

**Application No: 19/00671/FULL Full Application**

**Site:** Grid References Su427005 & Su423010, Land West Of Summer Lane, Exbury, SO45 1AZ

**Proposal:** Change of use of land for relocation of archery club; relocation of storage container and 2no. portaloos; creation of additional parking

**Applicant:** The Exbury Estate

**Case Officer:** Liz Young

**Parish:** EXBURY AND LEPE

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

- DP2 General development principles
- SP5 Nature conservation sites of international importance
- SP7 Landscape character
- SP15 Tranquillity
- SP17 Local distinctiveness
- SP39 Local community facilities
- SP55 Access
- SP42 Business and employment development

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Exbury & Lepe Parish Council: Recommend permission:

- Proposed site arguably would be more suitable.
- The Archers and Exbury Estate have a long and amicable relationship.
- Site is out of public view and is less vulnerable to vandals and theft.
- No public rights of way adjacent to the site.
- There is ample room for the necessary infrastructure.
- No net loss of agricultural land.

## 8. CONSULTEES

8.1 Highway Authority (HCC): Raise concerns that further evidence (speed survey) is required to justify that the proposed access is safe (Visibility splay requirements are calculated based on the measured speeds).

- Existing archery site has better visibility splays in both directions and it is located within the section of Summer Lane with a 30mph speed limit (in contrast to the proposed site where the access has limited visibility and is located on the section of the road with 40mph speed limit).
- The proposed access therefore cannot be considered to be “equivalent” to the existing access.
- To improve the visibility at the proposed access, the vegetation within the visibility splays need to be cut back or removed.

8.2 Tree Officer: No objections raised.

8.3 Ecologist: No objections raised.

8.4 Landscape Officer: Objection raised.

## 9. REPRESENTATIONS

9.1 No representations received.

## 10. RELEVANT HISTORY

10.1 Change of Use of Land to create a private arboretum; relocation of archery club (D2); relocation of storage container (18/00917) refused on 14 March 2019

### Adjacent Site

10.2 Temporary change of use of land for archery and temporary siting of storage container (resubmission) (01/71826) temporary permission granted 10 August 2001

*This permission includes a condition restricting the use of the site*

*to the Waterside Archers only and to ensure it would be carried out fully in accordance with the level of use described within the application submission (no more than 20 cars).*

- 10.3 Change of use of land for archery and temporary siting of storage container (00/70882) refused on 8 March 2001
- 10.4 Construct pedestrian access either side of Summer Lane (92/51295) approved on 11 March 1993

## **11. ASSESSMENT**

- 11.1 This application relates to a parcel of land which forms part of the Exbury Estate. The site, which is accessed directly from Summer Lane and lies north east of Exbury Gardens, amounts to 5.3 hectares. This site has a largely unmanaged appearance and consists of rough pasture with no built development. It is enclosed to the west and north by woodlands and is visible through the main access from Summer Lane. The northern boundary is directly adjoined by a locally designated Site of Importance for Nature Conservation (ancient woodland). The wider setting is essentially rural and comprises a combination of large fields with established woodland areas forming part of the large informal enclosures of the Coastal Plain Estates (Landscape Character Area 15 of the New Forest National Park Landscape Character Assessment).

### **Proposal**

- 11.2 Consent is now sought to change the use of the application site from agriculture to an archery field. The applicant indicates that the archery use currently takes place on a separate site to the south (not detailed on this current application). To facilitate the proposed use two informal parking areas are proposed, one area in the north west corner directly adjacent to the access (30 cars) and an "over spill" area for 10 cars on the western boundary. Containers are also proposed on the western boundary. The plan itself does not specify the number of containers although the Design and Access Statement indicates two units along with two portaloos. Full details of the containers have not been provided. In terms of the nature of the use, practice would take place around three weekday evenings per week and on Sunday mornings during summer, Sunday mornings during the Autumn and Spring months, alternate Sunday mornings during the winter months and occasional controlled usage outside these times. However, details of the typical number of visitors each time have not been included. Whilst no hard surfacing is proposed as part of this application, the Design and Access Statement makes reference to an intention to "level the site". However, full details have not been included within the submitted plans.

