

Application No: 17/00791/FULL Full Application

Site: Old Off Licence, Newtown Road, Newtown, Minstead, Lyndhurst,
SO43 7GD

Proposal: Single storey extension to existing outbuilding; flue; relocation of
existing oil tank

Applicant: Mrs M Thomson

Case Officer: Carly Cochrane

Parish: MINSTEAD

1. REASON FOR COMMITTEE CONSIDERATION

Application from member of staff

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Listed Building

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
CP8 Local Distinctiveness
DP12 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

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

Minstead Parish Council: Recommend Permission

8. CONSULTTEES

8.1 Environmental Protection (NFDC): No comment

9. REPRESENTATIONS

9.1 None

10. RELEVANT HISTORY

10.1 None directly relevant

11. ASSESSMENT

11.1 The application site is located to the northern side of Newtown Road, and comprises a thatched dwellinghouse which is a Listed Building, with a number of timber outbuildings to the front and the side of the dwellinghouse. The site is located within the Forest Central (South) Conservation Area, and is surrounded to its north and west by agricultural land. The front of the site adjoins SSSI land.

11.2 This application seeks planning permission for the extension of the timber outbuilding located adjacent to the front boundary. The extension would be located upon the side (west) elevation, and would measure approximately 1.6 metres in width, 3.6 metres in depth, 1.8 metres in height to the eaves and 2.3 metres in height to the ridge of the monopitch roof. The extension would be timber framed and clad with a waney edge board, and the roof would be corrugated metal, painted matt black. Internally, the extension would provide a W.C. The proposal also involves the installation of a flue upon the existing outbuilding, and the relocation of an existing oil tank, adjacent to the western site boundary.

11.3 The nearest neighbouring property, 'Barthers,' is located to the south west of the application site, across the road. The proposed extension would be smaller in scale than the existing outbuilding, and, overall, it is not considered that the proposal would result in any adverse impact upon neighbouring amenity.

11.4 The existing outbuilding is located adjacent to the front boundary, and is well screened by a high hedgerow. The side (east) elevation of the existing outbuilding is visible within the street scene when approaching from the east, however, by virtue of its rural appearance, modest scale and materials, is not dominant or harmful. The proposed extension would be located upon the west elevation, and would be of a diminishing scale. As such, the extended part would not be visible from within the street scene. By virtue of the matching materials and relatively small scale, it is not considered that the proposal would result in any adverse impact upon the character or appearance of the Conservation Area.

- 11.5 The extension would serve a W.C, which would be considered to be ancillary to the incidental use of the outbuilding as a home office. There are therefore no floorspace implications, and the overall use of the outbuilding is considered appropriate. In order to ensure that the outbuilding is only used incidentally to the main dwellinghouse, an appropriate condition can be imposed.
- 11.6 The Parish Council queried the treatment and disposal of foul waste from the new W.C; an additional plan was submitted to show that the new system would connect to the existing septic tank. Environmental Health were consulted, however had no comment to make.
- 11.7 The site lies adjacent to SSSI land; a Construction Management Statement has been submitted alongside the application, which states that all machinery and materials will be stored and used away from the SSSI. This is considered acceptable, and an appropriate condition can be imposed to ensure no harm to the designated site.
- 11.8 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP1, DP6, DP12 and CP8 of the 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 Development shall only be carried out in accordance with

Drawing nos: 01, 02, 03, 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 Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.

- 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).

- 4 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

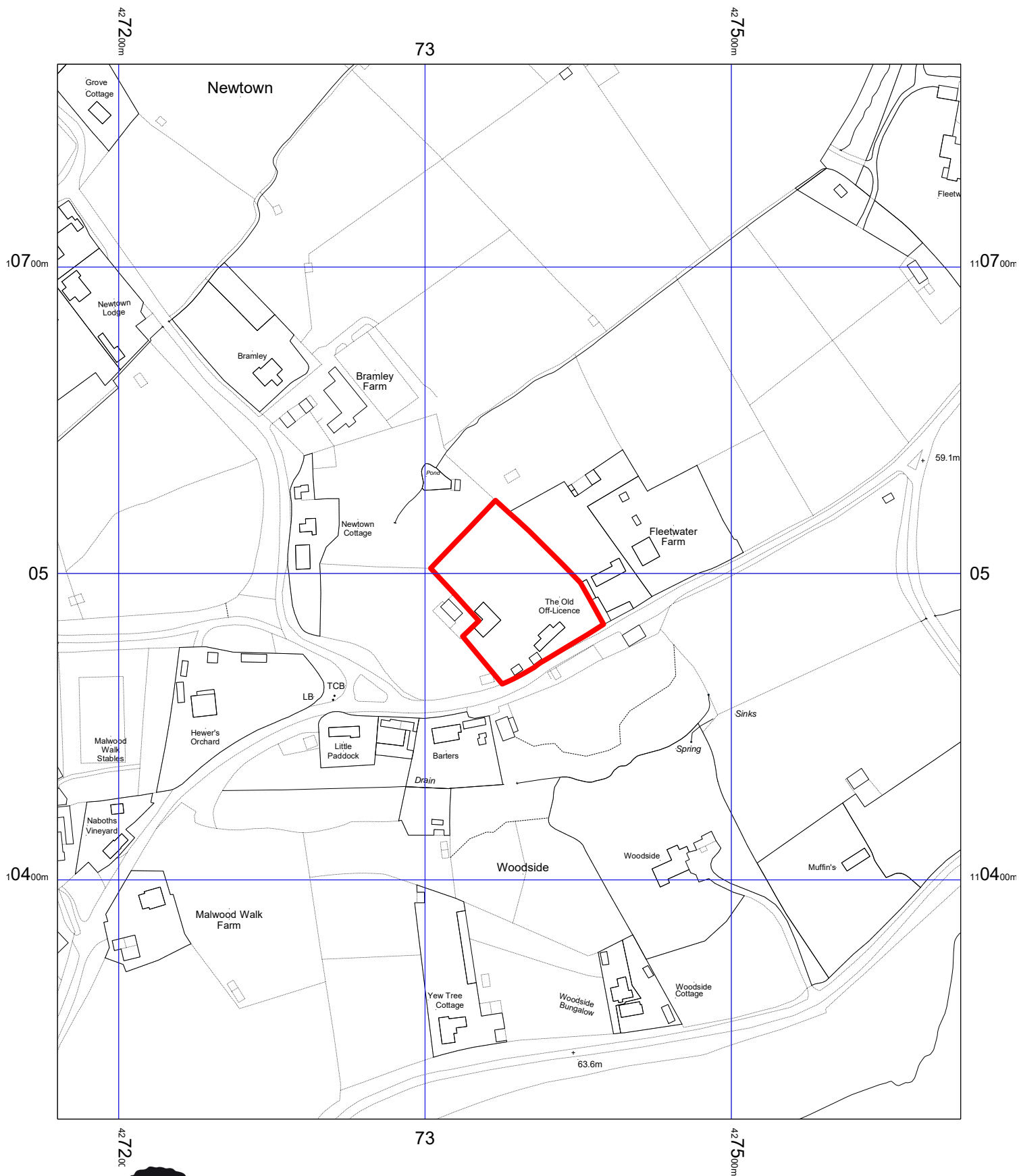
Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 5 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy 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 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.



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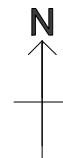
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Application No: 17/00822/FULL Full Application

Site: Ladycross Lodge, Beaulieu Road, Brockenhurst, SO42 7QL

Proposal: 2 No. new outbuildings

Applicant: Lady C Laidlaw

Case Officer: Daniel Pape

Parish: DENNY LODGE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
DP12 Outbuildings
CP2 The Natural Environment
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

Denny Lodge Parish Council: The council considered this application to be an over development considering the previous application for garaging.

8. CONSULTTEES

8.1 Tree Officer: No objection subject to condition.

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Outbuilding (17/00267) granted subject to conditions on 23 May 2017.

10.2 Extension to garage (01/72274) granted on 07 August 2001.

11. ASSESSMENT

11.1 Ladycross Lodge is a substantial, detached dwelling located within expansive grounds. The site also includes associated ancillary buildings and a number of incidental outbuildings within the grounds. The applicant's land is set within the wider forested landscape of the Ladycross enclosure. The majority of the surrounding Ladycross enclosure, outside of the applicant's control, is designated as SPA, Ramsar site, SAC and SSSI.

11.2 Planning permission was granted for a five bay garage under application reference 17/00267 in May 2017. The applicant now seeks permission for 2 no. outbuildings in a similar location and of a similar design to the previously granted consent. The application proposes a five bay and four bay garage to the rear of the site, close to an existing barn, plant room and log store. The proposal would create a courtyard behind the main house and stables. The access track would be upgraded with permeable interlocking pavements.

11.3 The proposed garages are to be of five and four bays with closed fronts (roller shutters). There is to be semi-circular fenestration over the doors and horizontal windows at high level to the rear, one for each bay. The proposed garages are to have a ridge height of 6.5m and external footprints of 115m² and 100m². The external materials to be used include a plinth of brickwork, weatherboarding stained black and tile roof. The materials are designed to match the existing group of surrounding buildings. The sole purpose of the garages would be to store cars.

11.4 Denny Lodge Parish Council have recommended refusal for the application. The Parish Council consider that the application would comprise over development.

