

**Application No: 15/00294/FULL Full Application**

**Site:** Pondhead, Near Lyndhurst, New Forest

**Proposal:** Wetland restoration comprising the replacement of 290m of artificial channel with 388m of restored meander; bed level raising for a total length of 874m; replacement of 175m of the western side channel with a shallow channel; bed level raising of the eastern side channel for a total length of 50m; the installation of an open channel linking eastern and western side drains; the creation of a gravel stock crossing and the relocation of an existing bridge across the restored watercourse.

**Applicant:** Forestry Commission

**Case Officer:** Emma MacWilliam

**Parish:** LYNDHURST

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Application made pursuant to the New Forest Higher Level Stewardship (HLS) scheme for wetland restoration.

Previous committee consideration.

**2. DEVELOPMENT PLAN DESIGNATION**

Ramsar Site  
Special Area of Conservation  
Special Protection Area  
Site of Special Scientific Interest  
Flood Zone

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
CP2 The Natural Environment  
CP3 Green Infrastructure  
CP4 Climate Change  
CP6 Pollution  
CP19 Access  
DP1 General Development Principles  
DP2 Safeguarding and Improving Water Resources  
DP4 Flooding and the Coast  
DP6 Design Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

## **5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

## **6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal:

- Despite a revised FRA it appears that the points of clarity requested have not been satisfactorily addressed. Proper topographical surveying in the area has not been carried out satisfactorily (request item 4); consider that the bridges contribute to localised flooding;
- No monitoring of the flow and volume created by the significant and now extremely effective, drainage improvement works on Gosport Lane has been undertaken, which drain a significant part of the village, and the impact that will have on the downstream areas, particularly in times of sudden high volume rainfall (request item 2);
- Still inadequate information regarding the plans for the western side drain (request item 3) and the impact of those plans.

Concerns remain that FRA data is still wrong and that the hydraulic modelling is also incorrect. Proposals likely to have a significant negative impact on those neighbouring properties already at risk.

## **8. CONSULTEES**

8.1 Archaeologist: No objection subject to condition.

8.2 Natural England: No objections subject to conditions. Throughout the planning of this proposal Natural England have worked closely with the Forestry Commission and the Environment Agency. The proposal is entirely necessary for European site management. Natural England considers that the works are necessary for the management of the European site interest features for nature conservation purposes, enabling the maintenance or restoration of those features and contributing to the achievement of the site's Conservation Objectives. The proposal can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 61 of the Habitats Regulations 2010, as amended. Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. The SSSI does not represent a

constraint in determining this application.

- 8.3 Environment Agency: No objections and offer full support to the application. The FRA has been assessed and deemed fit for purpose.
- 8.4 Verderers of the New Forest: Support the application for the following reasons:
- Turns the clock back to remove previous man made interventions.
  - Will improve the landscape amenity of the forest.
  - Will encourage the re-establishment of the flood plain, depositing beneficial organic matter on the forest rather than it being washed out to sea.
  - Will reduce floodrisk downstream.
  - Will improve grazing for the benefit of the animals.
- 8.5 Land Drainage (NFDC): It is noted that the Environment Agency have dealt with this application.

## **9. REPRESENTATIONS**

- 9.1 Nine letters of representation received from local residents raising the following concerns;
- The applicant has not monitored impacts of the Gosport Lane works on the watercourse as required
  - The revised FRA is not an accurate reflection of the impact from the Gosport Lane works and underestimates the fast flow run off and potential downstream impacts. The catchment area may not have changed but works have affected flow rates.
  - The flood modelling does not accurately estimate the existing propensity of the watercourse. Lidar data is likely to have underestimated the existing channel capacity
  - There is a clear discrepancy between the theoretical and actual performance of the streams flow rates. This likely due to an underestimate of actual storm flows and is likely to result in underestimation of post work flood levels.
  - No dimensions of the western side drain, or its precise location, have been provided and therefore this cannot have been

accurately modelled in the FRA to assess its capacity. No flood risk to properties therefore cannot be assured.

- Existing structures do impede current flow despite the FRA claiming they do not
- The area immediately adjacent to Limewood Lodge has not been modelled and this area is vulnerable to bottlenecking and backwater effects from structures
- Revised FRA does not demonstrate that there will be no adverse impacts to livestock grazing and access

- 9.2 One letter of representation from the New Forest Association in support of the application. The project is intended to improve the ecology of the New Forest. It is not about improving recreation or grazing and recreational facilities may suffer to an extent. It is not about preserving archaeology, although damage should be minimised. It is not a flood prevention scheme. The restoration will result in an increased in habitat and will add value to the stock of flora and fauna. There is a question over the need for gravel stock crossings.

## **10. RELEVANT HISTORY**

- 10.1 Wetland restoration comprising the replacement of 290m of artificial drain with 388m of restored meander; bed level raising for a total length of 874m; replacement of 175m of side drain with a shallow channel; the creation of a gravel stock crossing and the relocation of an existing bridge across the restored watercourse (15/00046). Withdrawn 04/03/2015.
- 10.2 Three similar applications have been recently approved at Planning Committee for Sluffters Inclosure to the north of the A31 between Picket Post and Stoney Cross (Ref 14/00394), Harvest Slade Bottom to the north of Burley Village (Ref 14/00611) and Amberslade and Broomy (Ref 15/00045) to the east of the High Corner Inn, Linwood.

## **11. ASSESSMENT**

- 11.1 Members will recall that this application was reported to the Planning Committee back in November 2015 whereupon it was resolved to defer the application to consider and clarify four specific aspects in relation to flood risk:
- The recent drainage works to Gosport Lane and their impact on the down stream flows – the concern being that water will now

flow much faster and in greater volume into Pondhead;

- The need for a more detailed, topographical survey;
- The effect of removing the western side drain; and
- The impact of relocating the bridges/crossing points and whether these would cause blockages.

11.2 On 13 April 2016 the applicant submitted an updated Flood Risk Assessment (FRA) and has sought to address each of the above issues as follows:

11.3 The impact of recent drainage works at Gosport Lane on the down stream flows into Pondhead

The updated FRA concludes that the drainage system subject to repair/replacement on Gosport Lane does not have an increased capacity to convey surface water from the carriageway to the Pondhead catchment, nor would it significantly change the pattern and rate of water flow at the catchment scale. There has been no significant change to the catchment area or to its characteristics as a result of the works.

11.4 The need for a more detailed, topographical survey

The Authority's LiDAR data used in the original FRA was reviewed by the applicant against newly available Environment Agency LiDAR and local third party (resident) topographic survey data to benchmark the accuracy of the original data used. A geographical information system package (ArcGIS) was used to compare heights of the topographic survey points in relation to the corresponding closest LiDAR data points for both LiDAR datasets. The FRA concludes for the purposes of flood risk modelling that the LiDAR data originally used is sufficiently accurate.

11.5 In parallel with the LiDAR comparison exercise, a topographic survey of the watercourse was commissioned by the Forestry Commission in December 2015 to provide cross-sections of the main watercourses and immediate floodplain. The flood modelling exercise was rerun using the cross-section topographic survey data of the channels and immediate floodplain, augmented with the NFNPA LiDAR dataset of the floodplain. The FRA was then reassessed based on these revised model outputs. The applicant advises that the results corroborate the findings of the original FRA:

- There is no flood risk change to properties or buildings in the area (including Pondhead Farm, Matley Cottage, Parkdale Cottage and The Lodge);

- The proposed works will have no impact on flood levels beyond 105m upstream of the main watercourse (eastern channel) confluence with the tributary channel;
- There will be an increasing impact on flood levels in the upper part of the southern tributary channel (as expected) as the stream is re-connected with its floodplain in its upper reaches;
- There will be a minimal impact on flood levels at other locations;
- The works proposed will not impede flood flow routes or result in a net loss of floodplain storage
- The works will generally result in a reduction of flooding downstream because of greater connectivity with the floodplain upstream and because the new meanders will store more water than the existing straight channel.

#### 11.6 The effect of removing the western side drain

The western side drain is not to be removed, rather it will be partially infilled leaving a shallow overflow channel. The flow from the western side drain and the upstream catchment area has been incorporated into the FRA. The partial infilling of the western side drain would not adversely affect the flood risk in the downstream area because the diverted flow into the eastern channel is not significant, and would reach the Pondhead watercourse at a short distance downstream of the original western side channel confluence with the tributary channel.

#### 11.7 The impact of relocating the bridges/crossing points and whether these would cause blockages

The application includes the relocation of a wooden vehicle bridge, and the provision of stock crossings. All in-channel structures were incorporated in the topographic survey. The FRA found that they do not block free flowing water in the channel.

#### 11.8 The model was also run with the relocation of the bridge in the middle of Parkhill Lawn. This showed a negligible effect on flow levels upstream of the bridge, demonstrating that its relocation would have minimal impact on flow levels.

#### 11.9 The modelling exercise showed that the stock crossing points to be provided to the main watercourse would result in a small increase in flow levels during smaller, more frequent flood events, and a minimal increase or decrease during larger events. This is due to more water being stored on the flood plain upstream along the southern tributary channel. Adding a stock crossing across the new

proposed open link channel would not make a significant change in flood flow levels because the diverted flow into the eastern channel is not significant.

11.10 The applicant has provided further details in response to the issues raised in the nine letters of representation and the comments of the Parish Council, as set out above, and has confirmed that:

- The Gosport Lane works will not have significantly increased the flow or volume of water that enters the Pondhead catchment during heavy rainfall.
- The FRA has considered the existing situation within the site and the immediate surrounding area, acknowledging that flooding already occurs. Adjacent properties will not have an increased risk of flooding (when compared to the existing situation) as a result of the proposed works.
- The findings of the re-run hydraulic model have confirmed overbank flows at some locations along the eastern channel in the existing situation. The findings have indicated no change in flood risk at the bridges/crossings along the eastern channel.
- The impact of relocating the bridges/crossing points will not significantly impede flood flows and will not have a significant impact on flood risk. The backwater effect will not change after implementation of the restoration.
- The bridges at Lime Wood Hotel and Pondhead Farm are located within Flood Zone Risk 3 and are therefore already at risk of flooding. The flood inundation extent and backwater effects will not be affected by the proposals.
- No properties or land uses are likely to be affected other than the immediate channel and floodplain provided that mitigation measures are implemented.

11.11 In relation to the issues raised it is noted that the agent contacted the Parish Council on 5 May and 12 May 2016 to offer a meeting with the Forestry Commission to discuss and address any remaining queries. The Parish Council declined this offer.

11.12 A meeting was held on 10 May between the Forestry Commission and local residents to discuss outstanding issues. Following this meeting further information has been provided to clarify the method used to calculate flows in the Environment Agency's Flood Estimation Handbook as well as a conceptual design for the proposed link between the western and eastern channels.

- 11.13 The applicant advises that the conceptual design demonstrates that there is sufficient fall between the western and eastern channels to enable water to flow from the western to eastern channel. The considered slope for the proposed link restricts the possibility of a backwater effect being caused. It is also advised that regardless of the accuracy of the flow rates (underestimation or overestimation) the flood level would not change before and after the restoration scheme along the Pondhead watercourse (except further downstream, as set out in the FRA). The applicant provides assurances that the FRA has fully taken into account the existing situation and that the restoration proposals will not increase flood risk to adjacent properties.
- 11.14 The EA have confirmed agreement with the FRA approach and its conclusion, stating that this is fit for purpose, and continue to support the application. Natural England continue to raise no objections following the submission of the revised FRA.
- 11.15 Residents have subsequently raised concerns regarding:
- The location of the link between the western and eastern channels and the details of its length and depth
  - Impacts upon access to people and stock
  - Impacts upon flooding to private property as a result of the siting of the link and continued underestimation of flows
- 11.16 These concerns are noted. The applicant continues to provide assurance that concerns around flow rates have been fully addressed in the FRA, that the location of the link is as proposed in the application drawings (downstream of the bridge) and that provided in the additional information is conceptual. It is assured that its siting will not affect access and that the feasibility of the link has been demonstrated due to sufficient fall between the west and eastern channels.
- 11.17 In order to be absolutely clear on the acceptability of the proposed link officers have gone back to the agent to request some clarification and accurate details on its actual siting and dimensions. The conceptual details provided do not currently give adequate assurance that this element of the restoration proposals would be of sufficient design and siting to carry the necessary capacity of water to ensure no flooding would occur to adjacent protected properties. It is hoped that these details will be available at the time of the Committee Meeting.
- 11.18 Officers have also asked whether it is feasible for the applicant to



consider a phased approach to the restoration works in this specific instance, given the proximity of neighbouring residential properties. Should the technical details requested give the necessary assurances then a suggestion is that the link could be 'tested' on the ground prior to the rest of the works taking place, most particularly the infilling of the western side drain. This would involve implementing the link as per the technical details provided alongside the damming up of the western side drain. A period of monitoring could then assess whether the link is sufficient to carry the necessary flows into the eastern side drain. If this proved to be the case, then the temporary dam could be removed and the western side drain infilled. This phased programme of works could be secured by an appropriately worded condition.

