 of the new Forest National Park Core Strategy.

Amenity Considerations

- 11.8 Notwithstanding the slight increase in footprint the proposed development would not encroach any closer towards the site boundaries than the appealed scheme. The proposal has been re-positioned slightly to the north and east resulting in a slight increase in the degree of separation from the west boundary with neighbouring properties (from 3.3 metres to 3.5 metres) and from the southern boundary with the recently completed development at land of September Cottage (from the previous 8.6 metres to 9.6 metres). The distance between the rear elevation of the three units and the north boundary (adjoined by the college grounds) has reduced slightly from 3.5 metres to 3.1 metres. With regards to living conditions, the Planning Inspector previously concluded that *"whilst overlooking cannot be entirely avoided within a densely developed context, and some degree of overlooking is*

therefore acceptable, it is apparent that it would be possible to vary the internal layouts and the arrangement of windows within and between elevations of units in order to avoid and minimise both overlooking and front - back conflict..." In response, the upper floor windows have been deleted from the west and south elevations (windows on these elevations having been conditioned to be obscurely glazed in the case of the consented scheme for two dwellings). Having regard to this, along with the conclusions previously made by the Planning Inspector, it is considered that the development would not give rise to a harmful level of overlooking towards neighbouring properties.

- 11.9 The concerns raised by a neighbouring resident in relation to overbearing impact, loss of light and noise levels were also matters which were addressed at the time of the appeal decision. However, the Inspector noted the overbearing impact of the existing dwelling at Inchcolm upon neighbouring properties and considered that its removal would bring about an overall improvement to the relationship with neighbouring properties. The Inspector concluded that subject to *"careful handling of the exact position, form and scale of development and boundaries.....no unacceptable degree of harm to the neighbouring dwelling would arise"*. Having regard to these findings and the increased separation from the closest neighbouring properties to the west and the south, it is considered that the development would not give rise to a harmful loss of amenity to neighbouring residential properties.

Highways

- 11.10 The comments from Highways relating to visibility splays and bin storage appear inconsistent with comments received from the same department whilst the previous application (17/00529) was under consideration (where the same number of units was proposed). In light of the fact Highways took the opportunity to make comments and did not raise these issues previously, it would be unreasonable to raise these issues at this stage. The applicant has also indicated that they are happy to accept conditions relating to parking and cycle parking.

Ecology

- 11.11 Based upon further feedback from the Authority's Ecologist, it is considered that the further ecology survey work dated from June 2018 addresses the previous concerns raised by the Planning Inspector. As noted at the time of the previous application, the proposal would result in the disturbance of a known roost. The Ecologist acknowledges that appropriate mitigation could be implemented but it remains the case that the Authority must engage with the tests of the Habitats Regulations in reaching a decision.

- 11.12 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. The development would therefore now meet the requirements of Policies CP1 and CP2 of the New Forest National Park Core Strategy and the Habitats Regulations.

Conclusion

- 11.13 For the reasons set out above, the proposal in its amended form is now considered to meet the requirements of Policies DP1, CP9, CP8, CP7 and CP12. The previous concerns raised in relation to the potential impact upon protected species (particularly bats) have been addressed following further survey work and further consideration has been given to the design and layout of the development to mitigate any potentially harmful loss of amenity and detriment to the character of the wider area. It is therefore recommended that planning consent should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Treecall Consulting Ltd Arboricultural Impact Assessment and Method Statement dated 21 March 2019 Ref: DS/64319/AL alongside the recommendations as set out in BS5837: 2012.

Attention is draw to the phasing of arboricultural operations which

highlights A pre-commencement site meeting.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

- 3 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) 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).

- 4 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).

- 5 A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

The spaces shall be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the

interests of highway safety and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010), section 4 of the National Planning Policy Framework and the Development Standards SPD.

- 6 The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

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

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 7 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 development remains of a scale and character which is appropriate to its location within the countryside and to comply with Policies DP1, CP9 and CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

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

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

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

Reason: To protect the character and architectural interest of the building in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 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).

- 10 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report hereby approved (ABR Ecology 3 June 2018, updated 5 March 2019). The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 11 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.