- 11.5 The main issues to consider are:
- The principle of the development;
 - Whether the proposal would result in an unacceptable level of development within the site; and
 - The impact upon the character and appearance of the area and the wider landscape.
- 11.6 The application is considered to accord with Policy DP12. The garages are located within the domestic curtilage, would be used incidentally to the dwelling and would not provide habitable accommodation. Incidental use can be secured by condition.
- 11.7 Proposals for outbuildings are required to reflect their setting and purpose. Both the size and design of the outbuildings are appropriate to the site and it is considered that they would not be visually intrusive or detrimental to the site or wider landscape character of the New Forest in accordance with Policy CP8.
- 11.8 In relation to the requirements of Policies DP1 and DP6 the location of the proposal would create a courtyard and the materials and design used are to match the existing adjacent outbuildings, appropriate to the site and setting.
- 11.9 The Tree Officer has raised no objections subject to condition. The buildings are to be located outside of the root protection areas of surrounding Oak trees and an adequate site plan setting out protective tree fencing in accordance with BS5837 has been included.
- 11.10 The proposed permeable interlocking pavements would not have an adverse effect upon the sites habitat or amenity. However, due to the sensitivity of the surrounding open forest, it is important to keep all materials and vehicles associated with the construction within the application site. This can be secured by condition.
- 11.11 It is considered that the application would comply with policy and would not constitute overdevelopment of the site. Permission is recommended subject to condition.

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 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 The buildings the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

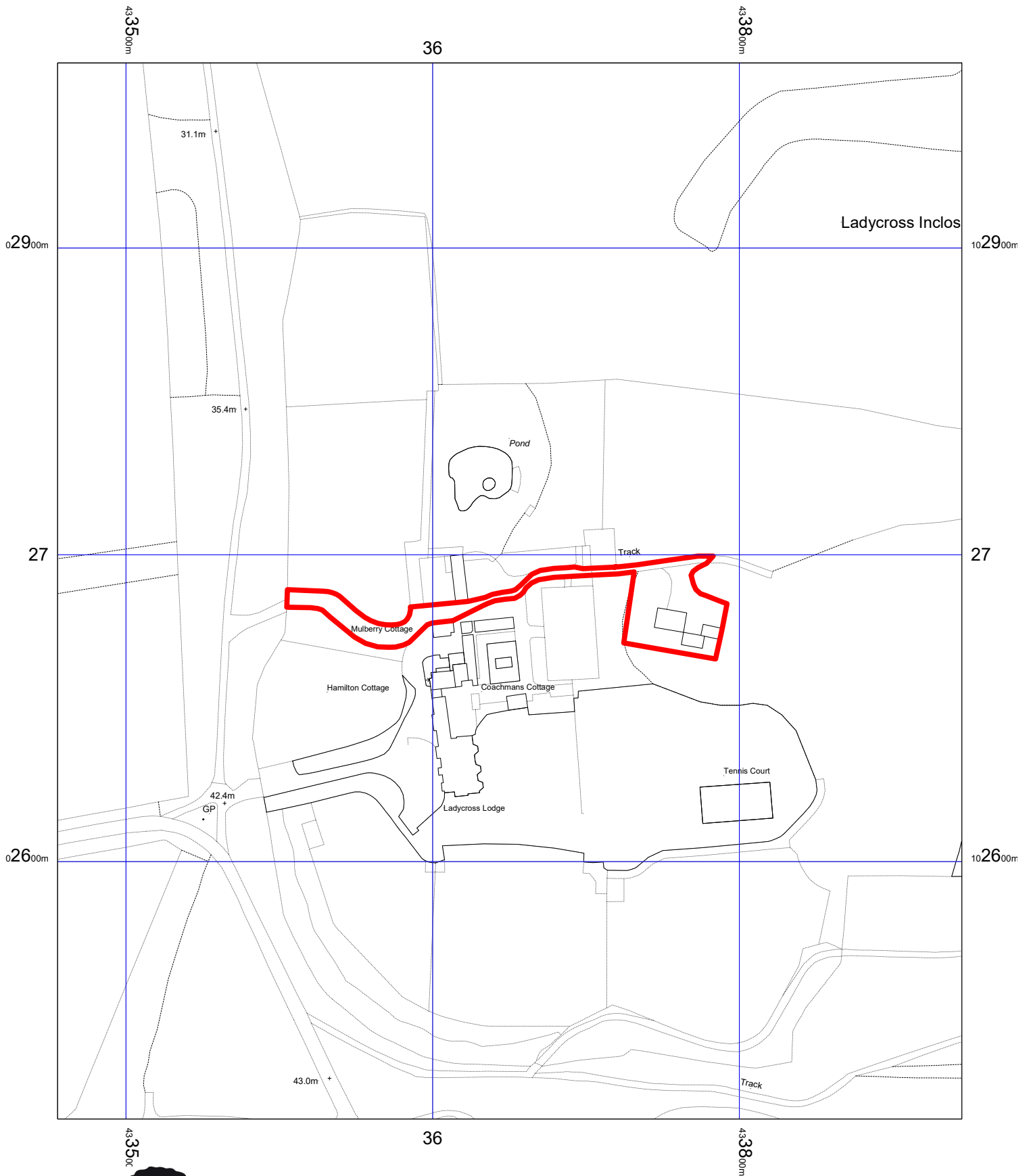
Reason: To protect the character and appearance of the countryside in accordance with Policies DP11 and DP12 of the adopted New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 4 Development shall only be carried out in accordance with 7861/P01, 7861/P02. 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.

- 5 The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted The Genesis Design Studio Site Plan (7861) dated September 2017 and in accordance with the recommendations as set out in BS5837:2012.

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).



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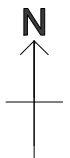
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Ref: 17/00822/FULL

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Application No: 17/00826/FULL Full Application

Site: Stocks Cross House, Furzley Common Road, Bramshaw, Lyndhurst,
SO43 7JH

Proposal: Creation of access (close up existing); cattle grid

Applicant: Mr & Mrs C Toomer

Case Officer: Ann Braid

Parish: BRAMSHAW

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

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

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP8 Local Distinctiveness
CP7 The Built Environment
DP1 General Development Principles
CP19 Access

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Bramshaw Parish Council: Recommend permission; no significant detriment to parish or environment. Reasonable net gain on grazing.

8. CONSULTEES

- 8.1 Highway Authority (HCC): No objection subject to condition
- 8.2 Natural England: No objection subject to mitigation measures being carried out
- 8.3 Ecologist: No objection subject to securing details of the mitigation measures
- 8.4 Landscape Officer: Object
- 8.5 Verderers of the New Forest: Object
- 8.6 Forestry Commission: Advises that a licence will be required to cross the verge.

9. REPRESENTATIONS

- 9.1 Two letters of objection have been received:
 - The existing accesses are adequate and safer than the proposed
 - Danger to road users, from speeding traffic but also to walkers who use the grass to wait for traffic to pass
 - loss of grazing and SSSI
 - Poor security has been an issue while the house has been unoccupied, and previous owners had no such issues.

10. RELEVANT HISTORY

- 10.1 Creation of access (close up existing) (17/00070) refused on 30 March 2017.
- 10.2 Garage; shed (16/00260) granted on 19 July 2016.
- 10.3 Two storey extension; single storey extension with balcony; porch; alterations to fenestration (Application for a non-material amendment to planning permission 15/00699) no objection raised on 7 March 2016.
- 10.4 Two storey extension; single storey extension with balcony; porch; alterations to fenestration (15/00699) granted on 29 December 2015.
- 10.5 Alterations to form vehicular access and construction of cattle grid and pedestrian gate (21480) granted on 27 April 1982.

11. ASSESSMENT

- 11.1 Stocks Cross House is an unlisted building situated within the Forest Central (North) Conservation Area. It has been identified within the conservation area character appraisal as being of local historic and/or architectural interest. The house is prominently located on the junction of the cross roads of Furzley Lane and the B3079 and views of the west, east and north elevations are visible from the Conservation Area. It lies within a fairly large plot with mature vegetation on all boundaries. Beyond the western boundary of the site is a wide grass verge and the Highway Authority has been notified of the application as owner of this land. There are two existing vehicular accesses, with cattle grids, on to Furzley Lane to the north of the dwelling. It is noted that the land outside the cattle grids is not within the application site.
- 11.2 As well as its Conservation Area designation, the site is located within Landscape Character Area 22 of the adopted New Forest National Park Landscape Character Assessment. The Landscape type is given as Ancient Forest Farmlands. The verge to the west of the site is a designated Site of Special Scientific Interest and the land immediately to the north of the site (Stocks Cross Common) is also a SSSI as well as a designated Special Protection Area (SPA), Special Area for Conservation (SAC) and Ramsar site.
- 11.3 In March 2017, an application for a new tarmac access was refused for the following reasons.
- "The loss of the verge would have an adverse impact upon the character and appearance of the site, surrounding conservation area and wider landscape character of the New Forest National Park. The use of inappropriate surfacing would add a suburban feature within the rural context. The application is therefore contrary to Policies DP1, CP7 and CP8 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), the Authority's Design Guide SPD (December 2011) and Sections 7, 11 and 12 of the 2012 National Planning Policy Framework.*
- No ecological information has been submitted to demonstrate that the access can be created without resulting in the net loss of designated land, and consequent harm to the special interest features for which the SSSI is notified. The development is therefore contrary to Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010)."*
- 11.4 Consent is sought for a new access, from the B3079 to the west of the site. The development would comprise a new vehicular access with a five bar gate in the existing fence, and a cattle grid with a compacted permeable driveway crossing the verge and

leading through the garden to the front of the house. The two existing accesses at the side of the property would be stopped up and abandoned.

11.5 The issues to be assessed are:

- The visual impact of the proposed access;
- Implications for highway safety; and
- Impacts upon ecological interests, in particular, designated land.