## Background

- 11.3 In terms of background, this application follows on from the previously refused scheme (reference 18/00917). This earlier scheme (which also included a proposal for an arboretum on the site where the archery use is currently sited) was refused for the following reasons:
1. The proposed change of use of land from agriculture to an archery use and arboretum, along with the associated operational development and increased levels of activity, would fail to conserve or enhance the tranquility, landscape and scenic beauty of the National Park or meet the objectives set out within the New Forest National Park Landscape Character Assessment. The proposals would therefore be contrary to Policies DP1 and CP8 of the New Forest National park Core Strategy and Development Management Policies DPD (December 2010), together with Section 15 of the National Planning Policy Framework.
  2. The proposed change of use in respect of both Sites 1 and 2 would be in direct conflict with the main policy objectives within the National Park relating to ensuring that new development would bring about clear benefits to local communities without compromising the special qualities and rural character of the area. The proposals would appear to serve a need which originates from outside the National Park and it has therefore not been demonstrated that they would help the well-being of the local community. The proposals would therefore fail to meet the requirements of Policies DP1 and CP14 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).
  3. Insufficient information has been submitted (a) to support the continuing archery use or justify its relocation; and (b) demonstrate that there is a need for the arboretum or how it would operate. In the absence of such information, the proposed would also be contrary to policies DP1 and DP14 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), and also paragraph 84 of the National Planning Policy Framework.
- 11.4 In terms of the differences between the two schemes, there has been a slight adjustment to the configuration of the archery practice area, the parking area has been split up and two portaloos have been added (hardsurfacing is also no longer proposed). The number of parking spaces have been reduced from 50 down to 40 (although no form of delineation is now proposed). The shipping container is also now proposed on the south west rather than the

north boundary. This latest application makes reference to a historical application for archery use on the adjacent site. However, the site area in this case amounted to approximately 170 X 50 metres. The arboretum use is no longer proposed as part of this application. Another key consideration is the fact that the New Forest National Park Local Plan has been adopted since the previous application and Policy SP7 now places increased emphasis upon the need to preserve intrinsic landscape character.

### **Policy Considerations**

- 11.5 As noted at the time of the previous application the application site effectively lies in open countryside and away from any built-up areas. Following the recent adoption of the New Forest National Park Local Plan 2016- 2036, it remains the case that the main issue to assess would be whether the proposed introduction of an archery use would be supported by the policies set out within the development plan. Whilst the use does not clearly fall under one specific policy of the Local Plan it would be important to have regard to the overarching principles and objectives of the Local Plan along with the specific requirements of Policies DP2, SP17 and Policy SP42.
- 11.6 The first stated strategic objective within the Local Plan relates to the need to protect and enhance the natural environment of the National Park, including the natural beauty of the landscape and socio-economic duties include the need to re-enforce the sustainability and well-being of rural communities (strategic objective 4). The sub-text of Policy SP42 notes the priority of locating local services within the defined villages. It remains the case, therefore, that new economic development should bring about clear benefits to local communities without compromising the special qualities and rural character of the area. Policies therefore focus primarily upon the re-use and extension of existing buildings, redevelopment of existing business uses and ensuring new built development would be restricted to the defined New Forest villages. Policy SP42 (Business and Employment development) reflects these objectives and seeks to ensure that, in areas outside defined settlements, employment development would be small scale, would help the well-being of local communities and would be facilitated through the re-use or extension of existing buildings, the redevelopment of existing business uses and farm diversification. Policy SP19 seeks to ensure new residential uses would also be restricted to the four defined villages.
- 11.7 As noted at the time of the previous application, the applicant states that the proposal would amount to the relocation of what is stated to be a lawful existing archery use from the site to the south. Whilst there have been permissions for an archery use on the southern site previously, these were restricted to specific days and times (dependent on seasons) and also conditioned to be used by a specific club only with parking limited to 20 cars on the