- 11.19 Subject to the receipt of satisfactory details and further information relating to the proposed link and the feasibility of a phased approach to the restoration works, it is hoped that officers will be in a position to recommend conditional approval as detailed below.

## **12. RECOMMENDATION**

Subject to the receipt and consideration of the information requested above, and any further conditions that might be required, 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 works shall be carried out in accordance with the details as set out in the submitted Construction Environmental Management Plan and Biodiversity Statement Prepared by LUC dated April 2015, unless otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 A) No demolition/development shall take place/commence until a programme of archaeological work including a revised Written

Scheme of Investigation has been submitted to and approved by the local planning authority in writing.

The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

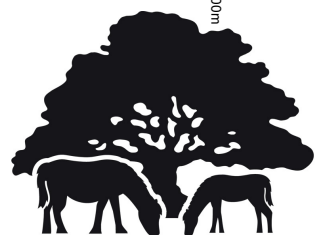
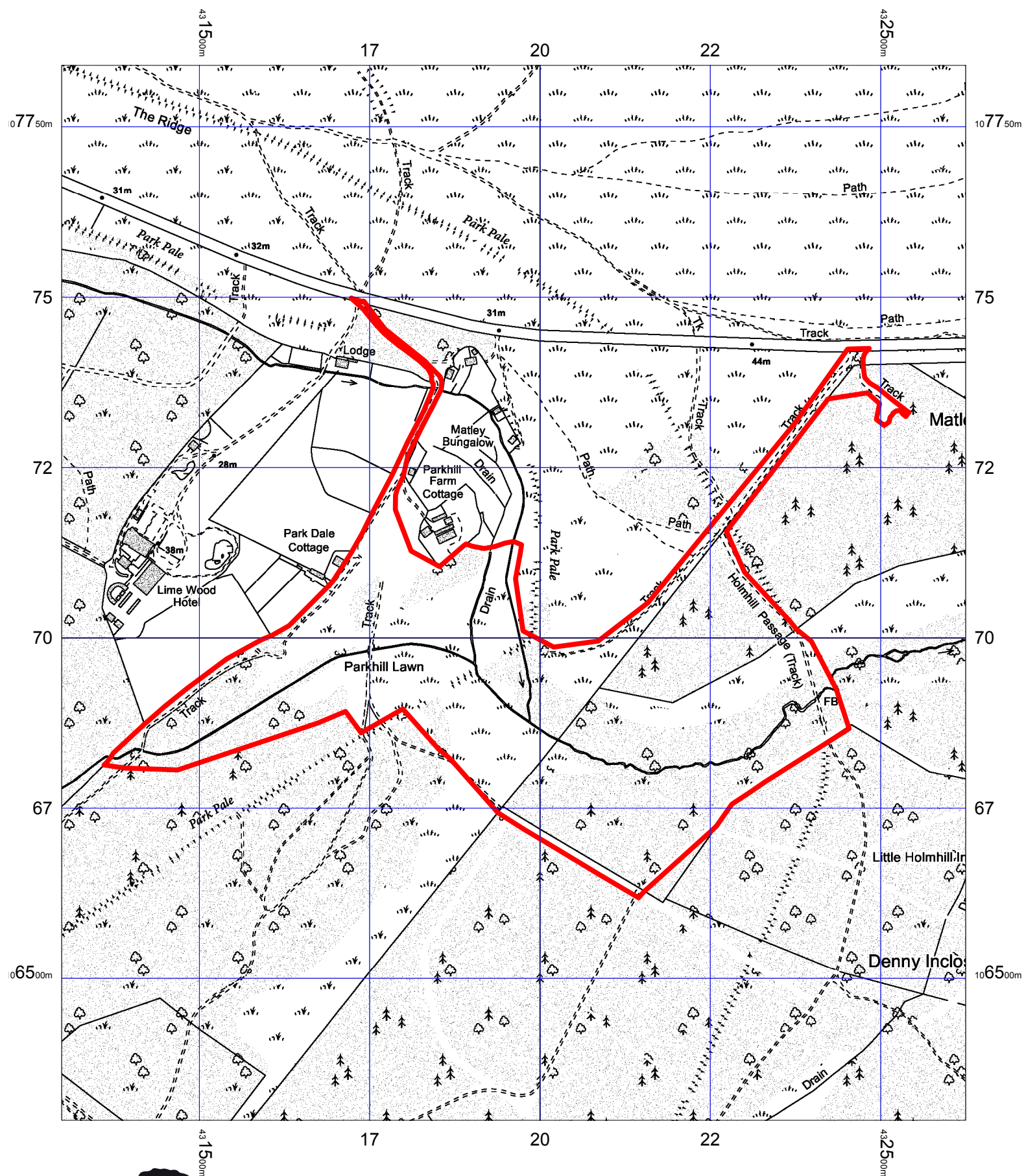
B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) These conditions will not be discharged until the programme set out in the revised Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

**Informative(s):**

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



NEW FOREST  
NATIONAL PARK

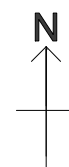
New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 15/00294/FULL

Scale: 1:7500



© Crown copyright and database rights 2016 Ordnance Survey 1000114703

**Application No: 16/00125/FULL Full Application**

**Site:** 84 Lyndhurst Road, Ashurst, SO40 7BE

**Proposal:** 4No. new dwellings; demolition of existing building

**Applicant:** Mr M Wells, Blanchard Wells Ltd

**Case Officer:** Clare Ings

**Parish:** ASHURST AND COLBURY

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP7 The Built Environment  
CP8 Local Distinctiveness  
CP9 Defined Villages  
CP11 Affordable Housing  
CP12 New Residential Development  
DP1 General Development Principles  
DP6 Design Principles  
DP9 Residential Density in the Defined Villages

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
Development Standards SPD  
Ashurst and Colbury Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 3 - Supporting a prosperous rural economy  
Sec 7 - Requiring good design

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Ashurst and Colbury Parish Council: Recommend refusal. Comment:

- the proposal was against policies CP7, CP8, DP1, DP9 and DP6
- significant concerns over the height of the buildings, increase in traffic movements in already congested area
- scheme did not fill well within character of the area - three storeys would set unwarranted precedent for Ashurst
- out of keeping within the street scene which is characterised by single dwellings on single plots

## **8. CONSULTEES**

- 8.1 Tree Officer: Some encroachment into parking spaces which could be addressed; amended plans have addressed this issue.
- 8.2 Highway Authority (HCC): Originally objected to inclusion of second access onto Wood Road; amended plans now indicate that this will be deleted. No objection in relation to parking.
- 8.3 Land Drainage (NFDC): No objection subject to condition requiring details of surface water drainage.

## **9. REPRESENTATIONS**

- 9.1 The original proposal attracted 17 letters of objection; the amended plans has also received 14 letters of objection on the following grounds:
- increase in volume of traffic along Wood Road, already an issue because of the convenience store and its associated parking (should the original access onto Lyndhurst Road be revisited?)
  - traffic issues would be exacerbated during construction phase
  - overdevelopment of site which would be out of character for the area
  - would set a precedent for other similar developments
  - size and scale of the development is unacceptable
  - site deliberately allowed to fall into a state of dilapidation
  - concern over the maintenance of the ditch, shrubs and trees due to falling debris from trees
  - concern over possible flooding and impact on local sewage system
  - overlooking of 1 Wood Road

## **10. RELEVANT HISTORY**

- 10.1 6 No. new dwellings; demolition of existing building (15/00510) was refused on 13 August 2015
- 10.2 Creation of 2 No. blocks of flats totalling 10 new dwellings; garage block; bin store (14/00940) was refused on 19 January 2015

- 10.3 Removal of condition 5 (personal permission to Help the Aged and accommodation restricted to persons of 55 and over) of planning permission ref 17874 (09/94667) was refused on 17 February 2010. Subsequent appeal allowed on 1 September 2010.
- 10.4 Three-storey block of 18 apartments, parking spaces, access alterations; demolition of existing house (08/92922) was refused on 20 June 2008.

## **11. ASSESSMENT**

- 11.1 The site lies on the corner of Lyndhurst Road and Wood Road, and comprises an extended chalet-style bungalow converted into four flats and an area of parking with access off Wood Road. The existing building is set well into the site, the frontage of which is dominated by mature vegetation, including four Oak trees, protected by a Tree Preservation Order. A 2m high close-boarded fence defines the boundary with 1 Wood Road to the north. Opposite the site, on Wood Road is a convenience store (recently extended) with limited parking. To the west and north, the character of the area is single family dwellings, mainly two-storey and a mix of detached and semi-detached. Opposite the site, on Lyndhurst Road, are open fields and paddocks.
- 11.2 The proposal is for the demolition of the existing building and the redevelopment of the site with a two-storey block with accommodation in the roof space comprising 3 dwellings, and a single detached dwelling. The development would also include a single garage for Unit 1 and a double garage for Unit 4. Six further spaces (1 visitor) for the remaining units are proposed. Access would be from Wood Road, making use of the existing entrance. Previous schemes for 10 flats and 6 houses have been refused, and this proposal represents a further reduction in the built footprint. Negotiations have taken place during the consideration of this application to address the issues raised with the previous applications and earlier plans, and also the impact on trees and traffic, and an amended scheme was submitted.
- 11.3 As previously, the main considerations would be the impact of the proposal on the:
- character and appearance of the immediate and wider area of the National Park
  - amenities of adjoining dwellings
  - the trees which are the subject of a TPO
  - traffic and parking in the area
  - any requirements for financial contributions
- 11.4 Policy CP12 allows for residential development within the defined New Forest villages, of which Ashurst is one, provided that the development would protect or enhance the existing character of

the village. The character of Ashurst in the vicinity of the appeal site is predominantly of detached or semi-detached two storey family dwellings lying within their own individual plots. The detached dwelling, which would be set back within the site and would face onto Lyndhurst Road, would not be dissimilar in character from the other larger properties along Lyndhurst Road to the south-west. Whilst there are no other developments in the immediate vicinity comprising a block of three town houses, the elevations facing both Wood Road and Lyndhurst Road would have the appearance of a single large dwelling as a result of the forward projection and therefore would, visually, not appear significantly out of keeping within the area. Despite the use of the roof space for additional accommodation, the overall height of the buildings would not be dissimilar from the adjoining development and the reduction in overall size of the main block, has also reduced the bulkiness of the roof of previous schemes. The proposal is therefore not considered would represent overdevelopment of the site, and would comply with policies CP7, CP8 and DP6 and the Ashurst and Colbury Village Design Statement (page 14).

- 11.5 The feeling that the issue of overdevelopment has now been addressed is also helped with the generous spacing now introduced between the proposal and No 1 Wood Road (just under 15m); although a single storey garage would lie within this gap, this would still allow that sense of space. In addition, the existing hedgerow and mature trees which form the boundaries of the site would remain, which would also retain the soft appearance of the site in the context of the street scene.
- 11.6 The redevelopment of the site with two-storey dwellings would introduce fenestration at first floor level (any natural lighting to the roof space is restricted to rooflights in the Wood Road elevation only) However, the existing property already has windows at first floor level, one adjacent to the boundary with 1 Wood Road serving a bedsit. Therefore it is not therefore considered that there would be any significant additional loss of private amenities for the adjoining properties given the nature of the other development in the area, where there is already a degree of mutual overlooking, nor overbearing impact as a result of the development having been moved away from shared boundaries.
- 11.7 Amended plans have been submitted to address the original comments from the Tree Officer who had particular concerns over the encroachment of the driveway and parking spaces associated with Unit 4 into the Root Protection Zone. Whilst there still some encroachment, this would now not exceed the 20% limit referred to in BS5837:2012, and from that point of view would be acceptable. The materials to be used for the surface would be porous bonded gravel on Cellweb Root Protection.
- 11.8 The amended plans have also sought to address the concerns

from the Highways Officer, who previously objected to the introduction of a new access onto Wood Road close to the junction with Lyndhurst Road (A35). The level of car and cycle parking provision was always considered acceptable for the proposal and, although there is a reduction in the amount of car parking by a single space this is due to the reduction in the overall number of bedrooms (by one). What has changed in the deletion of the second access onto Wood Road - the whole development would now be accessed via the existing entrance; thus it would not reduce the amount of on-street parking associated with the store opposite, and would no longer interfere with the junction with the A35.

- 11.9 Since the decision on 11 May 2016 where the Court of Appeal found in favour of the Government in their appeal against the previous High Court decision in the case of West Berkshire District Council & Reading Borough Council v Secretary of State for Communities and Local Government there is no requirement to seek any contributions towards affordable housing, off-site transportation or public open space for scheme under five units. In addition, as there is no net increase in the number of residential units, no contributions towards mitigation against potential impacts on SPAs are required.
- 11.10 Phase 1 and 2 Surveys were carried out and a Bat Mitigation Strategy submitted. These indicated that the presence of a single Common Pipistrelle Bat which would require any demolition to be carried out under an EPS licence. The findings and methodology for development, including mitigation and enhancement are set out in the submitted reports, and this work would be conditioned.
- 11.11 It is considered that the proposed development would be acceptable within the immediate area and would not harm its character or adversely affect the wider landscape of the National Park. The proposal would comply with the policies of the Core Strategy and Village Design Statement, and permission is therefore recommended.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

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

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



- 2 Development shall only be carried out in accordance with:

Drwgs: 13:065:01 Rev B, 13:065:02, 13:065:03 Rev K, 13:065:06 Rev C, 13:065:07, 13:065:11 Rev A, 13:065:12, 13:065:13 Rev A, 13:065:14, 13:065:15 Rev A, AC2

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

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

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

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

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

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

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP10 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the dwelling unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management

Policies (DPD) (December 2010).