11.6 The proposed access would alter the character of this part of Stocks Cross, and there is concern that this would erode the existing rural character of this part of the National Park. The openness of the grass verge would be compromised and an area of forest grazing reduced. The Forest Central (North) Conservation Area Appraisal notes (page 19):

"Specific features, of this character area include the occurrence of wide verges, especially in the vicinity of the main road and the triangular open areas in the centres of areas of settlement, such as in Brook, Brook Hill, Stocks Cross and Butchers Cross. These form important focal points within these linear, dispersed settlements and also help to create a feeling of spaciousness, which is in contrast to parts of the area with particularly restricted views out."

11.7 In addition to this, the Conservation Area appraisal indicates that this part of the Conservation Area is valuable for its open verges and traditional hedgerows. The development would therefore be contrary to Policies CP7 and CP8 as it would fail to preserve or enhance the character or appearance of the Conservation Area and would result in the erosion of local distinctive character.

11.8 The New Forest Landscape Character Assessment states, in relation to the Ancient Forest Farmlands, that key positive landscape attributes of the locality include wide grass verges, commons, wood pasture and lawns grazed by free-roaming livestock. The strategy for the management of the area is to protect positive landscape attributes and manage the landscape for their improvement where they are in poor condition (pages 114 to 121). The bellmouth splay where the proposed drive would meet the highway would result in a larger area of SSSI being lost and would increase the visual impact. The introduction of any disruptive element to the verge in this location would be a visual and physical intrusion in a most sensitive landscape. The proposal would therefore be contrary to Policy DP1 (b) of the Core Strategy in that it would not respect the natural environment or landscape character of this part of the National Park.

- 11.9 The Highway Officer has raised no objection to the application provided the proposed surface would be self-binding to prevent migration of material on to the highway. Well-compacted hoggin is considered to be suitable. A condition has been requested to ensure the existing accesses are stopped up and the verges reinstated.
- 11.10 Natural England has advised that it would have no objection to the proposal, provided the appropriate mitigation may be secured. Without such mitigation the proposal would have an adverse impact on the integrity of the following designated areas:
- the New Forest Special Area of Conservation (SAC);
 - the New Forest Special Protection Area (SPA); and
 - the New Forest Ramsar site.
- Furthermore, Natural England also advise that without the recommended mitigation, the proposal would damage or destroy the interest features for which the New Forest Site of Special Scientific Interest (SSSI) has been notified.
- 11.11 The necessary mitigation includes:
- The use of locally sourced hoggin for the new driveway;
 - Setting up a designated compound for storage etc. during works;
 - Restricting parking in the designated sites;
 - Providing a map to contractors to advise them of the extent of the designated site;
 - Translocating turf from the site of the new access to be planted on the existing access in order to secure a net gain; and
 - The remaining area of verge between the two accesses should be allowed to regenerate naturally.
- 11.12 It is not possible to meet all Natural England's requirements. The land over which the existing accesses pass lies outside the red line of the application site and is therefore not under the control of the applicant. This is the area which the application proposes to reinstate to provide compensatory designated land and forest grazing. The Authority would therefore have no powers to impose conditions relating to this land, and therefore there is no means of ensuring that the necessary mitigation measures are carried out. As the necessary conditions cannot be imposed, it must be concluded that Natural England's objection stands, as there would be a net loss of designated land.
- 11.13 The applicant's solicitors have investigated the ownership of the land over which it is proposed to construct the new access. The solicitors advised that notice should be served on Hampshire County Council as Highway Authority, as HCC had advised the solicitors that the area of verge in question was publicly

maintained highway. However, the Forestry Commission has stated that, although they do not comment on planning applications, they have records to show, notwithstanding the views of Hampshire County Council, that the land in question is Crown Land and it is unlikely that their consent would be granted for a licence to cross the verge. This is not to be taken as support or opposition to the proposal just a statement of their position.

11.14 The Verderers of the New Forest have raised a strong objection to the proposal, on the grounds of the loss of grazing and designated SSSI. They also comment that the closing of the existing access would not compensate for this loss as the quality of grazing on the verge where the accesses would be closed is wet and of inferior quality. They also object on the grounds of loss of visual amenity. The role of the Verderers is to protect and administer the New Forest's unique agricultural commoning practices, conserve its traditional landscape, wildlife and aesthetic character, including its flora and fauna, peacefulness, natural beauty and cultural heritage and safeguard a viable future for commoning upon which the foregoing depends. The loss of grazing land is consistently resisted by the Verderers as such land is a finite resource, and vulnerable to damage and development.

11.15 In support of the application the agent has submitted an ecological appraisal, a transport statement and a tree report. The applicant's agent writes in support that the new access would facilitate the stopping up of existing accesses, and this would improve the privacy and security of the property. The existing accesses would be restored in accordance with the submitted ecological appraisal. Overall the proposal would be an improvement to the locality. The agent has suggested conditions to secure the mitigation as required by Natural England, however as the areas that would be crucial to the success of the mitigation measures are outside the application site these conditions would fail the test of enforceability.

11.16 It is considered that these arguments do not outweigh the harm that would be caused by the proposed development to the special landscape qualities of the locality and its ecology. Furthermore, the specified compensatory measures cannot be made the subject of conditions that would ensure they are carried out.

12. RECOMMENDATION

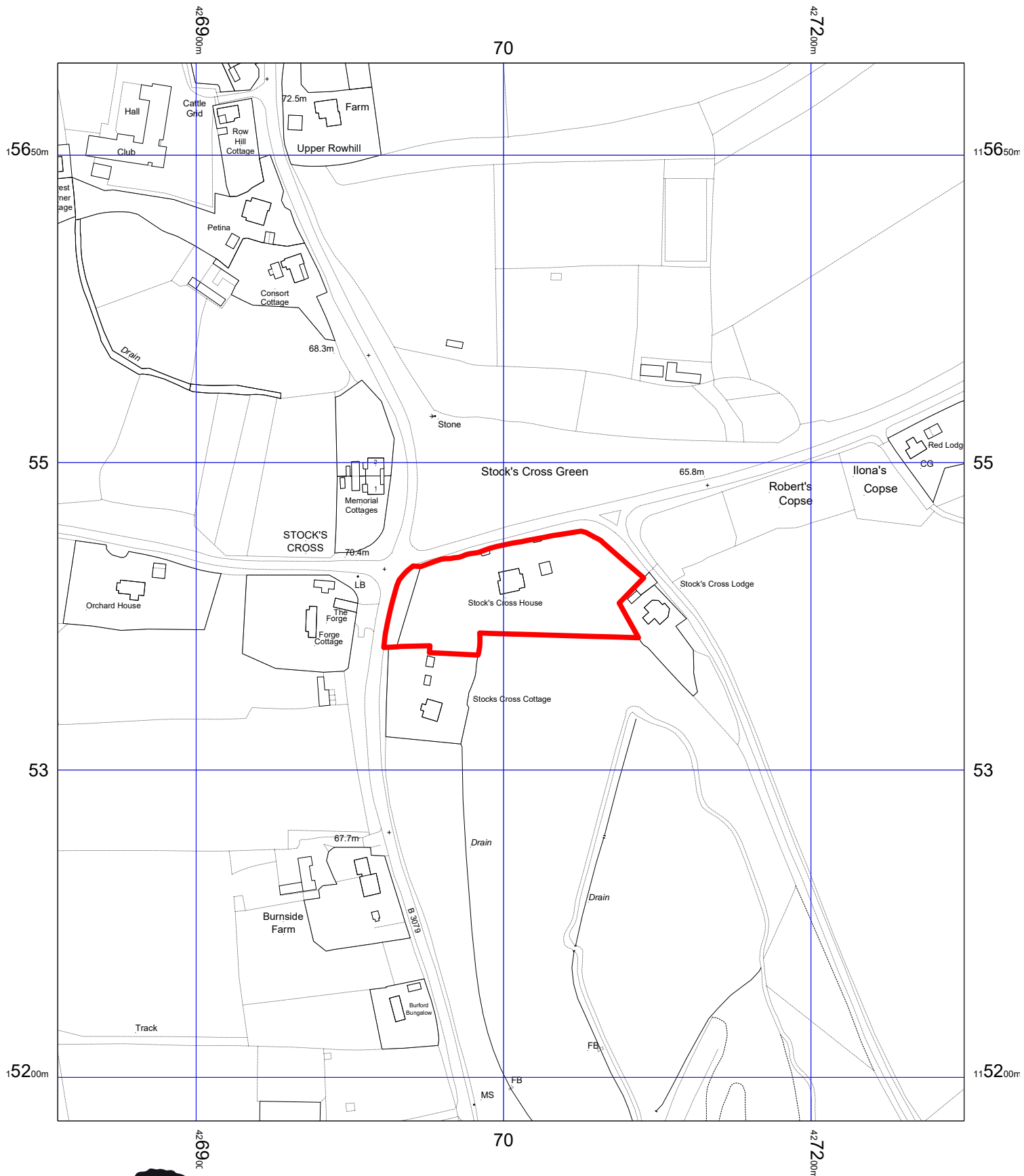
Refuse

Reason(s)

- 1 The loss of the verge would have an adverse impact upon the character and appearance of the site, surrounding Conservation Area and wider landscape character of the New Forest National

Park. The interruption to the open verge would erode the existing rural context. The application is therefore contrary to Policies DP1, CP7 and CP8 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), the Authority's Design Guide SPD (December 2011) and Sections 7, 11 and 12 of the 2012 National Planning Policy Framework.

- 2 The proposed access would result in the net loss of designated land, and consequent harm to the special interest features for which the SSSI is notified. The development is therefore contrary to Policy CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).



