

Application No: 19/00512/FULL Full Application

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

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

Applicant: Mr White, Coombe Healthcare

Case Officer: Carly Cochrane

Parish: ELLINGHAM HARBRIDGE AND IBSLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Flood Zone

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

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

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

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

8. CONSULTEES

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

9. REPRESENTATIONS

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

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

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

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

10. RELEVANT HISTORY

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

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

11. ASSESSMENT

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

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

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

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

with the reason given that the

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

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

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

landscape.

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

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

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

12. RECOMMENDATION

Grant Temporary Permission

Condition(s)

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

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

- 2 Development shall only be carried out in accordance with

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

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

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

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

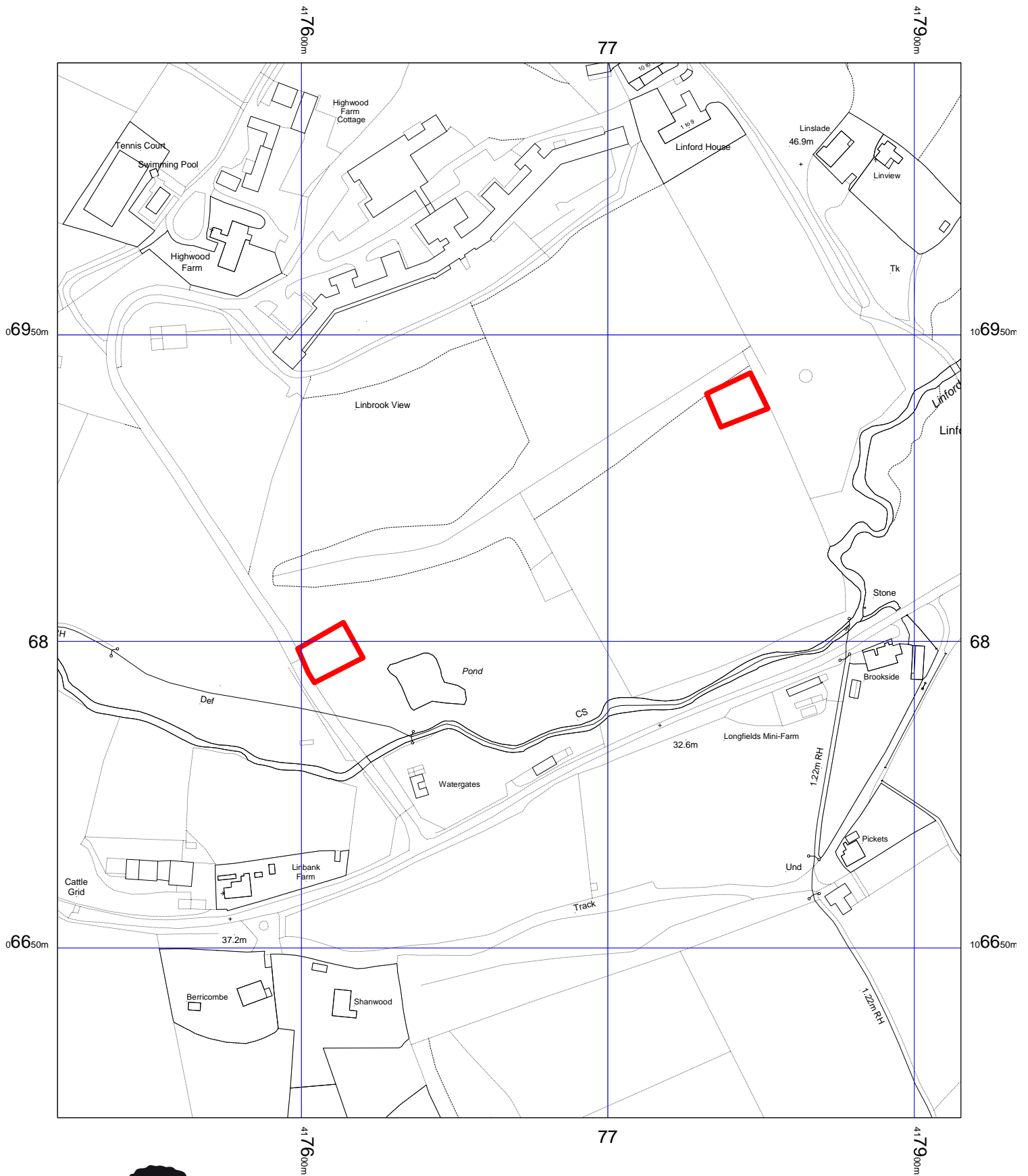
The agreed arrangements shall be submitted within three (3) months of planning permission being granted; should be in accordance with BS 5837:2012 and; shall be carried out in full prior to any removal activities taking place. Any tree protection shall remain in-situ for the duration of the removal and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

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

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

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

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



NEW FOREST
NATIONAL PARK

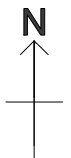
New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

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