- 6 The development hereby permitted shall not be occupied until the arrangements for car and cycle 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 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 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).

- 8 No development shall take place until details of the means of disposal of surface water from the site have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 9 Prior to the commencement of development details of the future maintenance of the drainage system approved under condition 8 above shall be submitted to the National Park Authority. The

maintenance arrangements and full details of the responsible parties must be confirmed to the National Park Authority by the applicant prior to the occupation of the penultimate dwelling.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 10 No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees on the site as identified for protection in the approved plans, have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be carried-out in full prior to any activity taking place and shall remain in-situ for the duration of the development.

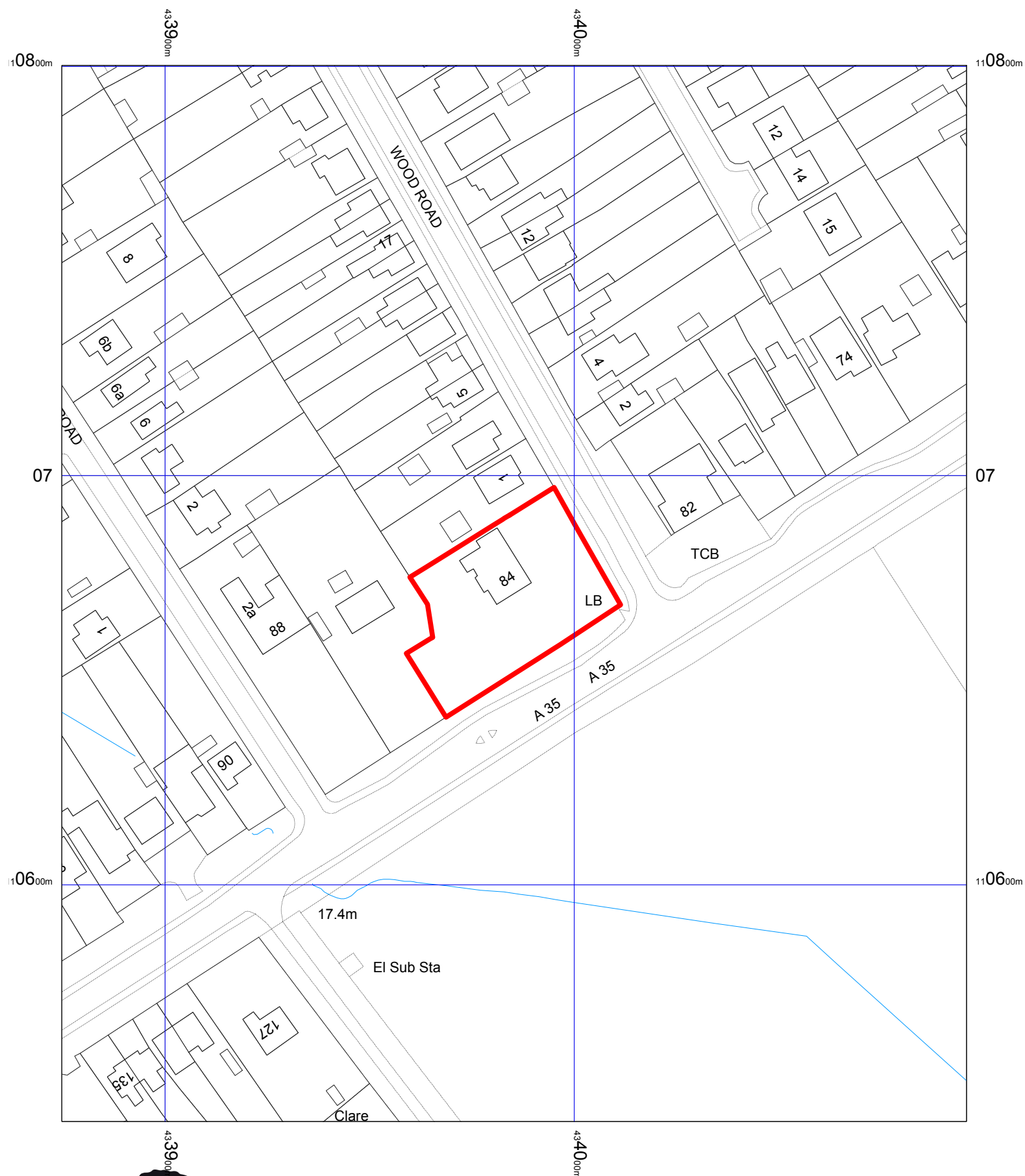
Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 11 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 (ecosupport Phase 1 and 2 Surveys & Bat Mitigation Strategy December 2015) hereby approved. 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).

**Informative(s):**

- 1 The Authority has considered the application in relation to its adopted Core Strategy, the National Planning Policy Framework and any other relevant material planning consideration and has recommended changes which have been accepted by the applicant to ensure the development is compliant and does not harm the character and appearance or amenities of the area.
- 2 The Developer must contact Hampshire County Council if he intends to pipe, culvert or alter any part of a ditch or watercourse. Generally the presumption is against piping of watercourses except in locations where there is no alternative such as access crossings.



NEW FOREST  
NATIONAL PARK

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

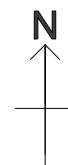
Tel: 01590 646600 Fax: 01590 646666

Date: 03/06/2016

**Ref: 16/00125/FULL**

**Scale: 1:1250**

© Crown copyright and database rights 2016 Ordnance Survey 1000114703



**Application No: 16/00198/TEL Telecommunications Determination**

**Site:** Communications Site At New Park Manor Hotel, Lyndhurst Road, Brockenhurst, SO42 7QH

**Proposal:** Replacement of 17m high monopole with new 17.5m high monopole; 3no antennas; additional radio equipment within existing cabin; ancillary development

**Applicant:** EE Ltd

**Case Officer:** Deborah Slade

**Parish:** BROCKENHURST

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Listed Building

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 5 -Supporting high quality communications infrastructure  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Recommend permission.

**8. CONSULTEES**

8.1 Building Design & Conservation Area Officer: The proposed telecommunication pole will not preserve, and will have a harmful impact upon, the setting of the listed building.

## **9. REPRESENTATIONS**

- 9.1 No representations received.

## **10. RELEVANT HISTORY**

- 10.1 Install 15m high flagpole type tower with integral antennae, ground level equipment cabin and ancillary development thereto (00/70353) approved on 15 December 2000

## **11. ASSESSMENT**

- 11.1 The site comprises the frontage of New Park Hotel. The hotel is a Listed Building, and at the front there is a gravel car parking area, landscaping, and at present a communications mast designed as a flag pole.
- 11.2 Permission is hereby sought for the replacement of the flag pole mast with a new 17.5 metre high monopole with three antennas, as well as ancillary development such as additional radio equipment within the existing cabin.
- 11.3 The principle of a new telecommunications mast at the New Park site, in order to support higher quality telecommunications technology, is acceptable in accordance with section 5 of the National Planning Policy Framework. However it is considered that the main issue in this case is the siting of the mast, and whether it would preserve the setting of the adjacent Listed Building.
- 11.4 New Park Manor Hotel was Grade II listed in 1987 and is a small country house which is now a hotel. The building dates from the early 18th century, with an earlier core which was enlarged in the 18th century and restored in 1968. It is constructed from brick with an old plain tile roof. The building has 20th century hotel extensions. The New Park Manor Hotel is set within a park land setting.
- 11.5 It is considered that the flagpole presently preserves the setting of the Listed Building, and does not appear out of character or context at the front of the site. The applicant states that it is not possible for the new mast to be of flagpole form and shape. The approved flagpole was 15m high, whereas the flagpole which is present is 17m high. The proposed mast would be even higher, at 17.5m high. The mast would be around 30 metres from the hotel.
- 11.6 The proposed mobile phone mast would be a standard 'monopole' with utilitarian appearance. It would be sited at the front of the hotel, visible upon approach, and as such it is considered that the development would be detrimental to the setting of the listed building. The applicants were contacted and were offered the

chance to look at alternative sites for the new pole, also at the New Park site, but where the pole would be less intrusive in views of the Listed Building. No response was received from the applicant.

11.7 The application is not accompanied by any site-specific assessment of the impact which the development would have upon the Heritage Asset, nor any assessment of significance, and as such does not meet the requirements of section 12 of the NPPF. There is no evidence that a site-selection exercise has been undertaken, considering the potential of moving the mast away from the front of the hotel.

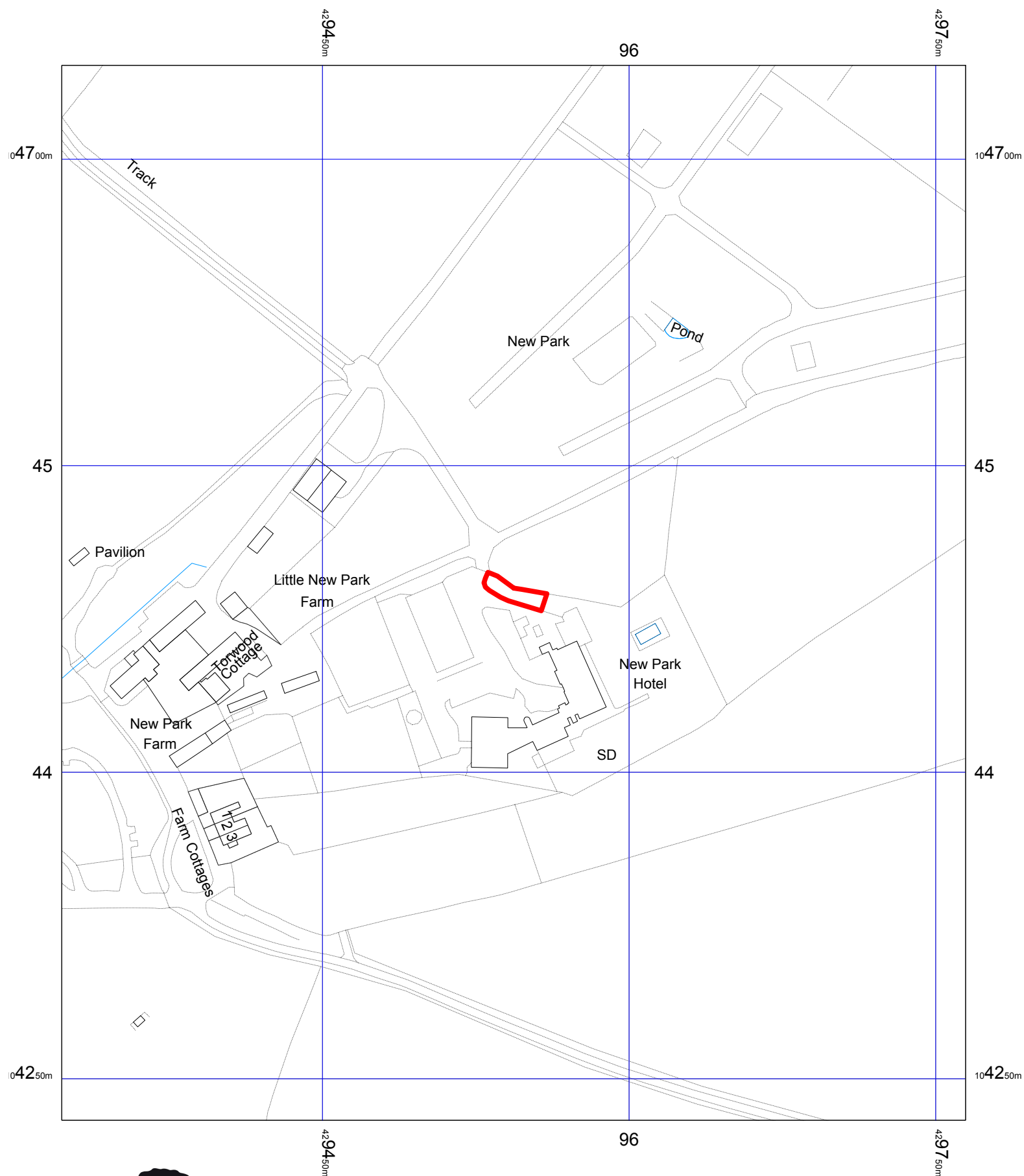
11.8 In conclusion, this development would have a significant detrimental impact upon the setting of the Listed Building, and the proposal is therefore contrary to Policies CP1 and CP7 of the Core Strategy, as well as the National Planning Policy Framework. Refusal is therefore recommended.