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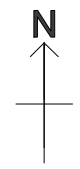
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Application No: 17/00839/FULL Full Application

Site: Warren Farm, Balmer Lawn Road, Brockenhurst, SO42 7TT

Proposal: Single storey extension; conservatory; porch

Applicant: Ms Bayliss

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Flood Zone

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development 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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend Refusal: The addition of a conservatory will result in light pollution which is unacceptable given the proximity to the New Forest Site of Special Scientific Interest.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of support received from the Agent to address concerns raised by the Parish Council :

- No scientific evidence that photosensitive organisms live in or near the Lymington River SSSI.
- Brockenhurst College playing fields lie to the west of Warren Farm also adjacent to the SSSI and have extensive floodlighting.
- Conservatories are extremely common along Balmer Lawn Road.
- The proposed conservatory would be very modest in size.
- The overall development would fall well within acceptable floorspace limits and is in accordance with the requirements of the Design Guide Supplementary Planning Document.

10. RELEVANT HISTORY

10.1 Application for a certificate of lawful development for a proposed single storey extension (17/00320) Not deemed lawful on 25 July 2017

10.2 1no non-illuminated post mounted hanging sign and retention of non-illuminated panel sign (application for advertisement consent) (17/00327) Split decision issued on 19 July 2017

11. ASSESSMENT

11.1 This application relates to a modest, detached bungalow located within an extensive site comprising another larger property and various outbuildings (many of which serve an established equestrian use). The access to the site runs between the residential properties off Balmer Lawn Road whilst the rest of the site boundary adjoins open fields. The site lies within a flood zone 3 and is located outside the defined settlement boundary of Brockenhurst. The open forest and designated Site of Special Scientific Interest, Special Protection Area and Special Area of Conservation lie immediately to the north of the access.

11.2 Consent is sought to add two extensions to the existing building comprising the addition of a lounge and porch to the south west and a conservatory to the south east elevations. The main issues under consideration would be:

- The extent of floorspace increase based upon the house as it stood on 1 July 1982.
- The impact upon the character of the area.
- Impact upon the amenities of neighbouring residents.
- Any implications for flood risk.

- 11.3 The existing building has a gross internal floorspace of less than 80 square metres (currently measuring 52 square metres) and is therefore classed as a small dwelling for the purpose of Policy DP11. The proposed extensions would result in a gross internal floorspace of less than 100 square metres (with a total proposed floorspace of 79 square metres) and would therefore meet the requirements of Policy DP11.
- 11.4 Whilst concerns raised by the Parish Council in respect of light pollution are noted, it is considered that the modest size of the proposal, its siting and the nature of surrounding development would demonstrate that it would not significantly increase light pollution or impact upon the ecology and landscape of the open forest. The development would not be visible from the open forest or from Balmer Lawn Road and other conservatories have been approved in the immediate area on properties including The Oak, Rose Cottage and Gorse Cottage (not including other similar structures which have been added to properties under permitted development along with roof lanterns and large glazed openings and full height windows). The development would be separated from the open forest by the residential properties fronting Balmer Lawn Road and does not lie within an isolated rural location. Both extensions would be modest in scale, simple in form and would be closely associated with the stables and other structures of Warren Farm. On this basis it is considered that the development would be appropriate to the scale and form of the existing dwelling and also the character of the surrounding area in accordance with Policies DP1 and CP8 of the New Forest National Park Core Strategy.
- 11.5 There would be a distance of approximately 20 metres between the proposed development and neighbouring properties and the proposal would not encroach any closer towards the rear gardens of properties of Balmer Lawn Road. The main visitor parking area lies between the bungalow and the immediate neighbours and the site boundary is partially screened by trees and closed boarded fencing. On this basis it is considered that the development would not lead to a harmful loss of amenity to neighbouring properties in terms of loss of light, overlooking or visual intrusion and would be in accordance with the requirements of Policy DP1 of the New Forest National Park Core Strategy.
- 11.6 The existing bungalow and proposed development lie wholly within a designated Flood Zone 3. However the development is not considered to lead to an increased flood risk because the use of the site would remain unchanged, the proposal would not encroach any closer towards the Lymington River, the overall number of residential units would not be increased and the overall increase in building footprint would be modest. The applicant has also submitted a Flood Risk Assessment which is summarised as follows:

- The site is on relatively elevated ground protected by field ditches.
- There are no records of previous flood events on the site.
- Proposed floor levels of the extension would be no lower than existing and the porch and conservatory would incorporate flood resilience measures (electricity sockets 400mm above floor, no electricity conduit through floor).

Based upon this it is considered that the development would be in accordance with Policy DP4 of the New Forest National Park Core Strategy and it is therefore recommended that Planning Permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

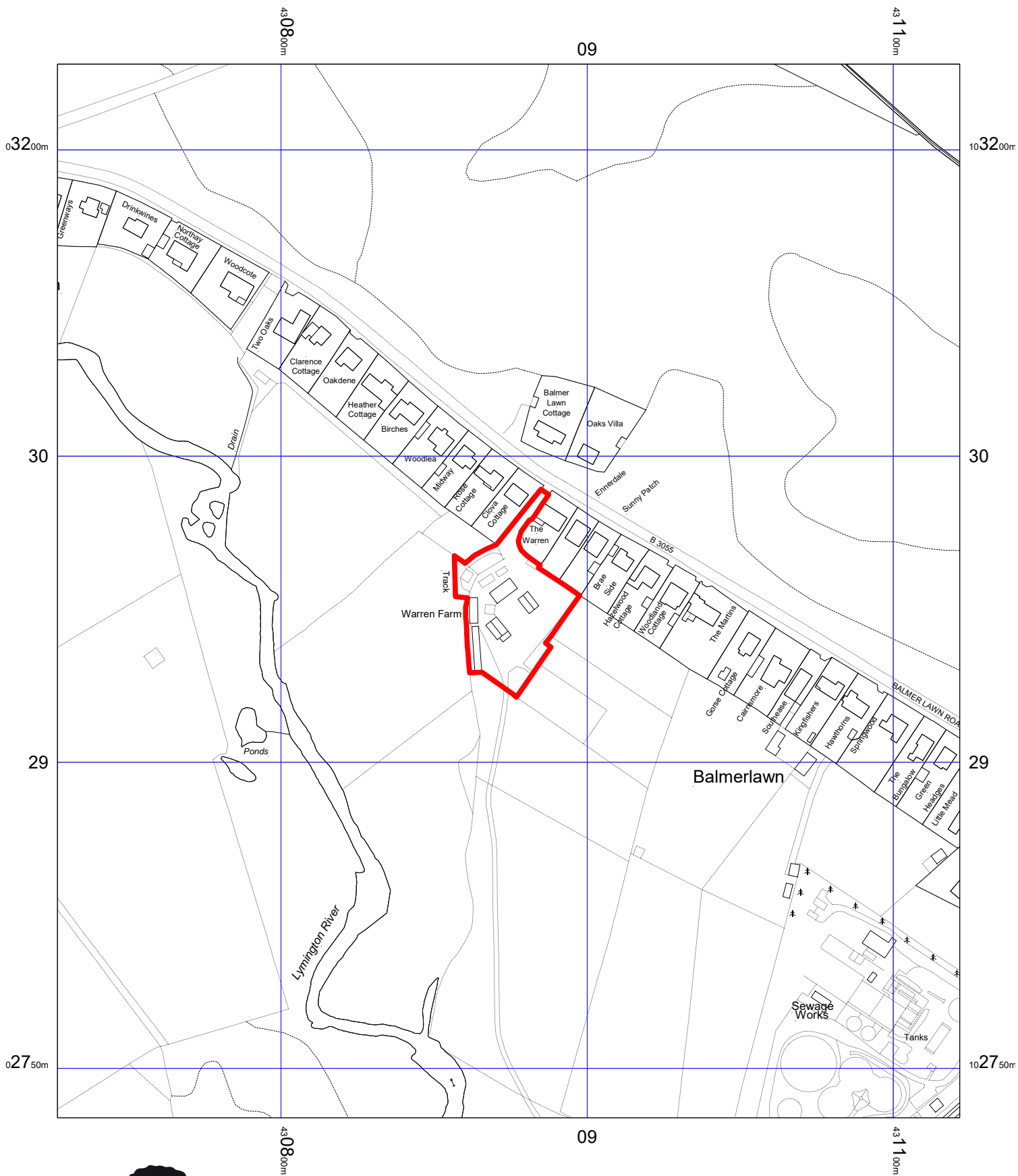
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The 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).

- 3 Development shall only be carried out in accordance with Drawing nos: 1016/181/01 REV A, 1016/181/02 and 1016/173/01. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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



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

Tel: 01590 646600 Fax: 01590 646666

Date: 06/12/2017

Ref: 17/00839/FULL

Scale: 1:2500

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Application No: 17/00872/FULL Full Application

Site: Woodlands, Shepherds Road, Bartley, Southampton, SO40 2LH

Proposal: Single storey rear extension

Applicant: Mr & Mrs Vincent

Case Officer: Ann Braid

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP7 The Built Environment
CP8 Local Distinctiveness
DP11 Extensions to Dwellings
DP1 General Development Principles

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

Netley Marsh Parish Council: Recommend permission as there would be no impact on neighbouring properties

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Two storey extension (92346) granted on 11 February 2008

11. ASSESSMENT

11.1 The application site is a detached two storey property, granted planning permission in 1975. The property was originally a house with a garage attached to the side. The garage has been replaced with a two storey extension, which comprises a kitchen and reception room with bedroom and en suite over. There are other residential properties nearby and a farm to the north west of the site. The rear of the site is secluded and there are no views into the site. The proposal would have no impact on neighbouring amenity.

11.2 Consent is sought for a single storey extension to the rear of the property to enlarge a family room. The extension would have a crowned roof to tuck in under the first floor windows, and would be built in matching materials. It would be joined to the garage extension.