pre-existing hard surfaced area. The earlier permissions also related to a much smaller area of land than that now proposed at the application site and the red line of the application site amounted to 1 hectare (compared with the site area now proposed of over 5 hectares). The current, more extensive use has not been formalised by way of a lawfulness application or follow up consent, which would provide the opportunity to assess the accurate site area (particularly as historic applications show a significantly more modest site area), the frequency of the use and also to establish how intermittent the use has been (as it also appears that the land stated to be used for archery has been used as overflow parking in association with Exbury Gardens). In the case of this current application, the existing archery site is not included within the red line of the application site and there is no legal agreement in place to ensure the existing use would be relinquished in the event that consent is granted. The Authority would therefore not be in a position to ensure the existing use would cease. This would add further to the Authority's concerns over an increased level of activity and associated paraphernalia in the open countryside.

- 11.8 In terms of relocating the proposed use to the application site it remains the case that an estimate of overall visitor numbers has not been included within the application. It is also not clear whether the existing or proposed use would be limited to club members only (or how many members there are). The portaloos which are proposed to be relocated in association with the use do not benefit from any formal consent. Furthermore, it remains unclear why it is necessary to relocate from the current site, especially if, as claimed this has already been established. The proposed parking area accommodating 40 cars appears to go above and beyond any provision currently in place at the existing site and would also suggest a significant increase in activity.
- 11.9 In addition to the concerns set out above, the fact that Waterside Archery is based away from the site towards the Blackfield Area (with winter practice taking place at Gang Warily) would suggest that the use would not benefit the immediate community within the Exbury area and that there would be no justification for the site to be located within the New Forest National Park. The proposed use of the site for recreational archery would fail to meet the policy objectives of the New Forest National Park Core Strategy in relation to focusing development and uses towards the built-up area and ensuring new uses would bring about clear and direct benefits to local communities.

### **Landscape Impact**

- 11.10 The application site lies within Landscape Character Area 15 of the New Forest National Park Landscape Character Assessment (North West Solent Estates). Some of the key characteristics identified in the locality include the well managed agricultural landscape of large, regular parliamentary fields with large arable

fields offering views towards the coast. The blocks of ancient woodland, woodland pasture and coastal pine woods along with a high level of tranquillity are identified as key positive attributes. Key identified objectives include the need to protect the landscape's pastoral character and strong field patterns and restoring the semi-natural woodlands.

- 11.11 As noted at the time of the previous application the application site (in contrast to the existing archery site which is also well screened from Summer Lane) is undeveloped. The proposal to relocate the archery use to this location would therefore significantly undermine the very rural and unspoiled nature of the locality. The proposal to level ground (the extent of works remaining unclear), introduce parking, containers and portaloos would (along with additional impacts from signage and increased levels of activity) significantly increase the visual prominence of the use. The proposal would therefore be harmful to the intrinsic rural character of the site and would also lead to a loss of tranquillity to the detriment of this part of the New Forest National Park.
- 11.12 The sub text which supports Policy SP7 of the Local Plan (adopted since the previous refusal) reflects National Planning Policy by making specific reference to the need to recognise intrinsic landscape character because landscape character cannot be solely determined by what is visible from a publicly accessible location. This is carried through to the criteria set out within Policy SP7 which include the need to ensure development would conserve and enhance landscape character and would not erode the largely open and undeveloped landscapes between settlements.
- 11.13 The proposed change from open, unenclosed agricultural land with a natural topography and pastoral character to an archery practice area (which would occupy the majority of the site) would significantly undermine the rural character of the locality. The introduction of significant parking areas, temporary structures and increased levels of activity would, along with the necessity to level the ground and more heavily manage the natural features and vegetation across the site, be at odds with the pastoral character of the site and its natural setting. In addition to this intrinsic harm, the proposed car parking would be visible through the site access and the development would therefore also impact upon public views. The requirements of the Highways Officer in relation to the necessity to remove existing vegetation around the access point to increase visibility splays adds further to these concerns as this would further open up views into the site. The application site in its current form differs significantly from that of the current archery venue, which is more heavily managed, less natural in form and includes significant areas of hard surfacing. This adds further to the Authority's concerns over the impact the proposed change of use would have upon the character of the proposed site, particularly when having regard to the absence of any mechanism by which to secure the cessation of the current use.