## **12. RECOMMENDATION**

Refuse

### **Reason(s)**

1 The proposed telecommunication pole would not preserve, and would have a harmful impact upon, the setting of the listed building. Consequently the proposal does not accord with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) nor with Section 12 of the National Planning Policy Framework 2012.



NEW FOREST  
NATIONAL PARK

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

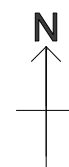
Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 16/00198/TEL

Scale: 1:2500

© Crown copyright and database rights 2016 Ordnance Survey 1000114703





**Application No: 16/00214/FULL Full Application**

**Site:** Popes Cottage, Lyndhurst Road, Brook, Lyndhurst, SO43 7HE

**Proposal:** Roof alterations

**Applicant:** Mr Crosthwaite-Eyre, Warrens Estate Management

**Case Officer:** Deborah Slade

**Parish:** BRAMSHAW

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Application from Authority Member's immediate family.

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
Listed Building

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

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

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Bramshaw Parish Council: Support.

## **8. CONSULTEEES**

- 8.1 Building Design & Conservation Area Officer: No objection subject to conditions.

## **9. REPRESENTATIONS**

- 9.1 No representations received.

## **10. RELEVANT HISTORY**

- 10.1 No recent planning history

## **11. ASSESSMENT**

- 11.1 Popes Cottage is Grade II listed and is situated within the Forest Central North Conservation Area. Popes Cottage is a slightly higher status thatched building, constructed of brick, instead of timber frame, but still has humble origins, being only one and a half storeys in height. To the rear is a one and half storey later extension which is also thatched. The thatched ridge of this later extension is set higher than the ridge height of the historic building and as such can be seen from the front elevation and in views when approaching the cottage from the east and the west.
- 11.2 The proposal is to remove the thatched roof covering of this later addition and replace with a clay tile roof. The main issue to consider is whether the proposal would affect the significance of the Listed Building, and whether it would affect its character and integrity, as set out in Section 12 of the NPPF.
- 11.3 The existing roof structure on the rear extension is not an appropriate pitch to accommodate successfully a thatched roof and this has resulted in its deterioration on the north, east and west elevations. It is proposed to replace the thatched roof with a traditional clay tile roof as the existing degree of slope is appropriate for a tile. There are additional benefits in that the ridge height would also be reduced as a result in the change of material which would ensure that visually the ridge will no longer be visible above the historic thatch roof.
- 11.4 The use of clay tile is an appropriate material for use on this rear extension of the listed building, and within the conservation area it is of local tradition. It is considered that the character and appearance of the listed building would not be harmed by the change in material and its significance unaffected.
- 11.5 The proposal would not result in any floorspace increase and nor would the position of windows change; neighbouring amenity would not be affected. No trees would be affected and due to the small-scale nature of the works, it is unlikely that protected species would be affected. The drainage characteristics of the

site would not be altered.

- 11.6 The proposal is in-line with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010). It is therefore recommended that Listed Building Consent is 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.

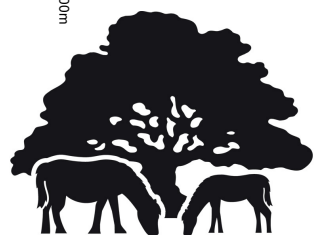
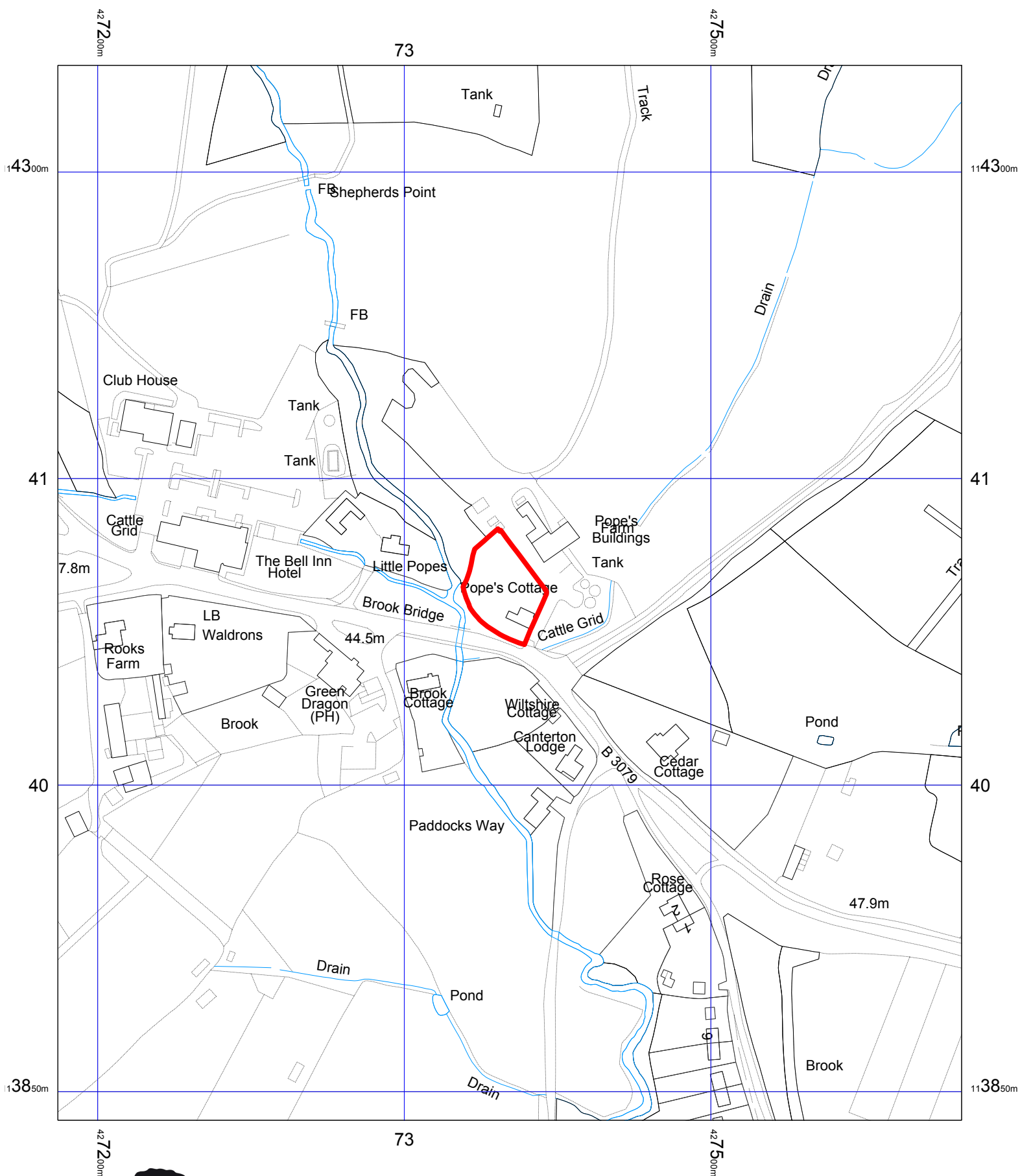
- 2 No development shall take place until samples or exact details of the roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

- 3 No development shall take place until details have been submitted to the New Forest National Park Authority and approved in writing specifying the material to be used in dressing the junction between the thatched roof and the clay tile roof.

Reason: To ensure an acceptable appearance 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).



NEW FOREST  
NATIONAL PARK

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

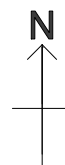
Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 16/00214/FULL

Scale: 1:2500

© Crown copyright and database rights 2016 Ordnance Survey 1000114703



**Application No: 16/00215/LBC Listed Building Consent**

**Site:** Popes Cottage, Lyndhurst Road, Brook, Lyndhurst, SO43 7HE

**Proposal:** Roof alterations (Application for Listed Building Consent)

**Applicant:** Mr Crosthwaite-Eyre, Warrens Estate Management

**Case Officer:** Deborah Slade

**Parish:** BRAMSHAW

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Application from Authority Member's immediate family.

**2. DEVELOPMENT PLAN DESIGNATION**

**3. Conservation Area Listed Building  
PRINCIPAL DEVELOPMENT PLAN POLICIES**

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

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Bramshaw Parish Council: Support.

**8. CONSULTEES**

8.1 Building Design & Conservation Area Officer: No objection subject to conditions.

## **9. REPRESENTATIONS**

- 9.1 No representations received.

## **10. RELEVANT HISTORY**

- 10.1 No recent planning history

## **11. ASSESSMENT**

- 11.1 Popes Cottage is Grade II listed and is situated within the Forest Central North Conservation Area. Popes Cottage is a slightly higher status thatched building, constructed of brick, instead of timber frame, but still has humble origins, being only one and a half storeys in height. To the rear is a one and half storey later extension which is also thatched. The thatched ridge of this later extension is set higher than the ridge height of the historic building and as such can be seen from the front elevation and in views when approaching the cottage from the east and the west.
- 11.2 The proposal is to remove the thatched roof covering of this later addition and replace with a clay tile roof. As this application is for Listed Building Consent, the main issue to consider is whether the proposal would affect the significance of the Listed Building, and whether it would affect its character and integrity, as set out in Section 12 of the NPPF.
- 11.3 The existing roof structure on the rear extension is not an appropriate pitch to accommodate successfully a thatched roof and this has resulted in its deterioration on the north, east and west elevations. It is proposed to replace the thatched roof with a traditional clay tile roof as the existing degree of slope is appropriate for a tile. There are additional benefits in that the ridge height would also be reduced as a result in the change of material which would ensure that visually the ridge will no longer be visible above the historic thatched roof.
- 11.4 The use of clay tile is an appropriate material for use on this rear extension of the listed building, and within the conservation area it is of local tradition. It is considered that the character and appearance of the listed building would not be harmed by the change in material and its significance unaffected. The proposal is in-line with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010). It is therefore recommended that Listed Building Consent is granted.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

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

To comply with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas Act) 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

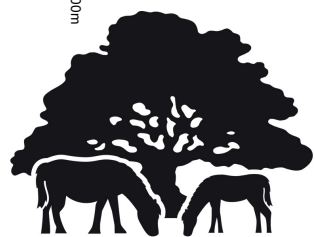
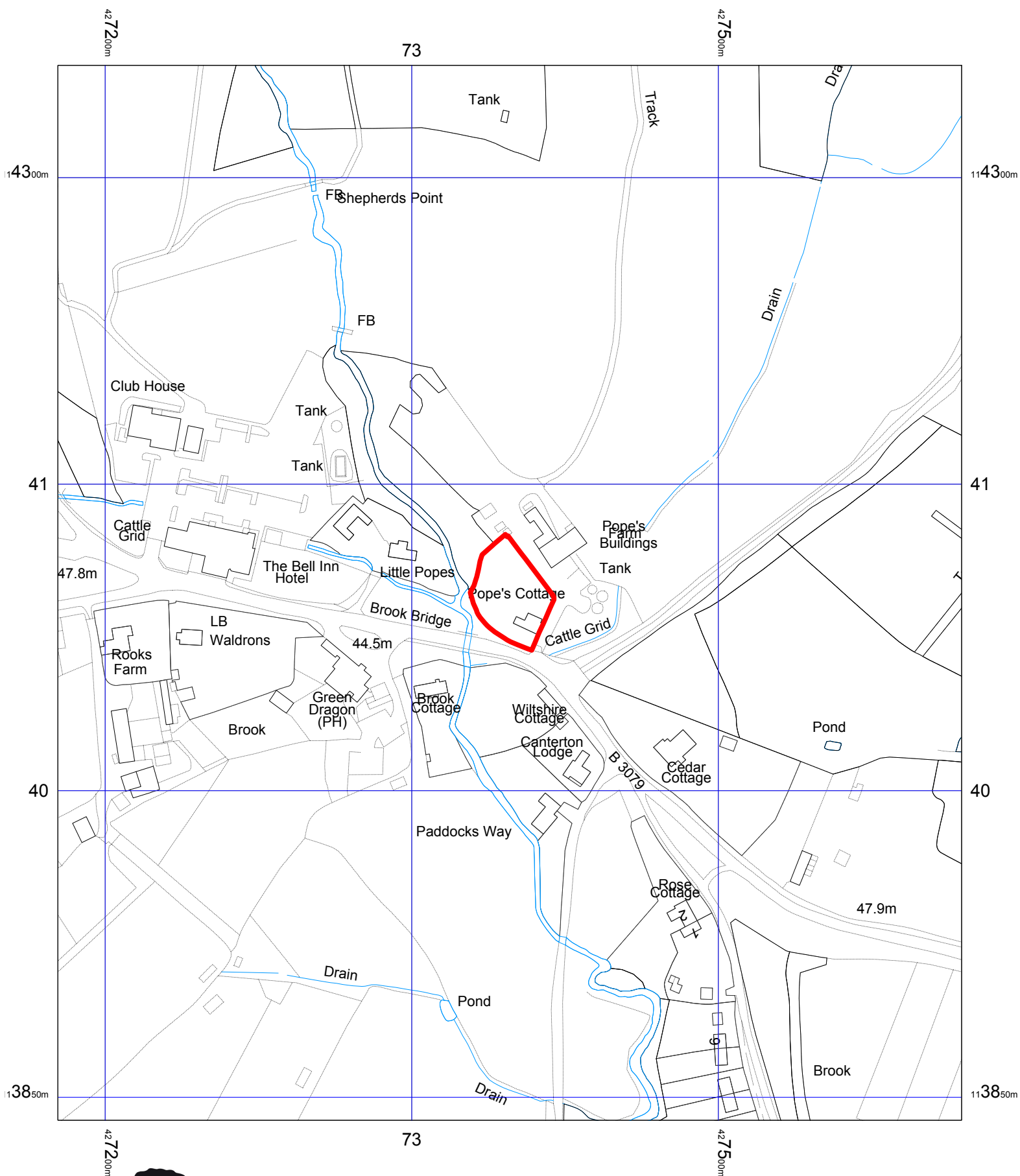
- 2 No development shall take place until samples or exact details of the roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

- 3 No development shall take place until details have been submitted to the New Forest National Park Authority and approved in writing specifying the material to be used in dressing the junction between the thatched roof and the clay tile roof.