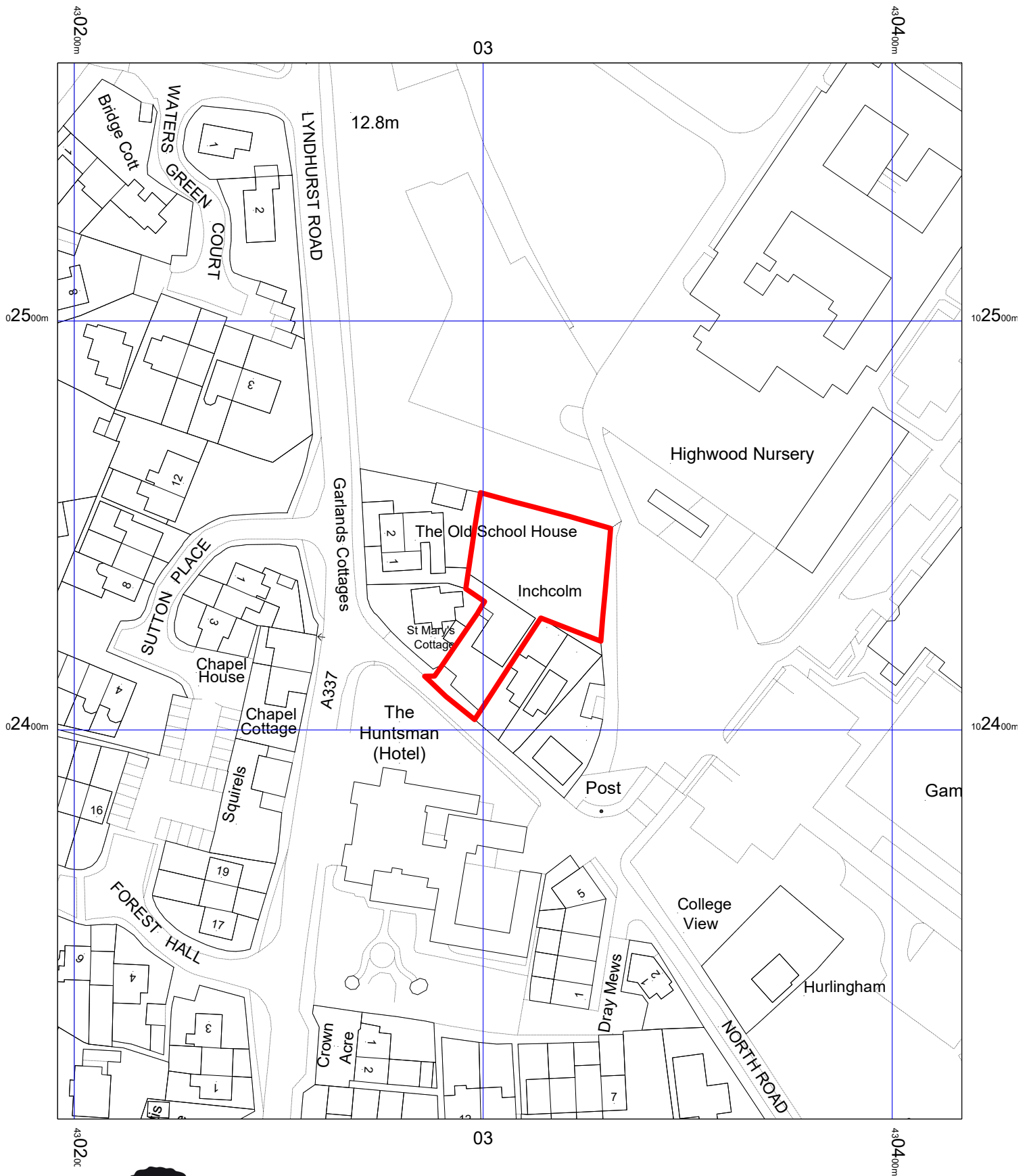
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 12 Development shall only be carried out in accordance with drawing nos: 8743/600 Rev C, 8743/601 Rev C and 8743/602 Rev C. 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 buildings in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 13 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.



NEW FOREST
NATIONAL PARK

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