

**Application No: 19/00612/FULL Full Application**

**Site:** Land Adjacent To Lantilla, Elmfield Lane, Calshot, SO45 1BJ

**Proposal:** Dwelling; Outbuilding; access alterations

**Applicant:** Mr S Pink

**Case Officer:** Katie McIntyre

**Parish:** FAWLEY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP21 The size of new dwellings  
SP5 Nature conservation sites of international importance  
SP6 The natural environment  
SP7 Landscape character  
DP2 General development principles  
DP18 Design principles  
SP17 Local distinctiveness  
SP4 Spatial strategy  
SP19 New residential development in the National Park

**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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Fawley Parish Council: Recommend permission. Comment: Access to be maintained to properties on Elmfield Lane and concerns regarding the retaining wall are addressed.

## **8. CONSULTEES**

- 8.1 Highway Authority (HCC): Standing advice applies.
- 8.2 HCC Access Development Officer (Planning): No objections subject to conditions
- 8.3 Tree Officer: No objections subject to conditions

## **9. REPRESENTATIONS**

- 9.1 One representation of comment:
  - Concerns with regards to subsidence.

## **10. RELEVANT HISTORY**

- 10.1 Dwelling; outbuilding; access alterations (19/00260) withdrawn on 02 July 2019
- 10.2 Bungalow (79/114527) appeal dismissed on 24 October 1979

## **11. ASSESSMENT**

- 11.1 The application site is a parcel of land sited to the rear of two properties, Ower Batch and Cameo Cottage. The site is located outside of the defined New Forest villages and is accessed via a single width unmade track which is also a public right of way and serves several other properties. This application seeks consent for a new dwelling, access alterations and an outbuilding. A previous application was withdrawn earlier this year for an identical proposal.
- 11.2 The relevant considerations are:
  - Whether the proposal would comply with Local Plan policies for new residential development;
  - The impact upon the character and appearance of the locality;
  - The potential impact upon neighbouring properties' amenities;
  - Highway safety; and
  - Ecology considerations.
- 11.3 The site lies outside of the defined New Forest villages. Policies SP4 and SP19 are clear in that they seek to ensure that any new residential development would be restricted to these four defined villages. The proposal would therefore result in a new residential unit outside of the defined village boundaries in direct conflict with the requirement of Policies SP4 and SP19, and the National Planning Policy Framework. The proposal would fail to maintain the character of the area, particularly when having regard to the

fact it would set a highly undesirable precedent for similar developments which would cumulatively erode the special rural qualities of the New Forest National Park. The Local Plan seeks to ensure that all new development which would individually or cumulatively erode the Park's local character or result in a gradual suburbanisation effect within the National Park will not be permitted.

- 11.4 In addition, the proposed development does not comprise affordable housing and no justification has been included with the submission demonstrating an essential need for a rural worker to live permanently on-site. It would not therefore be appropriate in this instance to warrant a departure from the strict presumption against new residential uses in the open countryside of the New Forest National Park.
- 11.5 The applicant has asked the Authority to have regard to the fact that there were previously two dwellings at the site: Haytor and The Nest, and these were demolished 25 and 35 years ago. No detailed assessment has been submitted from the applicant or planning agent as to why this would form a material planning consideration which would warrant a departure from the development plan or how this previous use has not since been abandoned. Notwithstanding this, it is quite clear in that the residential use of the site ceased a considerable time ago when the property was demolished.
- 11.6 The proposal would also fail to comply with Local Plan Policy SP21 which seeks to ensure that the housing stock of the New Forest as a whole is balanced, and as such new dwellings shall not have an internal habitable floor area exceeding 100m<sup>2</sup>. The proposed dwelling would be directly contrary to this policy having an internal floorspace of circa 111m<sup>2</sup>.
- 11.7 With regards to the overall design of the dwelling and garage proposed, this would be similar to a recent proposal granted for a replacement dwelling at a nearby site called Windwards and is considered to be acceptable. The relationship with the neighbouring properties is also such that it is not considered there would be undue loss of light or outlook. There are, however, concerns with regards to the perception of overlooking to the main rear amenity space of Ower Batch from the first floor rear dormer window. It is understood that this window could be conditioned to be obscurely glazed and fixed shut, however this would not overcome the increase in the perception of overlooking. Due to the distance to the rear boundary with this dwelling (of approximately 4.5m) and the proposed rear window, it is considered that the proposal would result in an unacceptable perception of overlooking to the detriment of the amenities of Ower Batch.
- 11.8 Policy SP5 seeks to ensure that all development complies with

the Conservation of Habitats and Species Regulations 2017 (as amended). The application fails to demonstrate that adequate measures would be put in place to avoid or mitigate against the potential harmful impacts upon the ecological integrity of the New Forest SPA and Solent SPA. Without such supporting information, it has not been demonstrated that any additional impact associated with increased recreational pressures arising from the proposal would be mitigated against. The proposed development would therefore be contrary to the requirements of Local Plan policy SP5.

- 11.9 Furthermore, following recent case law, there is existing evidence of high levels of nitrogen in the water environment with evidence of eutrophication in the Solent's Europeans Sites. As such, there is considered to be a likely significant effect from development providing overnight accommodation located within the New Forest National Park. The application is silent on this matter and does not include the submission of a Nitrate Mitigation Checklist. Adverse impacts upon the ecological integrity of the Solent SPA cannot therefore be ruled out contrary to Policy SP5 and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 11.10 Access to the proposed dwelling would be from Elmfield Lane, which also forms a public right of way. The proposal would comply with the Highway Authority standing advice for an additional dwelling.
- 11.11 There are no important amenity trees at the site, however should the proposal be granted, vegetation management would be required to enable new planting as part of the development. The Authority's Tree Officer therefore has no objections to the proposal subject to a scheme of landscaping being submitted for approval.
- 11.12 To conclude, the proposal is contrary to the spatial strategy set out in the recently adopted Local Plan and would set a highly undesirable precedent for similar developments which would cumulatively erode the special rural qualities of the New Forest National Park. It is therefore recommended that the proposal is refused.