Reason: To ensure an acceptable appearance 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).



NEW FOREST  
NATIONAL PARK

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

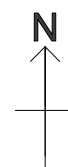
Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 16/00215/LBC

Scale: 1:2500

© Crown copyright and database rights 2016 Ordnance Survey 1000114703





**Application No: 16/00242/FULL Full Application**

**Site:** Wootton Riverine Woodland, Avon Water, Wootton Bridge, Hampshire

**Proposal:** Restoration of Avon Water to a meandering stream course; infill redundant sections; new and replacement crossing structures

**Applicant:** Forestry Commission

**Case Officer:** Emma MacWilliam

**Parish:** BROCKENHURST

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Application made pursuant to the New Forest Higher Level Stewardship (HLS) scheme for wetland restoration

**2. DEVELOPMENT PLAN DESIGNATION**

Flood Zone  
Special Area of Conservation  
Ramsar Site  
Special Protection Area  
Site of Special Scientific Interest

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
CP2 The Natural Environment  
CP3 Green Infrastructure  
CP4 Climate Change  
CP16 Tourism Development  
CP19 Access  
DP1 General Development Principles  
DP2 Safeguarding and Improving Water Resources  
DP4 Flooding and the Coast  
DP6 Design Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

## **6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

7.1 Brockenhurst Parish Council – Support

7.2 Hordle Parish Council – Support

7.3 Sway Parish Council – Support. Request that a footbridge be constructed during phase 1 for the benefit of walkers preferably at or near to the location of the underpass. Project should be advertised in advance of construction works, to include alternate routes during operations.

7.4 Burley Parish Council - Recommend refusal. Question the need for the works; the Avon Water appears to be stable and the surrounding mires/bogs are wet all year. The proposed plans do not show any proven link with the historical line of the watercourse. No consideration given to the likely upstream effects of the works. No Environmental Impact Assessment and/or Habitats Regulations Assessment have been undertaken prior to submission of this application.

## **8. CONSULTEES**

8.1 Ecologist: No objection subject to conditions

8.2 Environment Agency: No objection

8.3 Verderers of the New Forest: Support

8.4 Natural England: No objection subject to conditions. The proposal is entirely necessary for European site management. The works are necessary for the management of the European site interest features for nature conservation purposes, enabling the maintenance or restoration of those features and contributing to the achievement of the site's Conservation Objectives.

8.5 Archaeologist: No objection subject to conditions

8.6 Highway Authority (HCC): No objection

8.7 HCC Access Development Officer (Planning): No objection subject to conditions

8.8 Landscape Officer: No objection

8.9 Highways England: No objection

## **9. REPRESENTATIONS**

- 9.1 Fifteen letters of representation have been received from local residents. One in support, three making comments and 11 objecting. Concerns raised in relation to access for walkers, dog walkers and horse riders; need and necessity of the works; impacts upon protected plant and animal species; flooding; more detail required on access within the site; more detail required in relation to maintain access for horse riders and suitability of the tracks and more details required regarding impacts upon fish.
- 9.2 One letter of representation from New Forest Access For All commenting on requirements for access for wheelchairs and scooters.
- 9.3 One letter of representation from the New Forest Association in support of the application.
- 9.4 One letter of representation from the Ringwood Natural History Society in support of the proposals.
- 9.5 One letter of representation from the New Forest Equestrian Association, commenting on the application and requesting a number of conditions should planning permission be granted.
- 9.6 One letter of representation from Hampshire and Isle of Wight Wildlife Trust in support of the application.

## **10. RELEVANT HISTORY**

- 10.1 Three similar applications have been recently approved at Planning Committee for Sluffers Inclosure to the north of the A31 between Picket Post and Stoney Cross (Ref 14/00394), Harvest Slade Bottom to the north of Burley Village (Ref 14/00611) and Amberslade and Broomy (Ref 15/00045) to the east of the High Corner Inn, Linwood. The proposed works at Pondhead (Ref 15/00294) are currently under consideration.

## **11. ASSESSMENT**

### Site and Surroundings

- 11.1 The site is within Wootton Riverine Woodland (a Unit within the New Forest SSSI) and follows the course of Avon Water on the Open Forest, forming part of the grounds grazed by commoners stock.
- 11.2 The Avon Water rises near Holmsley to the south west of the New Forest, and flows southeastward, for approximately 14.5km (9 miles), discharging to the sea at Keyhaven. The Environment Agency's Flood Map for Planning indicates that the site spans all three Flood Zones.

- 11.3 The site is well used for recreation and there are a number of cycle paths in the adjacent inclosures, and horse riding paths that run through the site as well as walking tracks and Wootton Bridge. While there are no residential properties within the site boundary, there are two dwellings approximately 190m downstream of the site, which fall within the Flood Zone.
- 11.4 The site is located within the New Forest SSSI and New Forest SAC, SPA and RAMSAR sites (Wetlands of International Importance). The site lies within an area of ancient woodland.

#### Background and Description of Development

- 11.5 The Wilverley Bog area was subject to historic drainage modifications which has subsequently resulted in erosion within the riverine woodland habitat and there is limited seasonal inundation and inconsistent interaction with the floodplain. As a result the riverine woodland habitat is adversely affected, being currently classed by Natural England as being in 'unfavourable recovering condition'. The assessment of 'recovering' is made due to the units inclusion within the Forest Design Plan and wetland restoration programme.
- 11.6 Legal requirements relating to the habitats designation, protection and management are set out in the Conservation of Habitats and Species Regulations 2010. The Forestry Commission has a legal responsibility under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights Way Act 2000 and the Natural Environment and Rural Communities Act 2006) to restore and maintain SAC and SSSI designated land and features where the habitat has been assessed by Natural England as being in unfavourable condition.
- 11.7 This application is for wetland restoration and is one of a phased programme of works designed to restore and enhance the internationally-important habitats of the New Forest. The proposed scheme seeks to restore, enhance and safeguard the internationally important SSSI and wetland habitats of the New Forest and enhance the Avon Water by returning it to a natural meandering course. The works are necessary to ensure that these are restored to a 'favourable condition' by removing the effects of historic artificial drainage modifications.
- 11.8 The proposed works are split into two phases; The restoration plan for Phase 1 covers the stretch of Avon Water, from the ford and underpass at SU23860030 to Wootton Bridge (approximately 1400m). The works will start approximately 745m to the south east of where the River Avon crosses the A35 and continue to the edge of the perambulation at Sway. Works will include infill of around 1141m of current straightened channel to restore the floodplain meander, spoil removal and bed level raising of around

195m. Existing access structures will be retained or reinstated (some being relocated).

- 11.9 The restoration plan for Phase 2 covers the stretch of Avon Water from Wootton Bridge to approximately 60m upstream of the footbridge at SZ26389881 (approximately 1600m). This also involves restoring the floodplain meander, spoil removal and bed level raising. This phase will include infill of around 750m of current straightened channel (plus an approximate 400m of extra spoil bank removal on straightened section), and partial infill through raising the bed level of around 480m. Existing access structures will be retained or reinstated.
- 11.10 During the course of the current Pondhead application a third party request was made to the Secretary of State (SoS) for a screening direction on the matter of whether or not the development proposed constituted 'EIA development' within the meaning of the 2011 Regulations. The SoS determined that the proposal was not likely to have significant effects on the environment and was not therefore 'EIA development'.
- 11.11 In light of the SoS consideration that wetland restoration works fall within the description of Schedule 2 works, and on the basis that the land affected is located in a sensitive area, the Authority has considered afresh whether an EIA is required and concluded that the proposed development is not 'EIA Development'. A revised screening opinion has been published to this effect.
- 11.12 Similarly, as the competent authority, it has been determined under the provisions of the Habitats Regulations that as the proposal is entirely necessary for European site management and that the works are necessary for the management of the European site interest features for nature conservation purposes, the proposal can be screened out from further stages in the Habitats Regulations Assessment process.

#### Issues for consideration

- 11.13 The main issues for consideration with this application are:
- Requirements of the proposed works for the conservation and protection of biodiversity and ecology
  - Impacts upon the special qualities, character, amenity and landscape setting of the site and wider National Park
  - Impacts upon public access and amenity
  - Impacts upon grazing and commoning
  - Impacts upon flooding
  - Impacts upon archaeology and heritage assets
  - Impacts upon highway safety and access

#### Legislation and Policy Considerations

- 11.14 The proposal is considered to comply with relevant legislation such as the Environment Act (1995), the Countryside and Rights of Way Act (2006) and the Natural and Rural Communities' Act (2006)

National Planning Practice Guidance (2014)

- 11.15 The Guidance confirms that legislation places a duty on Authorities to have regard to the purpose of conserving biodiversity. Authorities should therefore seek opportunities to work collaboratively with other partners to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider opportunities that individual development proposals may provide to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area.

- 11.16 Biodiversity enhancement should be led by a local understanding of ecological networks, and should seek to include:

- Habitat restoration, recreation and expansion
- Improved links between existing sites
- Buffering of existing important sites
- New biodiversity features within development
- Securing management for long term enhancement

National Planning Policy Framework (2012)

- 11.17 Section 11 - Conserving and Enhancing the Natural Environment  
Para 109 confirms that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and geological conservation interests and soils. Para.115 confirms that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

- 11.18 Authorities should promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection of priority species populations and aim to prevent harm to geological conservation interests (Para 117).

- 11.19 Paragraph 118 sets out that development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.

New Forest National Park Core Strategy and Development Management Policies DPD (2010)

- 11.20 Strategic Objective 1 of the Core Strategy is to *'Protect and enhance the natural environment of the National Park, including the natural beauty of the landscape and the range of habitats and*

*species'. Strategic Objective 2 is to 'Conserve and enhance the wealth of individual characteristics that contribute to the local distinctiveness of the built environment of the New Forest'.*

- 11.21 The relevant specific policy to this application is Policy CP2. It is considered that the scheme would protect, maintain and enhance this important site and the features of the natural environment and therefore complies with this policy. This is discussed in more detail below. In addition it is considered that the proposal respects the natural environment, landscape character and biodiversity that comply with Policy DP1 (b).

#### New Forest Wetland Management Plan 2006-2016

- 11.22 Seeks to *'ensure the continued long term sustainability and integrated management of water-courses and wetland habitats' which 'will prevent further decline of SAC habitats and bring them into favourable condition'.*
- 11.23 The other relevant policies are discussed in relation to the other material considerations set out below.

#### Planning Assessment

#### Biodiversity and Ecology

- 11.24 SPA's SAC's and Ramsar Sites enjoy the highest level of statutory and government policy protection to maintain and restore any nature conservation interest. Core Strategy Policy CP1 seeks to protect the integrity of internationally important sites of nature conservation. CP2 seeks to protect, maintain and enhance nationally, regionally and locally important sites and features of the natural environment, including habitats and species of biodiversity importance, geological features and the water environment.
- 11.25 The Biodiversity Statement submitted summarises a range of ecological surveys which have been undertaken to determine the effect the proposed works will have on habitats and species within the site. Ecological effects have been evaluated and recommendations for mitigation have been made to ensure that the proposed works do not result in any adverse impact upon biodiversity. The information submitted sets out that in the longer terms the restoration works will create a more diverse habitat for a variety of species.
- 11.26 Paragraph 5.1 of the Biodiversity Statement submitted with this application sets out that *'the Unit 539 Restoration Plan (Natural England 2014) states that no significant adverse impact is predicted for the Wilverley Bog SSSI, which is located immediately adjacent to the north of the watercourse'.* It goes on to conclude that *'unless this restoration work is undertaken*

*incision is likely to continue to result in increased floodplain disconnection and reduced wet woodland inundation. Over time this would result in alteration of the nature of the riparian vegetation community and would negatively impact the condition of both the SSSI Unit. Then restoration scheme is therefore vital in achieving a favourable status of the SSSI Units'. Whilst the SSSI Units are assessed as being in 'unfavourable recovering' condition, the recovering part of this condition assessment is related to the plans presented within this application to restore the natural hydrology of the area.*

#### Habitats:

- 11.27 The Biodiversity Statement sets out that slowing the movement of water through the catchment will have a positive impact on Wilverley Bog. The restoration proposals will increase the level of interaction between the watercourse and its floodplain and this will be improved by the slowing of water moving through the system.
- 11.28 Natural England have raised no objection to the scheme and consider that *'the restoration works are necessary for European site management' and 'necessary for the management of the European site interest features for nature conservation purposes, enabling the maintenance or restoration of those features and contributing to the achievement of the site's Conservation Objectives'*. Their letter states that *'the scheme will remove the effects of artificial drainage on Unit 539 of the SSSI and enhance the Avon Water by returning it to a natural meandering course. The meandering course will diffuse the rate of flow, reduce the rate of erosion and allow the stream to more naturally interact with its floodplain'*.
- 11.29 Natural England conclude that *'the works can therefore be screened out from further stages in the Habitats Regulations Assessment process, as set out under Regulation 61 of the Habitats Regulations 2010, as amended'*. In addition, the NPA Ecologist has raised no concerns with regard to the scheme in this respect.