11.3 The relevant issue to consider is therefore whether the extension would be appropriate to the dwelling, bearing in mind the floor area limitations of Policy DP11. The policy seeks to limit the size of additions to properties in order to safeguard the locally distinctive character of the New Forest and ensure the retention of a balance in housing stock.

11.4 In 1982 Woodlands measured 116m². This measurement has been taken from the original consent for the dwelling and excludes the attached garage. This is the "base measurement" from which later enlargements are calculated. The house has been extended following consent in 2007. At that time the policy allowed the inclusion of attached outbuildings as existing floor area and the extension permitted was found to be just under 30%. Under the current Core Strategy, the floor area of attached outbuildings may not be included as existing floor area, and the previously approved extension would, using current policy measurements, have increased the property floor area by 67%. The extension now proposed would increase this to 76%.

- 11.5 It is appreciated that the proposal in itself is not large, however if this addition beyond the 30% allowance were to be allowed, a similar argument could be used in the future to promote other small scale proposals. That argument could then lead to further extensions to this dwelling and elsewhere within the National Park which cumulatively would have a serious impact on the character of the National Park.
- 11.6 The visual impact of the current proposal would also be minimal. The extension would be located in the rear garden and would not be visible outside the site. Neighbouring amenity would not be affected. However, the cumulative impact of such extensions on the New Forest needs to be taken into account and the lack of "visibility" is not a compelling reason for allowing development which would be so far in excess of the limits of Core Strategy Policy DP11. The National Planning Policy Framework affords National Parks the highest level of protection and any weakening in the strict application of policy would reduce the level of protection required by the Framework.
- 11.7 The Authority's consistent application of Policy DP11 has been supported at appeal. An example is Appeal reference APP/B9506/D/15/3004446. In this case, the Inspector concluded that the proposals ought to be determined in accordance with the policies of the Core Strategy. It should be noted that the Inspector found that the proposed development would have minimal visual impact, and stated

"I conclude that the proposed development, while modest and visually acceptable in itself, would undermine the wider objectives of the National Park Authority in terms of safeguarding the protected countryside. This would be contrary to Policy DP11 of the DPD and to the protection afforded to National Parks by the Framework. Accordingly, I conclude that this appeal should be dismissed."

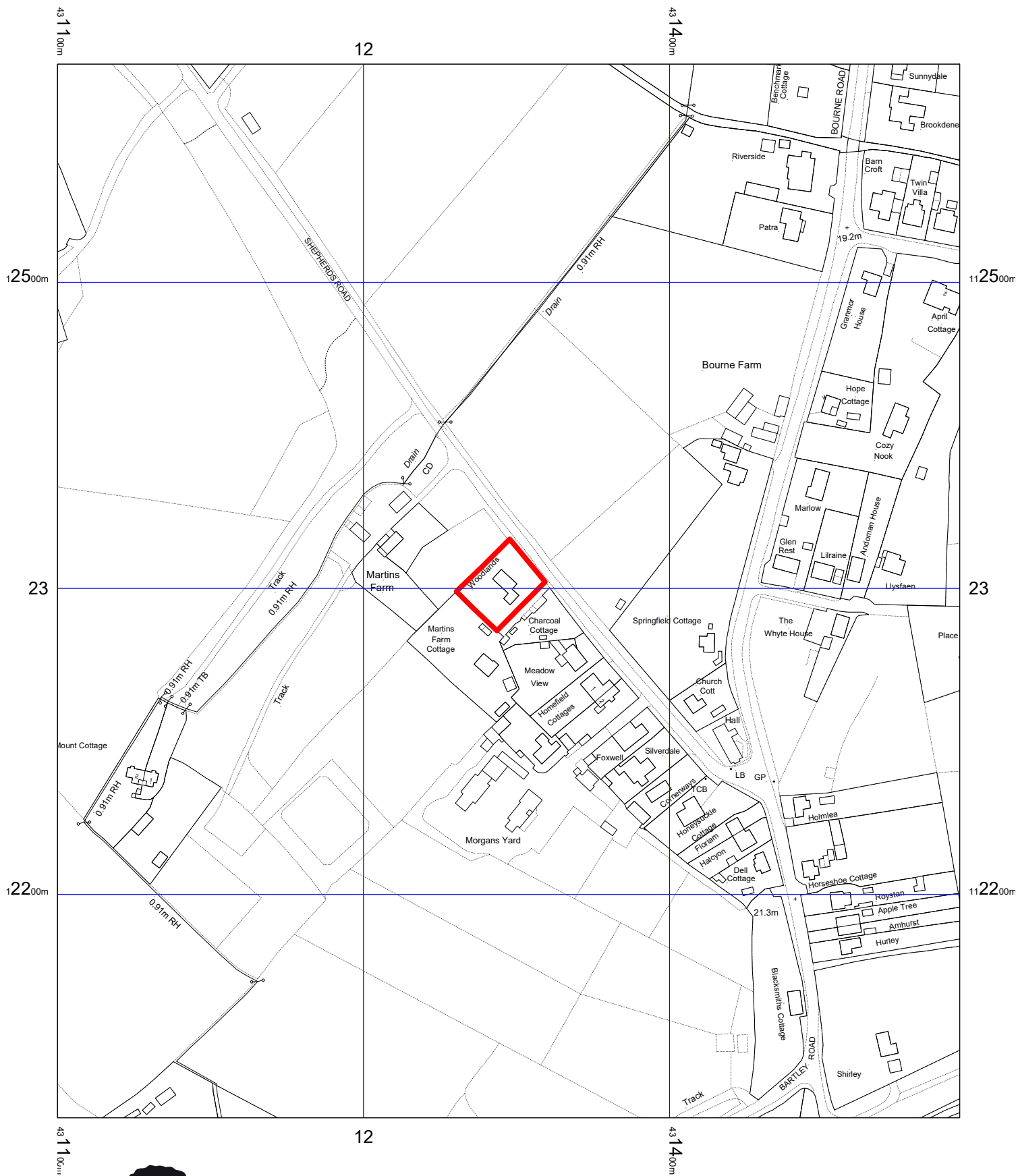
12. RECOMMENDATION

Refuse

Reason(s)

- 1 In order to help safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DP11 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park, especially where there is no demonstrable need for the extension, recognising the benefits this would have in minimising the impact

of buildings and activity generally in the countryside. This proposal, taking into account a previous enlargement, would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside.



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

Tel: 01590 646600 Fax: 01590 646666

Date: 29/11/2017

Ref: 17/00872/FULL

Scale: 1:2500



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Application No: 17/00876/FULL Full Application

Site: Hatch Motors Of Sway, Station Road, Sway, Lymington, SO41 6BA

Proposal: Three storey building to include convenience store (Use Class A1); 5 No. flats; associated refuse, plant and parking areas; 4 No. two storey dwellings with associated parking; demolition of existing garage and outbuildings

Applicant: Mr I Coates, Landmark Estates

Case Officer: Clare Ings

Parish: SWAY

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
CP12 New Residential Development
CP14 Business and Employment Development
CP15 Existing Employment Sites
DP1 General Development Principles
DP6 Design Principles
DP9 Residential Density in the Defined Villages
DP15 Infrastructure Provision and Developer Contributions
DP16 Redevelopment of Existing Employment Sites

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 2 - Ensuring the vitality of town centres
Sec 6 - Delivering a wide choice of high quality homes
Sec 7 - Requiring good design
Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend refusal:

- no objection to the principle of redeveloping the site for a mix of retail and housing
- current scheme is too overcrowded and has too many manoeuvring dangers
- main building is too large and overbearing, creating more noise and light pollution than is appropriate for the village
- concerns over road safety both within the site and on the adjacent roads
- development would be too dense and therefore contrary to Sway VDS requiring the spacious character of the area to be respected
- the relationship between the site and West View has not been taken into consideration
- overlooking of/overbearing impact on Youth Club which is possibly not correctly shown on plans
- insufficient parking for both residential development and customers for the retail units
- insufficient manoeuvring space, adding to dangerous and congested situation
- unenforceable Car Park and Delivery Plan
- "Town houses" to rear are still too high, with a lack of amenity space and insufficient screening to the rear
- a full ecology survey should be undertaken as bats have been seen in the area
- contrary to policies of the Core Strategy
- contrary to guidelines in the Sway VDS

8. CONSULTEES

8.1 Tree Officer: No objection, subject to conditions.

8.2 Highway Authority (HCC): No objection, subject to conditions.

8.3 Building Design & Conservation Area Officer: No objection.

8.4 Planning Policy Officer: No objection

8.5 Ecologist: Comment that previous scheme was acceptable, subject to complying the SPA mitigation.

8.6 Environmental Protection (NFDC): No objection, subject to conditions

9. REPRESENTATIONS

- 9.1 32 representations received in support for the following reasons:
- improved shopping choices
 - redeveloping sites would be better than building on greenfield sites
 - more local jobs
 - starter homes for local people
- 9.2 23 representations received objecting for the following reasons:
- no need for the supermarket which would be too large and would threaten the existing retail units resulting in a net loss of employment
 - deliveries and additional traffic would cause/ add to congestion in Sway
 - loss of character for the village
 - over-intensification and over-development with too high density for development
 - lack of amenity space for the apartments
 - insufficient parking and manoeuvring space, will impact on Youth Centre car park and Station Road
 - scale and design of the proposal, and massing will dominate the street scene
 - dwellings to rear are too suburban, with lack of amenity space
 - lack of landscaping
 - site should be redeveloped to provide houses but in line with Sway VDS
 - impact on amenity of Youth Centre/pre-school nursery through overlooking and disturbance
 - impact on ecology , especially bats

10. RELEVANT HISTORY

- 10.1 Three storey building to include convenience store (Use Class A1), 6 no. flats; associated refuse, plant area and parking areas; 4 no. three storey dwellings with associated parking; demolition of existing garage and associated outbuildings (7/00403) was refused on 20 September 2017

11. ASSESSMENT

- 11.1 An application at this site was refused at the Planning Committee in September 2017. Members will recall that Hatch Motors lies within the centre of Sway, off Station Road. The site is currently used as a garage, providing servicing, MoT and car sales. The buildings on the site comprise a two storey red brick building, the ground floor of which is used for the showroom, and a run of lower blockwork buildings for the servicing and other works. A flat and storage space occupy the first floor. The remainder of the site is open with a surface of either tarmac or gravel. The main building is set back from Station Road with a parking area in front and has

two entrances. Boundaries comprise close boarded fencing and trees and hedges to the rear and side. Adjoining the site to the south is Sway Youth Centre, comprising a car park with a building to the rear. To the rear of that is St Luke's Churchyard. To the north (in the same ownership) is a two storey building used as offices, with a pharmacy beyond. Opposite is a mix of residential and commercial properties (shops), and Sway Manor Hotel.