## **Highways**

- 11.14 Whilst comments were received from the Highways Authority at the time of the previous application no objections had been raised by the Highways Officer at this stage. However, the comments now received raise concerns that the access which serves the application site lies on a bend in a 40 mph speed limit with limited visibility. In contrast the access which serves the existing site lies on a straight section of road with good visibility in a 30mph speed limit. Further clarification from Highways sets out that in the absence of an up to date speed survey it would not be possible to establish how safe the access would be because visibility splay requirements are informed by measured speeds. In the absence of this information, it would not be possible to rule out increased risk of collision and the proposal would therefore fail to meet the requirements of Policy SP55 of the New Forest National Park Core Strategy.

## **Conclusion**

- 11.15 Whilst the Authority did not refuse the previous application on highway grounds, the new evidence forthcoming from the Highways Authority demonstrates that the proposal could significantly compromise the safety and convenience of users of the adjoining highway (in contrast to the existing site which has good visibility). As set out above there is also concern that the proposed archery use would not serve a need which exists in the immediate community, with the majority of those visiting the site likely to originate from outside the National Park. The use now proposed would occupy an area over five times larger than that which was permitted in 2001 with twice the number of parking spaces and would relate to a site which does not benefit from any pre-existing hardsurfacing to accommodate the use and control the spread of parking. The proposals (which have a significantly more harmful and extensive impact than the previously consented use elsewhere) would therefore amount to an unsustainable form of development which would erode the rural tranquillity and landscape character of the New Forest National Park. There would be no mechanism to ensure the existing use would be relinquished and the development would therefore be contrary to policies DP2, SP7, SP17 and SP42 of the New Forest National Park Local Plan 2016-2036 (August 2019) and it is recommended that the application should be refused.