#### Protected Species:

- 11.30 The Biodiversity Statement submitted with this application sets out that following the mitigation measure proposed, the works are not anticipated to affect any protected or notable species. In the longer terms it is anticipated that there will be a beneficial effect and that the habitat is more likely to become stable and permanent as a result of the hydrological change. A monitoring programme is to be undertaken post works.

#### Mitigation:



- 11.31 The information provided in the Biodiversity Statement includes details from field studies and surveys, the outcomes of which address the impacts upon animal species, bird species, raptors, reptile and, plant species. It considered that this information is acceptable to demonstrate that adverse impacts upon protected species will be minimal and that mitigation proposed is acceptable.
- 11.32 The Authority's Ecologist has no objection with the proposals as set out and supports the proposals subject to the development being in accordance with the mitigation and avoidance measures proposed in the supporting Construction Environmental Management Plan and Biodiversity Statement unless otherwise agreed.
- 11.33 The proposals deliver restoration that is appropriate to manage and maintain biodiversity interests within Wootton Riverine, including those of the SSSI. The proposals and the overall scheme of restoration assist the delivery of objectives of the Government's Planning Practice Guidance, the National Planning Policy Framework, the National Park Management Plan and the National Park Statutory Duties. Policies CP1 and CP2 are also therefore complied with.

#### Amenity and Landscape Setting of the Wider National Park

- 11.34 The restoration of the wetlands habitat will help to increase connectivity of the network of green infrastructure and natural habitats within and beyond the New Forest National Park. The works are also likely to enable to wildlife and habitats within the site to adapt to future climate change through the safeguarding and restoration/regularisation of the natural wetlands habitat and flooding of the watercourse. As such the application is in accordance with Policies CP3, CP4 and DP2. The NPA Landscape Officer has raised no objection to the application and comments that the restoration proposals will be beneficial for the landscape character of the area, giving long term improvements to landscape quality.
- 11.35 It is considered that the impact upon the visual amenity of the site and the wider landscape will be limited due to the nature of the works and the landscape and topography of the locality surrounding the site. Materials proposed will be appropriate to the character and setting of the National Park. The proposals accord with Policy DP1.
- 11.36 A number of trees have already been felled within the site and some additional trees may require felling to facilitate the works and access in accordance with a felling licence. Work will be undertaken during summer and early autumn months when water flows are low and ground damage can be minimised. Works for each phase are expected to last for approximately 9 weeks, with

working hours being between 6am to 7pm Monday to Friday. Low ground pressure tracked excavators, rubber tracked dumpers and bog mats will be used to reflect ground conditions. Works will be postponed if the ground is too wet until conditions are suitable to minimise damage to habitats. The application is in accordance with Policies CP3, CP4, DP1 and DP2.

- 11.37 The site will continue to function as Open Forest, accessible to the public and commoners stock. Public Rights of Way will not be affected as a result of the scheme, existing access points will be retained or reinstated and the site will remain open to public access at all times post works. As such public amenity and access will remain largely unaffected once the works are complete.
- 11.38 Undertaking the restoration works will result in localised and limited noise, dust and vibration. This will be minimised through the implementation of the submitted Construction Environmental Management Plan. This can be secured by condition and will comply with Policy CP1. As such there will be no significant or material adverse impacts upon any residential properties within the vicinity in these respects once works are complete. An Ordinary Watercourse Consent will be required from Hampshire County Council since the works will be taking place in a water environment, and information needs to be provided that there will not be a detrimental effect on flood risk.

#### Flooding

- 11.39 As set out in the accompanying Planning Statement, the Environment Agency floodplain map shows that the site lies within all three Flood Zones. A Flood Risk Assessment (FRA) has been prepared in support of this application to demonstrate how flooding within and outside the site will be affected by the proposed scheme.
- 11.40 The FRA suggests that the works are in line with their overall objective which seeks to reconnect the watercourse with the adjacent floodplain and thus restore the mire habitat through more regularised seasonal flooding. There will be no increase in surface water run off since there will be no increase in impermeable areas.
- 11.41 The information submitted in the FRA sets out that the proposed scheme will result in a reduction of flood risk downstream because of greater connectivity with the floodplain upstream. The restored meanders will store more water than the existing artificial straightened channel. The combination of a longer channel length and increased connection with the floodplain will result in a slower flood response downstream compared to the existing channel.

- 11.42 It is noted that concerns have been raised in representations received regarding impacts upon flooding upstream as a result of the proposals. The applicant has advised that the most upstream works (approximately 400m downstream of the A35 bridge) retain the existing channel and reinstate an overflow channel to provide additional storage. Bank levelling over the length of the scheme will benefit both upstream and downstream receptors, as peak flows will no longer be unnaturally constrained in the channel, but stored in the floodplain. This will prevent the increase of levels upstream as well as reducing levels downstream. Therefore, no significant upstream impact, with regards to flood risk, is anticipated as a result of the proposed works.
- 11.43 The Environment Agency have been consulted as part of the application and have raised no objection and have advised that they are in support of the application.
- 11.44 As such, it is considered that the proposed scheme complies with Policies DP2 and DP4.

#### Archaeology and Heritage Assets

- 11.45 An Archaeological Desk Based Assessment has been submitted with the application and identifies features which may be affected by the proposed works and which will require protection. An Archaeological Written Scheme of Investigation (WSI) has been submitted, which sets out the proposed mitigation strategy to protect the identified features.
- 11.46 The NPA Archaeologist raises no concern over the proposals provided that works are carried out in accordance with the submitted details. In conclusion it is considered that the proposed scheme is unlikely to have an adverse impact on the archaeological assets within the site, subject to appropriate conditions. The application therefore complies with Policies DP1, CP7 and DP6 in this respect.

#### Highway Safety and Access

- 11.47 The application is accompanied by a Construction Traffic Management Plan, which sets out the routes construction vehicles will use to travel to and from the site and considers impacts on the local road network. Three materials stockpile locations are proposed, and can be seen on Drawing 0004 Rev 1.
- 11.48 The Highways Authority (Highways England) have raised no objection to the proposals. Correspondence with Hampshire County Council Highways raises no objection to the proposals subject to pre and post construction surveys of the highway, including the Wootton Bridge structure, for which HCC is the Highway Authority. Given that if granted the Construction Traffic Management Plan will form part of the approved documents HCC

Highways consider that this does not require a condition to ensure compliance.

### Conclusion

- 11.49 It has been demonstrated that the proposal accords with the relevant legislation and planning policies and that the proposed works are critical to the restoration of the SSSI site and wetlands habitat at Wootton Riverine. The proposal would not lead to direct or indirect adverse effects on the integrity of the SSSI, SAC, SPA, Ramsar sites, protected species or archaeology features and heritage assets due to mitigation measures proposed.
- 11.50 The wider character and setting and the special qualities of the New Forest National Park will be preserved and enhanced and public amenity and access will remain largely unaffected once the works are complete. Access arrangements are acceptable and no adverse impact will occur to highway safety. The application is therefore recommended for approval.

## **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 works shall be carried out in accordance with the details as set out in the submitted Construction Environmental Management Plan and Biodiversity Statement Prepared by Mott MacDonald dated March 2016, unless otherwise agreed in writing by the New Forest National Park Authority.
- Reason: To safeguard protected species and habitats in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 3 The works shall be carried out in accordance with the details as set out in the submitted Construction Traffic Management Plan by Mott MacDonald dated March 2016, unless otherwise agreed in writing by the New Forest National Park Authority. The condition survey of the existing highway network as set out in Section 3.3 of the Construction Traffic Management Plan shall be submitted and approved in writing by the LPA prior to commencement of

development.

Reason: To ensure adequate provision is made in the interest of highway safety and to comply with Policies DP1 and CP19 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 A) All ground works or development will be subject to the submitted Written Scheme of Investigation for Archaeological Mitigation Works (WSI) by Mott MacDonald dated March 2016. The programme and methodology of site investigation and recording will conform to the submitted Written Scheme of Investigation WSI in respect of;

The programme for post investigation assessment

The methodology as defined in the WSI for site investigation and recording

The methodology for publication and dissemination of the analysis and records of the site investigation as provided in the WSI

The archive deposition of the analysis and records of the site investigation as provided in the WSI.

That a competent person or persons/organisation undertakes the works as set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation. The site investigation and post investigation assessment must be completed in accordance with the programme set out in the Written Scheme of Investigation and provision made for analysis, publication and dissemination of results and archive deposition to be submitted for agreement by the New Forest National Park's Archaeologist.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out prior to the development taking place in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).





**Application No: 16/00267/FULL Full Application**

**Site:** Coxlease School, Clay Hill, Lyndhurst, SO43 7DE

**Proposal:** 9 no. floodlights mounted on 5 metre columns

**Applicant:** Mr M Jackson, Priory Education Services

**Case Officer:** Clare Ings

**Parish:** LYNDHURST

---

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Listed Building

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP6 Pollution  
CP7 The Built Environment  
DP1 General Development Principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal:

- too many lights
- too bright leading to light pollution
- out of keeping with the surroundings

## **8. CONSULTEEES**

- 8.1 Tree Officer: No objection.
- 8.2 Building Design & Conservation Area Officer: No objection.

## **9. REPRESENTATIONS**

- 9.1 Two letters of objection (both from Owl Cottage) objecting on the following grounds:
- the school already has many lights which light up the Forest at night and can clearly be seen from property
  - excessive lighting creating light pollution

## **10. RELEVANT HISTORY**

- 10.1 Footpath improvements (15/00673) granted on 26 October 2015
- 10.2 Application to vary condition 8 of planning permission reference 10/95478 to allow a maximum of 80 pupils (15/00491) granted on 9 September 2015
- 10.3 Resurfacing of car park and access routes; erection of 2.4m high fence through site; two areas of hardstanding, one with perimeter fence (12/97428) granted on 3 July 2012
- 10.4 Several applications submitted since 2005 for redevelopment and new development for assembly, teaching and staff/admin accommodation which have been approved and implemented.

## **11. ASSESSMENT**

- 11.1 Coxlease School lies within an extensive wooded site to the west of the A337 and to the south of Lyndhurst. It is accessed from a gravel track which slopes down to the site. The site comprises a main building, which is a Grade II\* listed small country house, a number of single storey classroom buildings dotted throughout the site, a former stable complex now converted to school accommodation and a dwelling, also forming part of the school accommodation. The site is very wooded, with some specimen trees which formed part of a previous historic landscape associated with the main listed building. There is an area for parking. Adjoining the site to the north are the grounds of Foxlease, an activity centre owned by Girl Guiding UK. There are a couple of cottages associated with this use and other cottages in private ownership accessed via the same drive. The site is currently used as a special education establishment for young people with behavioural, emotional and social issues, together with learning difficulties.
- 11.2 To the north of the main driveway through the site, and to the rear of a high tree/shrub hedgerow, is the main car park for the site



which is surfaced in gravel and currently lit by a number of lights fixed to tall trees. The proposal is to replace these lights (9 in total) with nine new freestanding 5m columns. Five of the columns would lie adjacent to the site boundary, with the remaining four within the site. The reason is to improve the lighting for staff and pupils to allow safe access around the site. The hours of use for the lighting would be as currently, namely between 6am and dawn and dusk to 8pm.