11.2 The previous application to redevelop the site was refused for the following reason:

"The proposed development, by virtue of its form, scale, massing and layout, would result in an over-intensification of activities at the site, which would be to the detriment of the amenities of adjoining neighbours and users of Station Road, through increased noise and disturbance. In particular, the four 'town houses' are considered to be overly urban in their design and appearance. Nor is the Authority satisfied that the layout of the proposed development makes adequate provision for delivery vehicles which are likely to come into conflict with the on-site car parking arrangements."

The proposal, as previously, is for the demolition of the current buildings and the erection of four dwellings to the rear of the site and a building to the front of the site to comprise a convenience store (Co-op) on the ground with five flats above, a decrease by one from the previous scheme, resulting in a net increase of 8 residential units. The building to the front of the site would be 2.5 storeys in height, the convenience store would have a footprint of 300m² (with a retail space of 200m²) which is unchanged from the previous scheme, and the flats would be primarily 2 bedrooms (one would be one-bedroom) with floorspaces ranging between 48m² and 85m². The dwellings are also 2.5 storeys and have been separated into two blocks of two semi-detached pairs. Each would have three bedrooms, making use of the roof space. 17 car parking spaces would be provided for the residential development (a reduction in one from the previous proposal due to the reduction in number of flats), with 14 spaces for the convenience store (an amended plan has been submitted to indicate an additional space). More space has been left around West View.

11.3 As previously, the key planning considerations are:

- principle of redevelopment and compliance with policy
- scale and design of the proposal
- impact on the character of the street scene
- impact on the amenities of adjoining properties
- implications for traffic
- implications for trees and ecology

but also for consideration is whether the previous scheme has been sufficiently amended to overcome the previous reasons for refusal.

- 11.4 As the site lies within the defined village of Sway, and the adopted Core Strategy supports appropriate, small-scale development proposals including housing, employment and retail within the village (policy CP9 refers), it is considered that the principle of redeveloping the site for the proposed uses would comply with policy. In addition, the loss of any employment associated with the removal of the garage would be balanced by the job creation associated with the convenience store, and the proposal would therefore not be contrary to policy CP15.
- 11.5 As has been stated above, the residential development represents a net increase of 8 units, some of which are smaller residential units which would be in line with the housing need in the National Park, identified in the Strategic Housing Market Assessment (2014).
- 11.6 In line with the National Planning Policy Framework, the Authority can seek financial contributions towards off-site affordable housing provision and other forms of infrastructure. It had been agreed with the previous proposal that contributions would be sought, and although the number of units has been reduced by one, the applicant has proposed a schedule of contributions towards affordable housing, off-site highways works, public open space and SPA mitigation which are acceptable, recognising the reduction in number of units, and a S106 Agreement will therefore needed to be completed to include those details.
- 11.7 In terms of the scale of development, the proposal would represent a greater built footprint than the existing situation, but this in itself is not a reason to refuse the scheme. However, the reduction of one unit and the corresponding reduction in parking, would allow marginally more space within the proposal as a whole, freeing up space around West View. The areas of hard standing and parking would equate to what is currently on site, and the inclusion of rear gardens for the dwellings to the rear would create some meaningful open space. The Sway Village Design Statement requires new development to "respect the spacious character of the locality", and it is considered that, with the mix of uses in the immediate vicinity, this proposal would not be contrary to that guidance.
- 11.8 The existing development at the front of the site has an Edwardian character with tile hanging and a projecting gable end, and this style has been largely replicated in the proposed new building. Whilst it would be taller than the existing building by approximately 2.5m (to a height of approximately 9.5m and dropping down to a height of just over 8.5m), within the street scene this would not be considered excessive. It would be set back from the street frontage and would be comparable in height to the pharmacy two doors away. The set back is necessary to accommodate the car parking, and also allows the adjoining Youth Centre to screen some of the flank wall. The open space

of the adjoining car park for the Youth Centre would also provide spacing to off-set the scale. In terms of design, it would pick up on the Edwardian character and would introduce features and materials which are also appropriate to Sway. The proposal would present a bulkier building when approaching from the south, but the height of this building has been reduced to the rear, and windows introduced at first floor level to relieve an otherwise bland elevation. From the north, the building is hidden by other development. Notwithstanding the increase in bulk of this building, it is nevertheless considered acceptable in this location in the centre of the village where it would be seen in the context of other large buildings.

- 11.9 The dwellings to the rear would be marginally lower (a ridge height of approximately 9m which represents a reduction from the previous scheme). Through further negotiation, changes have been made to the porches and fenestration to ensure that they appear more cottage-like in their features, and the dormer windows of the previous scheme have been replaced with rooflights. Being set well back within the site, they would have little significant impact on Station Road. In terms of design and proposed materials, the dwellings are considered to be acceptable. There was a concern that they would have a detrimental impact on the adjoining church yard, but the position of the end dwelling which has been pulled away from the adjoining trees, together with the presence of these trees, would ensure that any impact would not be overwhelming. Appropriate back-to-back distances with the properties in Westbeams Road to the rear have been incorporated to ensure that the first floor windows of the dwellings would not give rise to unacceptable overlooking; the removal of the dormers has also reduced any potential for overlooking.
- 11.10 Although the current use does not appear to have generated complaints in relation to noise and disturbance due to the car-related activities, it is considered that the proposed use of housing and a convenience store is unlikely to generate significant additional nuisance. Concern has been raised over noise in relation to delivery vehicles, but a condition is recommended restricting the hours of deliveries to ensure that no disturbance would occur during anti-social hours.
- 11.11 The trees shown for removal to the rear of the site are of low quality and their removal is therefore acceptable, but this should be subject to a suitable landscape scheme seeking alternative planting. Along the southern boundary of the site are four Sweet Chestnut trees which are shown to be retained. Whilst some pruning of these trees is anticipated, it is considered that a suitable distance to unit 4 of the dwellings could be maintained so as not to cause harm to either trees or dwelling in the future, and this would be subject to a condition.

- 11.12 An Ecological Report was submitted with the application which sets out a number of recommendations for enhancement and mitigation, and provided that these are adhered to and conditioned, there is no objection to the proposal. In addition, the site lies within 5.6km of the Solent SPA (but outside 400m of the New Forest SPA) and a financial contribution, in line with the Habitats Regulation, would be sought to mitigate against potential effects of new housing development. Bats have been observed in the adjoining churchyard (but not within the site itself). To prevent significant disturbance, no lights would be erected on the south-east gable end, but it would be used for bats tubes to offer mitigation. Similarly bat tubes would be erected on the front building in an appropriate position.
- 11.13 A key concern raised by objectors is in relation to traffic and parking associated with the development. Notwithstanding the Parish Council's view that each bedroom on the site is likely to require two parking spaces, the parking provision associated with the residential use meets the requirements set out in the Development Standards SPD; and there is no objection.
- 11.14 A continued concern is with the shared parking and delivery space for the retail use which, objectors suggest, could give rise to parking being displaced to Station Road, already an area heavily used for parking, and increased congestion. Whilst this is a convenience store aimed at serving the population of Sway, rather than attracting customers from a wider catchment, it will attract car-borne customers and sufficient parking does need to be provided, particularly at peak hours. Lengthy discussions between the developer and the Highway Authority have taken place to ensure that appropriate provision would be made, and that the proposal would allow for sufficient space for deliveries and also refuse collection. Reports containing the swept path analyses for delivery and refuse vehicles have been submitted, with which the Highway Authority is satisfied. In addition, a Car Park and Delivery Management Plan has been submitted setting out delivery times (during off-peak times) which can be controlled by condition (with which the Co-op are in agreement for their own deliveries). There was also concern that on-street parking restrictions opposite the site have not been accurately represented, but an amended plan now indicating that the southern entrance would be closed requiring all vehicles to enter and exit from a single access point is considered to have addressed that issue. This also has the agreement of the Highway Authority. This has the added benefit of increasing the parking spaces for the store.
- 11.15 In conclusion, it is considered that the revised proposal would be acceptable in this location and would comply with policies of the Core Strategy and the guidelines of the Sway Village Design Statement. Subject to the completion of a S106 agreement for contributions towards affordable housing, ecological mitigation, and other off-site requirements, permission is recommended.

12. RECOMMENDATION

Subject to the prior completion of a section 106 agreement to secure contributions towards affordable housing, off-site highways works, open space and mitigation against potential harm to the Solent SPA, the Executive Director of Strategy & Planning be authorised to grant planning permission subject to the following conditions:

- 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 nos: 01, 2095/1C, 868-D-400 Rev C, 868-D-401, 858-D-402, 868-D-403, 868-D-404 and 868-D-405. 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 above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

- 4 No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the buildings 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).