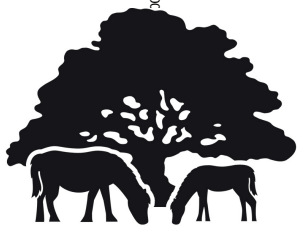
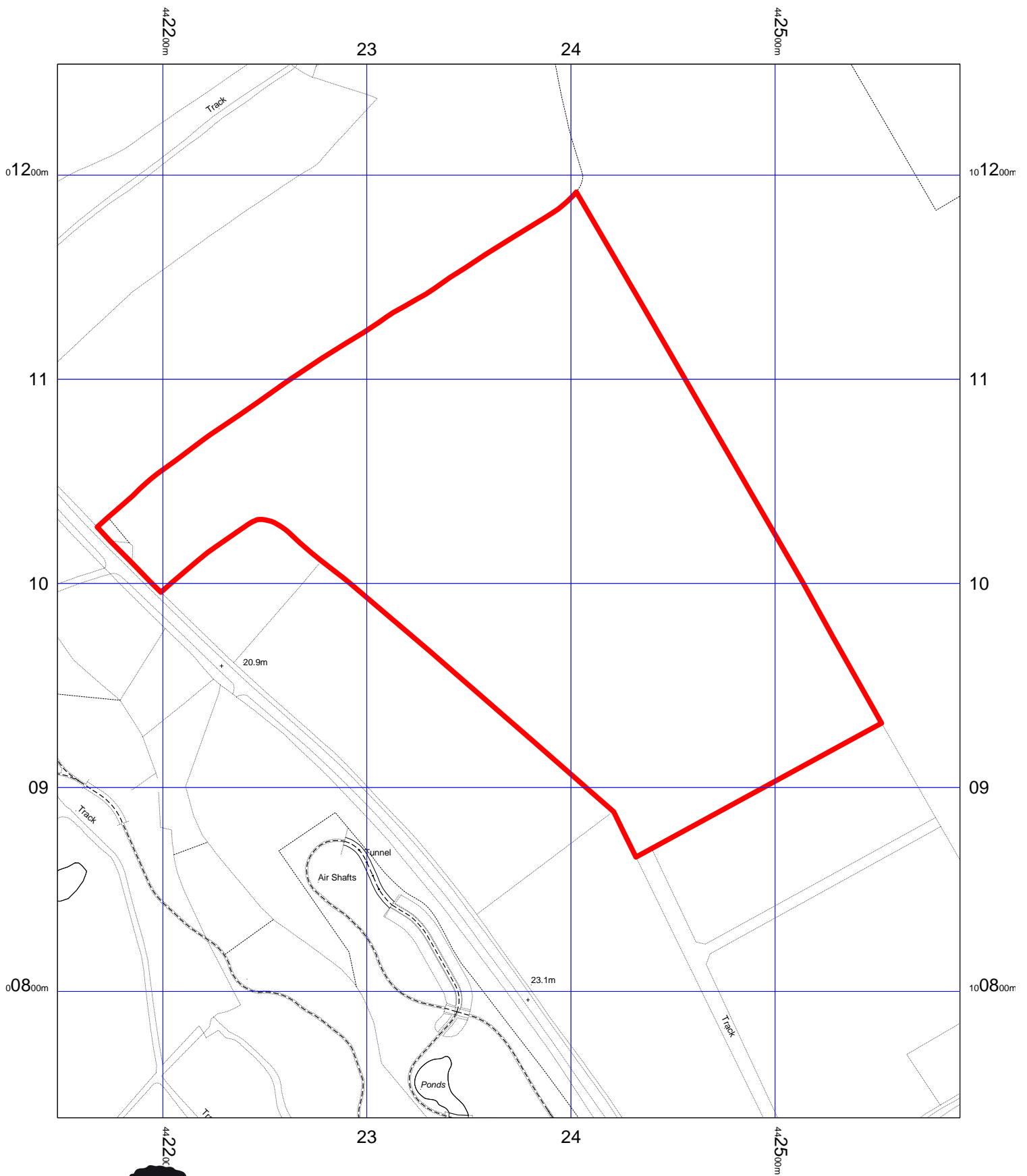
## **12. RECOMMENDATION**

Refuse

**Reason(s)**



- 1 The proposed change of use of land from agriculture to an archery use, along with the associated operational development and increased levels of activity, would fail to conserve or enhance the tranquillity, landscape and scenic beauty of the National Park or meet the objectives set out within the New Forest National Park Landscape Character Assessment. Furthermore, the lack of clarity in relation to actual visitor numbers adds further to concerns that increased levels of activity would erode the intrinsic rural character and tranquillity of the site. The proposals would therefore be contrary to Policies DP2, SP15, SP7 and SP17 of the New Forest National Park Local Plan 2016- 2036 (August 2019), together with Section 15 of the National Planning Policy Framework.
- 2 The proposed change of use would be in direct conflict with the main policy objectives within the National Park relating to ensuring that new development would bring about clear benefits to local communities without compromising the special qualities and rural character of the area. The proposals would appear to serve a need which originates from outside the National Park and it has therefore not been demonstrated that they would help the well-being of the local community. The proposals would therefore fail to meet the requirements of Policies DP2 and SP42 of the New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 The proposed change of use would lead to an increased use of an existing access which lies on a bend and has limited visibility (in contrast to the access which serves the existing archery site with a reduced speed limit with good visibility). The proposed access is therefore substandard and in the absence of any additional information relating to measured speed the proposed changer of use would potentially have a detrimental impact upon the safety and convenience of users of the adjoining highway contrary to Policy SP55 of the New Forest National Park Local Plan.



NEW FOREST  
NATIONAL PARK

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