- 11.3 The key considerations would be the impact the proposal would have on the private amenities of the adjoining private dwellings, and also the impact that the proposal would have on the trees in the area and on the setting of the listed building.
- 11.4 As has been stated in paragraph 11.2 above, the proposed scheme would replace existing lighting in the area. Although five of the columns are proposed along the boundary of the site, unlike the existing lights, the lighting would face away from the surrounding woodland and into the site. The installation of more modern lighting would also result in it being more directional, providing light for those areas only which require lighting. The adjoining properties are some distance from the boundary fencing (over 50m to the boundary with Owl Cottage), with intervening woodland, and it is therefore not considered that their installation would lead to an increased impact on these private amenities through light pollution - these are replacements for existing provision. In addition, the latest time that the lights would be switched on is proposed to be 8pm, which is not unreasonable for a school which has some limited on-site accommodation, and this would be conditioned. The proposal is therefore considered to comply with policy DP1.
- 11.5 The majority of the columns would be positioned within the existing car park and away from the listed building, although three columns would be positioned on a grassed island towards the facade of the main building. As already stated, there are two existing lighting columns on this island and the addition of one other is not considered to have a significant impact on the setting of the listed building, and the development would comply with policies DP6 and CP7. There are no objections from the Building Design and Conservation Officer.
- 11.6 There are no objections from the Tree Officer as it is considered that the location for each of the columns within the car park has been carefully chosen with adequate distances from tree both on the site and on the adjacent land. The cabling would be attached to the perimeter fencing, rather than trenched (with the exception of crossing the car park which is away from trees), and no trees would be affected by the proposal.
- 11.7 As the lighting would be replacing existing, and the level of grounds disturbance would be kept to a minimum, there are no

likely impacts on protected species.

- 11.8 Notwithstanding the comments from the Parish Council, it is not considered that the number of lights would be too great nor out of keeping with the area. Any light pollution would be minimal, and the proposal is therefore recommended for permission.

## **12. RECOMMENDATION**

Grant Subject to Conditions

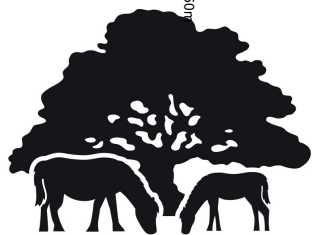
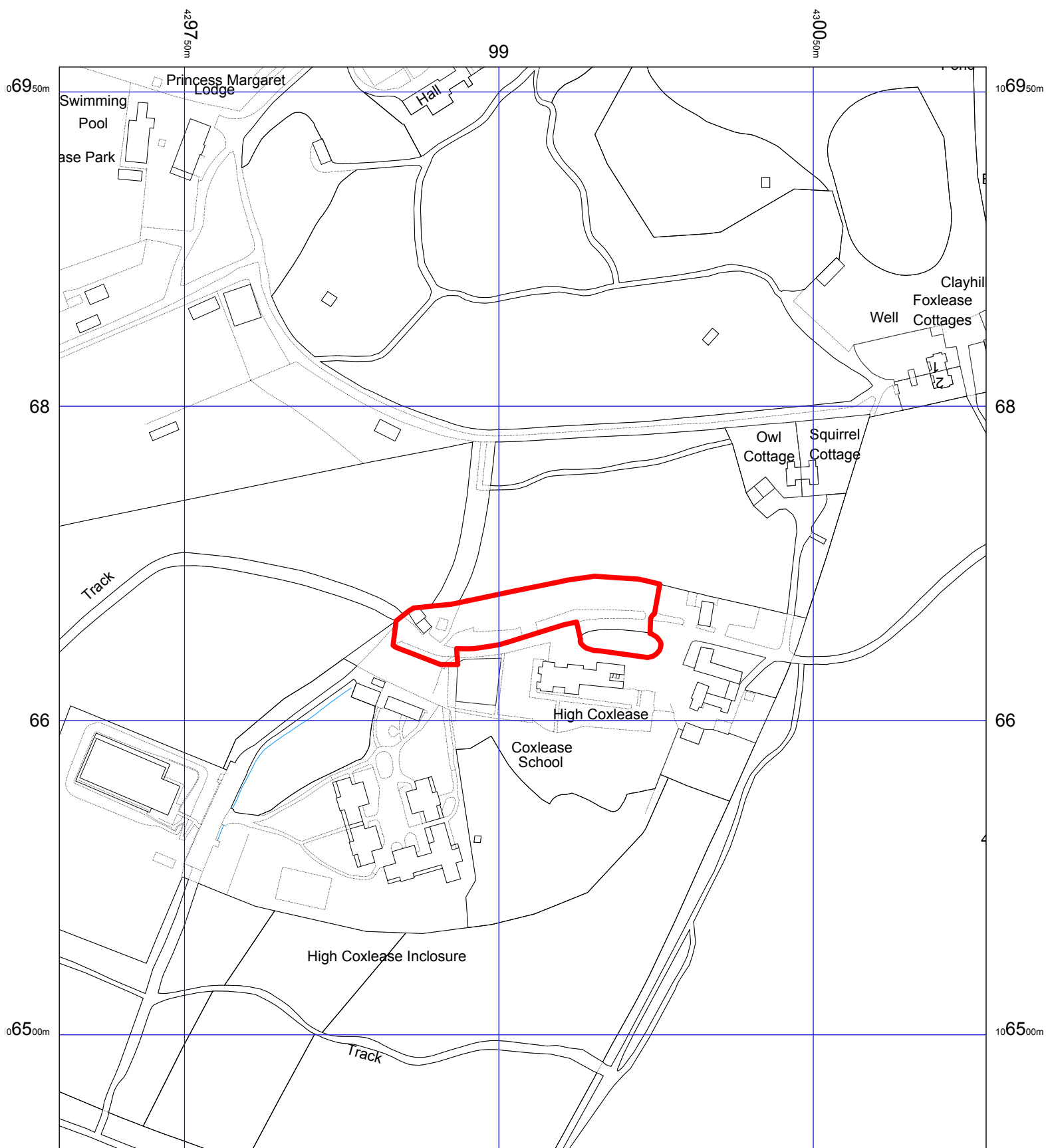
### **Condition(s)**

- 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 floodlighting hereby permitted shall not be used between 20:00 hours and 06:00 hours Mondays to Saturdays, and at no time on Sundays.

Reason: To safeguard the visual amenities of the area / the amenities of nearby residential properties in accordance with Policy DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



NEW FOREST  
NATIONAL PARK

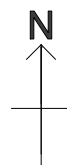
New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 10/06/2016

Ref: 16/00267/FULL

Scale: 1:2500



© Crown copyright and database rights 2016 Ordnance Survey 1000114703

**Application No: 16/00272/FULL Full Application**

**Site:** 14 Greenways Road, Brockenhurst, SO42 7RN

**Proposal:** Change of Use of land to residential curtilage; single storey extensions; creation of access

**Applicant:** Mr Doig

**Case Officer:** Katie McIntyre

**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  
DP6 Design Principles  
DP11 Extensions to Dwellings  
CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design  
Sec 11 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Object:

- The extension is not in keeping with the street scene.
- The creation of the new access would set a precedent which could have a detrimental impact upon the street scene.

## **8. CONSULTEEES**

- 8.1 Land Drainage (NFDC): No comment

## **9. REPRESENTATIONS**

- 9.1 One representation of objections received from Friends of Brockenhurst:
- The large areas of grass are a feature of the development which the change of curtilage would disturb unacceptably.
  - Question whether it has encroached upon public open space.

## **10. RELEVANT HISTORY**

- 10.1 15/00149 - Two-storey side extension - withdrawn 18 March 2015
- 10.2 NFR/11887/2 - Two blocks of 4 houses and 12 garages, layout of foul and surface water sewers together with construction of road - granted 17 March 1967

## **11. ASSESSMENT**

- 11.1 The application site is an end of terrace dwelling that lies within the defined village of Brockenhurst outside of the Conservation Area. Greenways Road is unclassified and forms a small cul-de-sac. The properties on the northern side of Greenways Road are similar in character and design being semi-detached or terraced properties rendered with tile hanging. The properties to the east and south are more varied in design with some bungalows and others two-storey. This application seeks consent for single-storey extensions, creation of an access, and the retention of the change of use of land to residential curtilage. As the property is sited within the defined village of Brockenhurst and is not classified as a small dwelling, the floorspace restriction would not apply in this instance.
- 11.2 The relevant issues which need to be considered are:
- The impact upon the character and appearance of the area;
  - Whether the additions would be appropriate to the existing dwelling and its curtilage;
  - Potential impact upon the neighbouring properties amenities.
- No comments have been received by local residents during the course of the application although an objection has been received from Friends of Brockenhurst with regards to the change of use of the land as the large areas of landscaping are a feature of this development. The Parish Council have also raised concerns in relation to the design of the extension and the impact the new access would have upon the street scene. There is also a concern that a future precedent could be set.

Change of use of land to residential curtilage:

- 11.3 An area of land to the side of the property, which it is understood has always been within the ownership of number 14 but originally formed part of the landscaping of the close, has been enclosed by a 1.8m fence and incorporated within the garden area of the property. The area of land measures approximately 32 square metres and is positioned between number 14 and the driveway and garage of number 12. The Authority was made aware of the change of use of the land when an application was submitted in March 2015 for a two-storey side extension which was subsequently withdrawn. The applicant was advised by Officers to submit an application to regularise this change of use.
- 11.4 The comments received from Friends of Brockenhurst are noted, however it is not considered that the enclosure of this piece of land has had an adverse affect on the character and appearance of Greenways Road. This is because it is an area of land to the side of the property and the fence does not project forward of the current building line of the property. For this reason it is also not considered the openness of the cul-de-sac has been adversely affected as the open plan frontage to the front of these properties has been retained, and the views from Lyndhurst Road and the Conservation Area are unaltered. It is therefore considered the character and appearance of Greenways Road has not been unduly harmed by these unauthorised works.

Single-storey extensions:

- 11.5 The application also proposes a single-storey side and rear extension. The proposed side addition would project approximately 2.8 from the flank wall and would have a depth of circa 8.5m with a hipped form. This addition would link with the proposed rear extension which would extend into the rear garden by approximately 3m extending nearly the full width of the property. Other properties within the vicinity of the site have single-storey additions to the side such as the adjacent properties numbers 12 and 11.
- 11.6 It is considered that the design and form of the additions proposed would be in keeping with the architectural style and character of the host dwelling. The additions would also appear subservient in scale and as such it is not considered they would appear as intrusive or overly dominant additions within the street scene. It is recognised the additions would appear more prominent from the hammerhead, however other properties within the vicinity have flat roof garages to the side and as such it is not considered that a projection to the flank wall would appear out of keeping. The single-storey nature of the additions would also ensure that the proposed enlargements would not unbalance the appearance of this terrace. Views of the additions from the Conservation Area would also be limited. For these reasons it is considered the development would have an acceptable impact upon the character and appearance of the locality and would not appear

out of keeping or visually intrusive within the street scene.

- 11.7 With regards to neighbour amenity, the adjoining property number 15 has several ground floor windows and there is currently a 1.8m close boarded fence to the boundary. The rear garden of this property faces north however as the extension would be single-storey it is not considered there would be undue loss of light or outlook. A roof light is proposed within the side elevation however as this would be high level views would be skywards only. In terms of the property to the east, number 12, as this property is set further back within its plot the majority of the development would be adjacent to this property's driveway and garage which is also considered to result in an acceptable relationship.

Access:

- 11.8 The application also proposes to lay a permeable driveway and to install a drop kerb in order to form an access onto Greenways Road. The neighbouring property number 12 has a similar driveway to that proposed. As Greenways Road is unclassified and the proposed driveway would be constructed of permeable materials planning permission would not be required for these works. It is not considered that the access would compromise highway safety.
- 11.9 It is therefore concluded that overall the application complies with local and national planning policy and it is recommended that planning permission is 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.