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no extension (or alterations)

otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted. In addition, no development otherwise approved by Class B of Part 7 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).

- 6 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include :
- (a) the existing trees and shrubs which have been agreed to be retained;
 - (b) a specification for new planting (species, size, spacing and location);
 - (c) areas for hard surfacing and the materials to be used;
 - (d) other means of enclosure;
 - (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 7 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).

- 8 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 (kpecology Ecology Report dated 13 July 2017) 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).

- 9 The development hereby permitted shall not be occupied until the arrangements for parking (cars and cycles) 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.

- 10 The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement (John Shutler Tree Services Arboricultural Report (Version 1.2 revision 2.3.2) dated 09/05/2017) and in accordance with the recommendations as set out in BS5837:2012.

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 The retail unit hereby permitted shall not be open for customers or deliveries outside the following times: Monday to Sunday between the hours of 23:00hrs and 06:00hrs. Deliveries from the convenience stores own suppliers shall only take place in accordance with the details set out in the submitted Car Park and Delivery Management Plan (ref ADL/AM/3321/13A dated October 2017). This Plan shall be implemented in full unless otherwise agreed in writing with the National Park Authority.

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

- 12 Prior to the commencement of the development, a scheme shall be submitted to ensure that internal and external noise levels for the residential accommodation shall not exceed the minimum standards stated in BS8233:2014, paragraphs 7.7.2 [table 4] and 7.7.3.2. The scheme shall be approved in writing by the National Park Authority and the approved scheme shall be implemented, maintained and retained.

Reason: To safeguard the amenities of the occupants of the flats hereby approved in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 13 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management DPD (December 2010).

- 14 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions relating to contamination (nos 14 to 17) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 17 relating to the reporting of unexpected contamination has been complied with in relation to that contamination.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management DPD (December 2010).

- 15 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

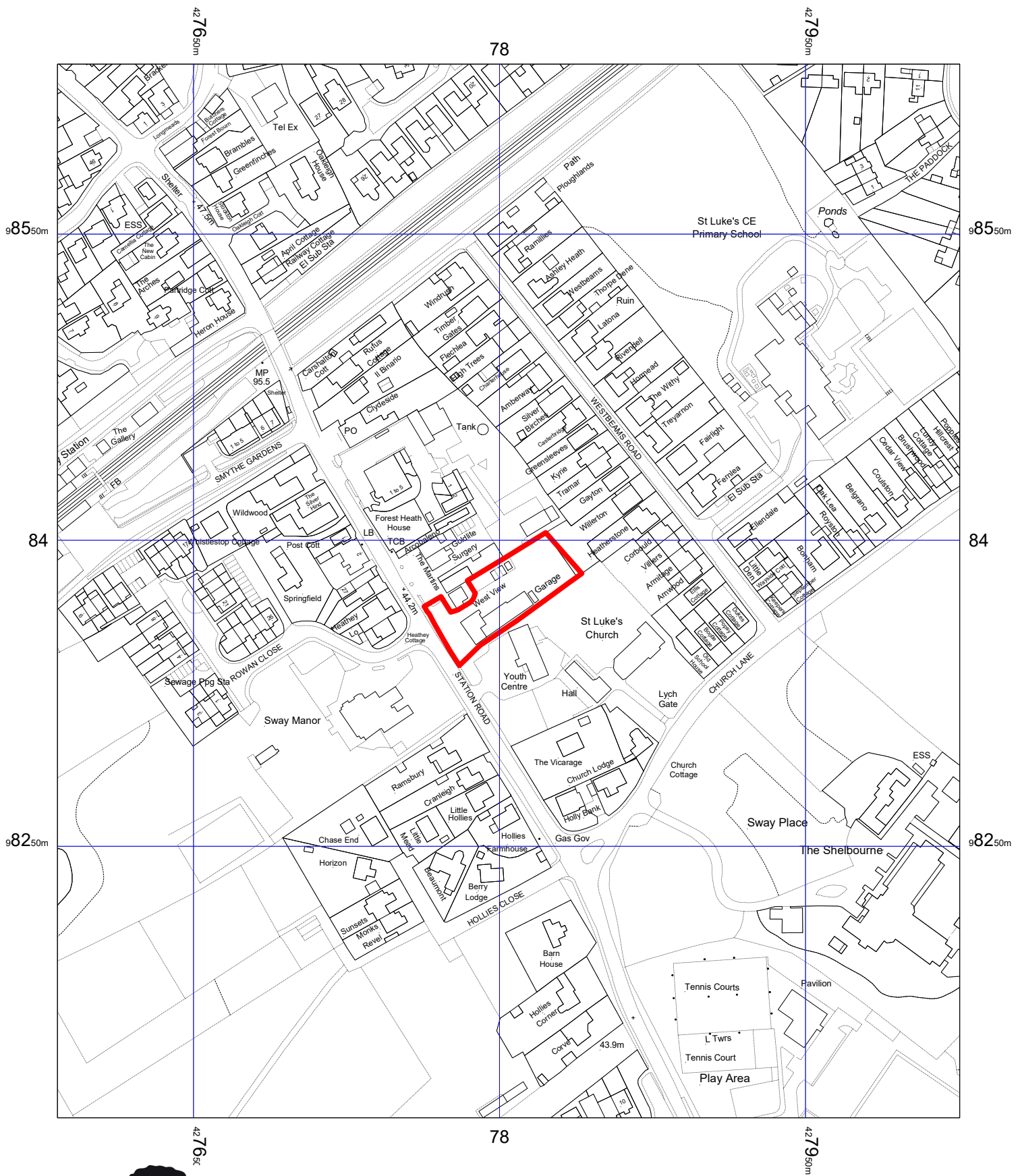
Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management DPD (December 2010).

- 16 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management DPD (December 2010).

- 17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DP1 of the New Forest National Park Core Strategy and Development Management DPD (December 2010).



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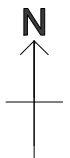
Tel: 01590 646600 Fax: 01590 646666

Date: 29/11/2017

Ref: 17/00876/FULL

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Application No: 17/00883/FULL Full Application

Site: Dene Lodge, Vaggs Lane, Hordle, Lymington, SO41 0FP

Proposal: Barn conversion and extensions to create new two storey dwelling; demolition of existing dwelling (Revised design to planning permission 14/00542); New 3 bay garage; Relocation of boundary

Applicant: Mr & Mrs Fletcher

Case Officer: Liz Young

Parish: HORDLE

1. REASON FOR COMMITTEE CONSIDERATION

Referred by Authority Member

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP12 Outbuildings
CP12 New Residential Development
CP1 Nature Conservation Sites of International Importance
CP2 The Natural Environment
CP8 Local Distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Development Standards SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 7 - Requiring good design
Sec 12 - Conserving and enhancing the historic environment
Sec 11 - Conserving and enhancing the natural environment
Sec 6 - Delivering a wide choice of high quality homes

6. MEMBER COMMENTS

Barry Rickman: Requests that the application should be determined at the Planning Committee due to local interest.

7. PARISH COUNCIL COMMENTS

Hordle Parish Council: Recommend permission but would accept the decision of the planning officers under delegated powers.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: Objections raised.

8.2 Planning Policy Officer: The general principle of residential development on the site has been accepted as a result of the previous appeal.

8.3 Ecologist: No objections raised.

8.4 Tree Officer: No objections.

9. REPRESENTATIONS

9.1 One letter of support received from a neighbouring residential property; proposal is well designed and will fit into the surrounding area.

10. RELEVANT HISTORY

10.1 Barn Conversion and extensions to create new two storey dwelling in lieu of LDCE for commercial use (demolition of existing buildings) (14/00542) refused on 15 September 2014 (Appeal allowed on 18 December 2015)

10.2 Application for a Certificate of Lawful Development for existing mixed use of land for residential and the sale of vehicles, plant, machinery and the maintenance and refurbishment of said items (11/96184) issued on 8 April 2011

11. ASSESSMENT

11.1 This application relates to a parcel of land which lies immediately to the north west of Dene Lodge. The north west boundary is adjoined by a modest Listed Building, The Orchard, which lies within a spacious plot and is served by a couple of low key outbuildings. The majority of the application site is readily visible from Vaggs Lane, as well as the open fields which lie immediately to the rear.

11.2 In terms of background, consent has recently been allowed at appeal to replace the existing buildings on site with a single dwelling. The existing buildings were previously subject to a lawfulness application regularising their use for commercial activities carried out by the occupants of Dene Lodge. Much of the Inspector's reasoning for permitting the dwelling related to the fact that there would only be a modest net increase in building footprint (from the existing built area of 119 square metres to a total proposed of 127 square metres).