## **12. RECOMMENDATION**

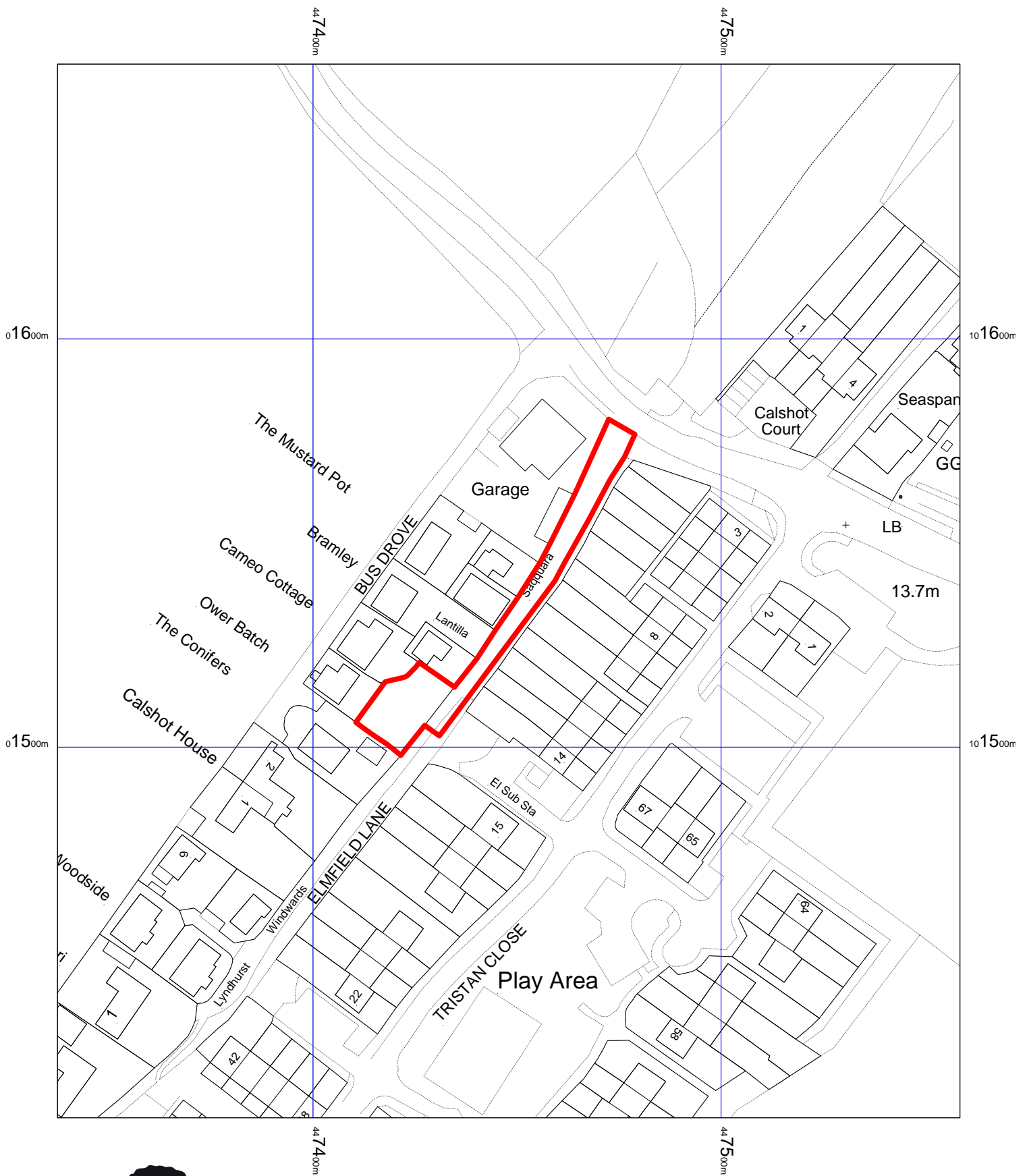
Refuse

### **Reason(s)**

- 1 The proposal would result in the creation of a new dwelling in the open countryside of the National Park which would be directly contrary to Policies SP4, SP19, SP7 and SP17 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019)

and the National Planning Policy Framework.

- 2 To ensure the dwelling stock of the New Forest as a whole is balanced, the New Forest National Park Authority considers it important to restrict the size of new dwellings in order to address the housing need of the National Park. Consequently policy SP21 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) seeks to limit the size of new dwellings to maintain a balance in the housing stock. This proposal would result in a building which is unacceptably large and would undesirably add to pressures for change which are damaging to the future of the countryside.
- 3 The proposed dwelling, by reason of the rear dormer window, would result in the perception of overlooking to the neighbouring property Ower Batch, to the detriment of the amenities of the occupants of this property. The proposal is therefore contrary to policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the National Planning Policy Framework.
- 4 No information has been submitted to demonstrate that adequate measures would be put in place to avoid or mitigate any potential adverse impacts on the ecological integrity of the New Forest SPA and Solent SPA through increased recreational pressures and increased levels of nitrogen in the water environment. Therefore there would be insufficient information to assess the potential impact upon the SPAs and the proposal would therefore be contrary to the requirements of Policy SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 and the National Planning Policy Framework.



NEW FOREST  
NATIONAL PARK

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