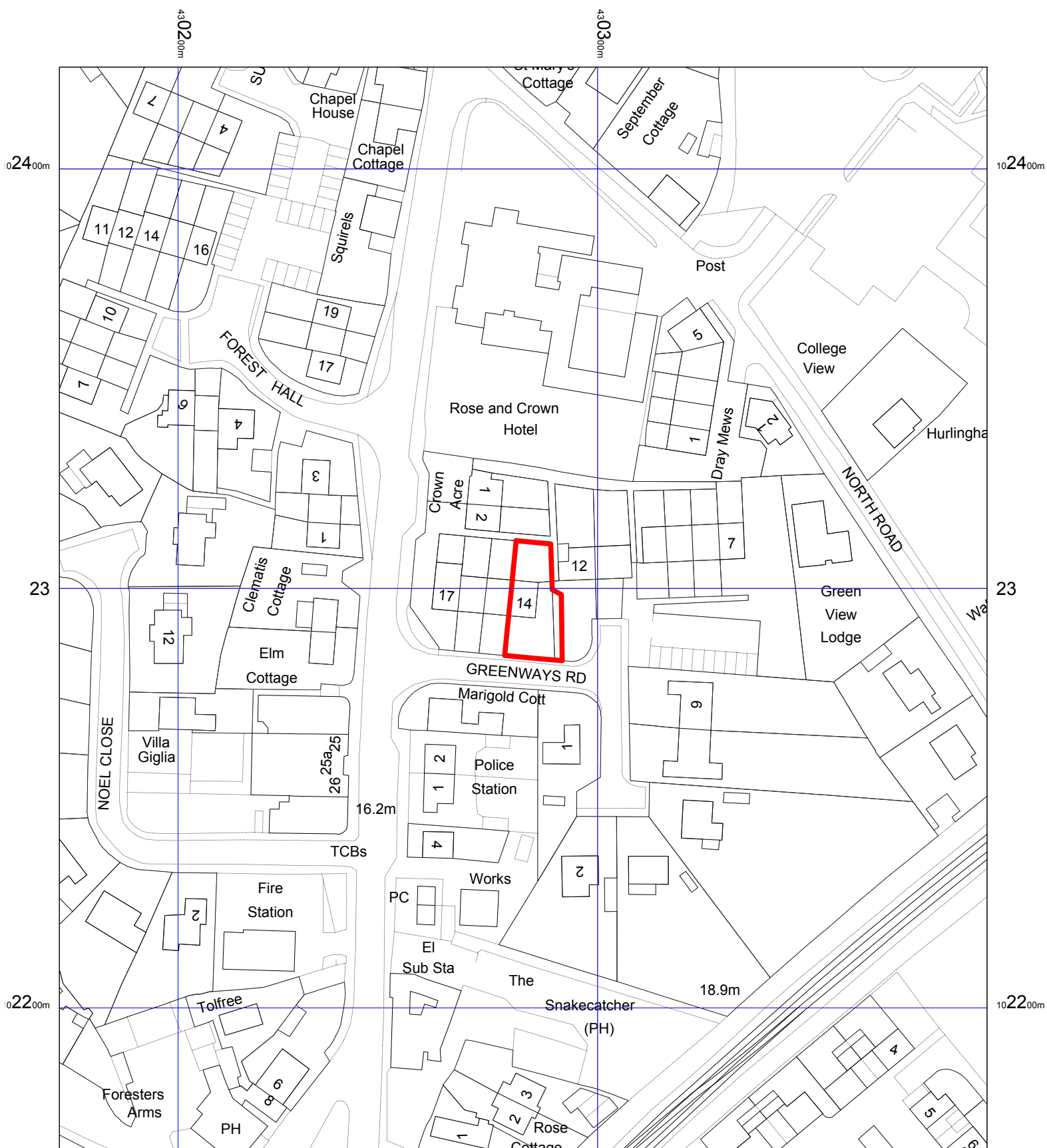
- 2 Development shall only be carried out in accordance with drawing numbers: PL/01, PL/02, PL/03, PL/04 and PL/05. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New

- 3 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

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).





NEW FOREST  
NATIONAL PARK

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

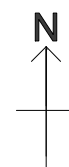
Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 16/00272/FULL

Scale: 1:1250

© Crown copyright and database rights 2016 Ordnance Survey 1000114703



**Application No: 16/00284/FULL Full Application**

**Site:** Land To The Rear Of 35 High Street, Lyndhurst, SO43 7BE

**Proposal:** New dwelling; associated landscaping

**Applicant:** Enodoc Properties Ltd

**Case Officer:** Deborah Slade

**Parish:** LYNDHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village  
Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
CP12 New Residential Development  
CP7 The Built Environment  
DP6 Design Principles  
CP8 Local Distinctiveness  
CP1 Nature Conservation Sites of International Importance

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
Development Standards SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 12 - Conserving and enhancing the historic environment  
Sec 7 - Requiring good design

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal:

- The design of the dwelling is an improvement on the last, but there is not enough space to accommodate housing in that area.
- The amenity of neighbouring businesses would be greatly affected.
- Access for deliveries and emergencies is inadequate
- The proposal would set an undesirable precedent.

## **8. CONSULTEEES**

- 8.1 Highway Authority (HCC): No objection subject to condition.
- 8.2 Environmental Protection (NFDC): An informative should be added to any consent granted regarding the proximity of underground petrol storage tanks.
- 8.3 Land Drainage (NFDC): No objection subject to surface water drainage condition.

## **9. REPRESENTATIONS**

- 9.1 Three representations received objecting to the proposal, one of which is on behalf of the freehold owner of a group of properties adjacent to the site.
- 9.2 Grounds of objection are:
- car parking will be lost
  - there will be greater pressure on the narrow access
  - amenity of the tenants of the properties along High Street would be adversely affected
  - the proposal would not be suitable for the Conservation Area
  - the proposal is too cramped
  - the proposal at land rear of 12 Wellands Road should not be used as a precedent.

## **10. RELEVANT HISTORY**

- 10.1 New dwelling with undercroft parking and associated landscaping (15/00287) refused on 20 May 2015.

## **11. ASSESSMENT**

- 11.1 The site comprises a parcel of land which is partly used for parking, located between the High Street and Wellands Road, within the Defined Village of Lyndhurst. Adjacent to the site are the back gardens of properties which front onto Wellands Road, and the backs of properties fronting onto High Street, as well as a backland building used as a Chiropractor's clinic. The site benefits from existing vehicular access onto Wellands Road and is mostly laid to hardstanding. The site lies within the Lyndhurst Conservation Area.
- 11.2 Permission is sought for a single, detached one-and-a-half storey dwelling. The dwelling would be of traditional appearance and

would have two bedrooms. Permission was sought for a significantly larger dwelling on this site in 2015, and that application was refused for:

- design, materials, landscaping, and impact upon the Conservation Area
- overlooking towards properties on High Street
- lack of developer contributions.

The main issue to consider is therefore whether this proposal overcomes the earlier reasons for refusal.

- 11.3 The design of the dwelling is now much improved, with proportions and detailing in a small 'coach house' form which would be typical of the area. The property would have a steep gable, appropriate timber fenestration, and a curved feature corner to aid the property's siting. The property would be orientated west-east, whereas the overall grain of development runs north-south; however it is not considered that this aspect would be harmful to the character of the Conservation Area, given that the dwelling would not be particularly visible within the streetscene, and the new building's orientation would not undermine the significance of the Conservation Area in any tangible way. The new house would benefit from parking and amenity space, as shown on the layout plans, and within the context of close-knit development at the back of High Street, these small areas would not appear out of character. Overall it is considered that the proposal would preserve the character of the Conservation Area, and that the first reason for refusal has been overcome.
- 11.4 The previous application featured a raised terrace and patio doors on the south elevation, in close proximity to the properties on High Street. The south elevation has now been amended to only include 3 rooflights on the southern roof plane, which are angled towards the sky, and ground floor fenestration which is capable of mitigation by a suitable fence or planting. No objection has been received from any resident on High Street on grounds of impact upon amenity. Overall it is therefore considered that this second reason for refusal has been overcome.
- 11.5 The building would not have any principal first floor windows which would overlook private amenity space, either on High Street or Wellands Road. The proposal would therefore not give rise to any significant overlooking or loss of privacy to neighbouring properties.
- 11.6 Finally, the applicant has agreed to pay into the Authority's overarching SPA mitigation scheme, and the Authority can no longer seek and other tariff-style contributions in light of the recent High Court decision. The proposal would therefore overcome the third reason for refusal. The new dwelling would provide a smaller, more affordable unit in accordance with Policy CP12 of the Core Strategy and Section 6 of the NPPF.

- 11.7 As previously, the Highways Officer has no concerns about vehicular access arrangements or parking provision, but requires that the proposed parking is secured by condition.
- 11.8 No trees or protected species would likely be affected by the proposal, due to lack of suitable habitat at the site.
- 11.9 Overall it is therefore recommended that permission is granted subject to conditions, as the proposal is considered to accord with Policies CP12 and CP7 of the Authority's Core Strategy.

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall take place 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 Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 3 No development shall take place until the following details have been submitted to, and approved in writing by the New Forest National Park Authority:  
  
Typical joinery details including windows, 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).

- 4 All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.
- 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).
- 5 Before use of the development is commenced provision for parking for both cars and cycles shall have been made within the site in accordance with the approved plans and shall be retained thereafter. 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.
- 6 No development shall take place until details of the means of disposal of surface water from the site have been submitted to and approved in writing by the New Forest National Park Authority.
- Development shall only take place in accordance with the approved details.
- Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 7 Development shall only be carried out in accordance with:
- Drwgs: 110, 111.
- 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.
- 8 No development shall take place until details of ecological mitigation of impacts upon the New Forest SPA have been submitted to and approved in writing by the National Park Authority. This could take the form of a satisfactory Unilateral Undertaking in accordance with the Authority's overarching SPA

mitigation scheme as set out in the Development Standards SPD.

Reason: To ensure that the development protects the integrity of the European designated site the New Forest SPA in accordance with Policy CP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and the Development Standards SPD (adopted 2012).

- 9 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) a specification for new planting (species, size, spacing and location);
- b) areas for hard surfacing and the materials to be used;
- c) other means of enclosure;
- d) 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 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).

- 10 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).

- 11 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, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning

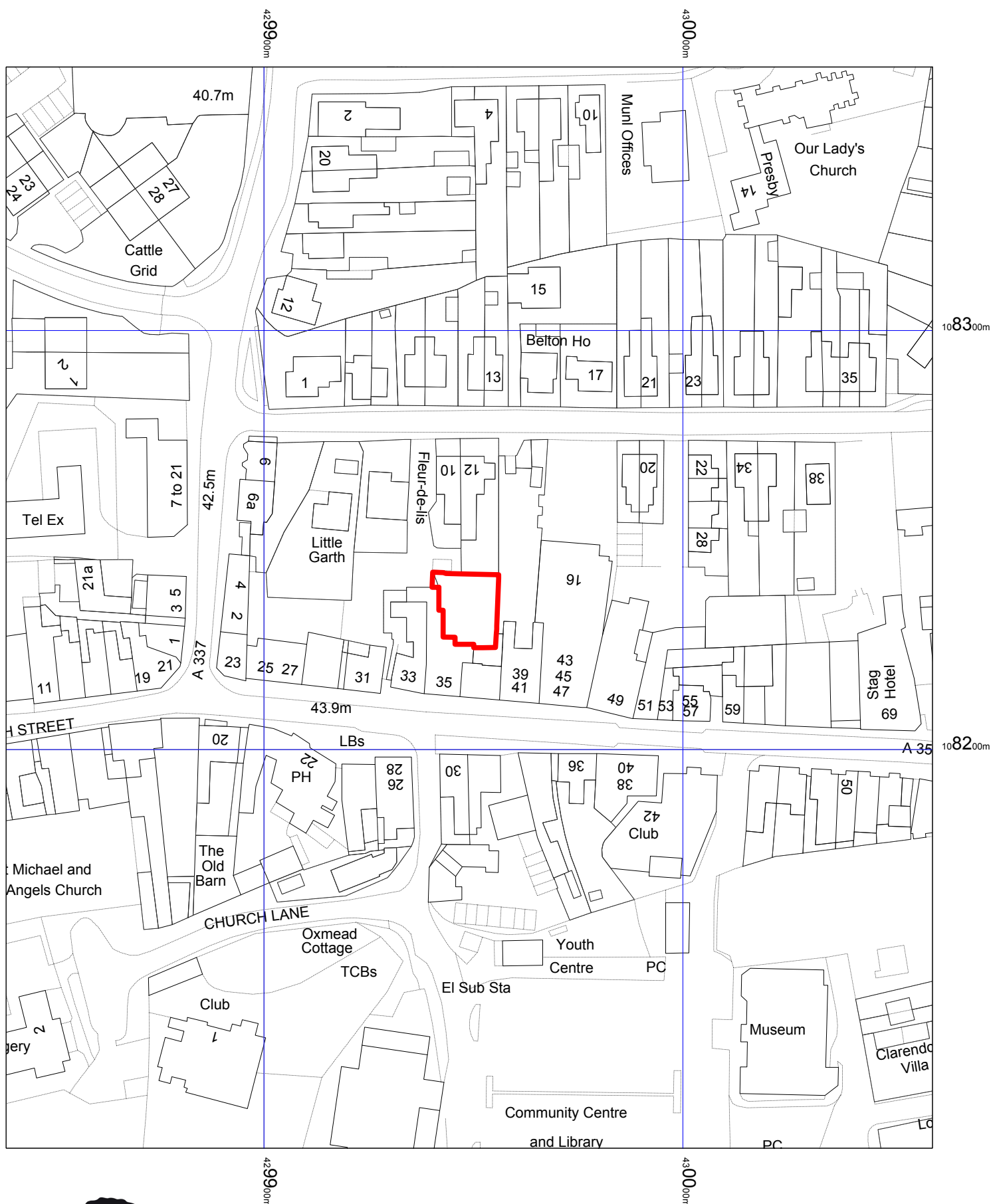
permission first having been granted.

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policies DP1, DP11 or CP8 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

**Informative(s):**

- 1        There are a number of sites near to this property which have had past contaminative uses. It is possible that some contamination may have migrated through the ground and groundwater. Whilst the Authority has no evidence to suggest that this is the case, any observed presence of contamination during any ground invasive works should be reported to the Local Authority Environmental Health Officer and works halted whilst the matter is considered. It is advisable to obtain specialist advice concerning the potential for contamination and its recognition. Under the National Planning Policy Framework, where a site is affected by contamination, responsibility for securing a safe development and/or new use, rests with the developer and/or landowner and as a minimum requirement the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.





NEW FOREST  
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 24/05/2016

Ref: 16/00284/FULL

Scale: 1:1250

© Crown copyright and database rights 2016 Ordnance Survey 1000114703