- 11.3 Consent is now sought for an amended design to the approved scheme (which remains extant), and the main changes are summarised as follows:
- The dividing boundary between the application site and Dene Lodge (within the same ownership) has been moved 5 metres towards the north west, reducing the length of the site by approximately 5 metres.
 - A detached three bay open fronted garage would now be included in the scheme (to be sited in the north corner).
 - A large flat roofed dormer is proposed to the rear of the main house in place of three roof lights.
 - Additional ground floor windows have been introduced.
- 11.4 The creation of a new open market dwelling outside the main settlements of the National Park is contrary to the adopted Core Strategy (2010) and this was recognised in the decision from the Planning Inspectorate in December 2015 (paragraphs 5 and 6). The Inspector felt, however, that other material considerations justified a departure from the development plan. On the basis that the principle of residential use at this site has been established at appeal the main issues under consideration would relate to the impact the proposed changes would have upon the character of the area and also the amenities of neighbouring residents along with any implications for ecology and protected species in light of the time which has elapsed since the previous approval.
- 11.5 The approved scheme incorporated a simple form with the impact of upper floor accommodation being mitigated by the inclusion of modest roof lights. The impact of garaging was also modest, having been allocated to the rear element in the retained building which achieved a fairly rural form and was closely associated with the main dwelling. In light of these characteristics, the nature of buildings in the immediate locality and the very open and rural character of the site it is considered that the combined impact of introducing an additional three bay detached garage away from the established building group and a substantial flat roof dormer (a feature which is more typical of buildings in suburban settings) would be harmful to the character of the surrounding area. The overall built footprint (now at 180 square metres) would be significantly increased from the approved scheme, particularly when coupled with a reduction to the overall plot size as a result of the amended boundary configuration. This would appear to be at odds with the aspirations of the Planning Inspector at the time the original scheme was under consideration.
- 11.6 Pages 11, 13, 27, 36, 37 and 46 of the Design Guide Supplementary Planning Document set out the importance of reflecting established scale to avoid increased impact, forming rural yards (a feature of the approved scheme on this site), placing appropriately scaled garaging and turning where least conspicuous, distancing outbuildings from boundaries and

ensuring they diminish in scale, and also avoiding oversized dormers. In addition to this the document seeks to ensure the conversion of rural buildings minimises new impacts, retains enclosure and avoids excessive fenestration. The large dormer window and prominent, substantial garaging (comparable in footprint to the main building currently on site) are considered to be directly contrary to the guidance. Furthermore the proposed additional garaging would be poorly related to the tighter courtyard composition of the approved scheme and would not accord with the guidance referred to above. It would also be fully visible through the site access and its scale and bulk would become very apparent in light of its significant depth and height (less than 2 metres lower than the main house) and also the reduced plot frontage.

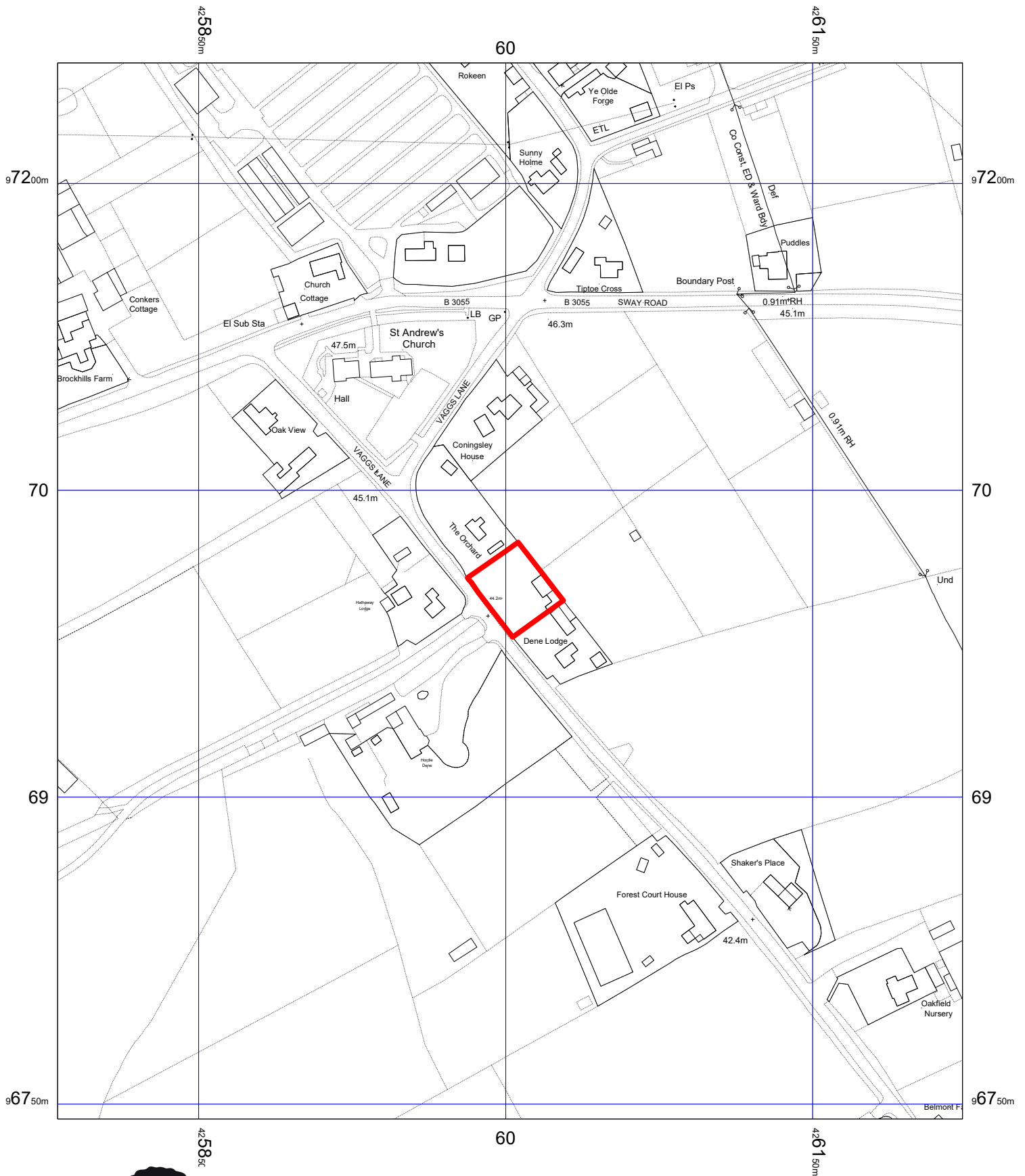
- 11.7 Whilst the proposed additional garaging would be readily apparent when viewed from the immediate neighbour the revised house design and garage would not impact upon the amenities of neighbouring residents. In addition to this no objections have been raised by either the Tree Officer or the Authority's Ecologist. Notwithstanding this it is considered that, for the reasons set out above, the proposed development would be harmful to the rural, open character of the site and the surrounding area. The agent was also given the opportunity to submit amended plans to address the specific concerns raised by the Building Design and Conservation Officer during the early stages of the planning application but no plans were forthcoming. It is also the case that no pre-application advice has been sought. The proposed development would therefore be contrary to Policies DP1, DP12 and CP8 of the New Forest National Park Core Strategy along with the requirements of the Design Guide Supplementary Planning Document. It is therefore recommended that the application should be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The design, scale and siting of the proposed development, specifically the large flat roofed dormer window and the prominently sited additional garaging would be harmful to the rural, open landscape character of the immediate area to the detriment of both the intrinsic character of the site and views from the wider countryside. The design would significantly compound the spread and impact of built development across the site and would fail to reflect the built form of development in the New Forest. The proposal would therefore be contrary to Policies DP1 and CP8 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) along with the Design Guide Supplementary Planning Document.



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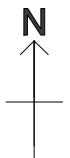
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Application No: 17/00915/FULL Full Application

Site: Park Farm Cottage, Lyndhurst Road, Minstead, Lyndhurst, SO43 7FY

Proposal: Single storey rear extension

Applicant: Mr A Jones

Case Officer: Carly Cochrane

Parish: MINSTEAD

1. REASON FOR COMMITTEE CONSIDERATION

To consider whether the applicant's personal circumstances justify an exception to policy

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP1 General Development Principles
DP6 Design Principles
CP8 Local Distinctiveness
DP11 Extensions to Dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

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

Minstead Parish Council: Recommend permission but would accept the decision of the planning officers under delegated powers.

8. CONSULTEEES

8.1 Building Design & Conservation Area Officer: No Objection

9. REPRESENTATIONS

9.1 One letter of representation was received from the occupier of a neighbouring property, in support of the application, however concern was raised with regard to the proposed roofing materials, in that the slate should be natural and not made from recycled materials.

10. RELEVANT HISTORY

10.1 Alterations to form bathroom in roof space and rethatch dwelling, with improvements (NFDC/81/19377) approved on 06 May 1981

11. ASSESSMENT

11.1 The application property is accessed via a gravelled track off Lyndhurst Road, and comprises a two storey detached, thatched cottage. The site is located within the Forest Central (South) Conservation Area, and has been identified within the Conservation Area Character Appraisal as being of historic vernacular interest; as such, the property is a non-designated heritage asset. The property has been previously extended prior to 1982; there has also been a single storey rear extension, however there is no planning history for this. As such, it is assumed it was in situ prior to the baseline date for calculating floorspace (1st July 1982).

11.2 This application seeks planning permission for the addition of a full width single storey rear extension, measuring approximately 4 metres in depth, 10 metres in width, 2.2 metres in height to the eaves and 3 metres in height to the ridge of the monopitch roof. The extension would be constructed with a brick plinth, and would be timber clad with an 'eco' (artificial) slate roof.

11.3 Pre-application advice was sought, and the applicant was advised as to the level of detail required to be submitted in order to support the application and need for the extension.

11.4 The property is located outside of the Defined New Forest villages, and is not a small dwelling, therefore the property is subject to the 30% limitation under Policy DP11 of the Core Strategy. The proposal would represent an approximate 42% increase (equivalent to an approximate additional 11m²) in floorspace, and therefore would normally be contrary to policy. However, Policy DP11 does allow for an extension larger than the 30% in exceptional circumstances. The Core Strategy states that *"genuine family need is defined as an exceptional and unique family need that could not have been reasonably anticipated at*

the time of purchase of the property. For example additional floorspace may be required to cater for specialist equipment and facilities required in connection with an unforeseen event, such as a severe disability arising from an accident whilst in occupation of the property; but, it normally would not cater for the needs of growing families or the need to care for elderly relatives, as these needs are not considered to be so 'exceptional' as to warrant a departure from the floorspace restrictions set out in this policy".

- 11.5 In this instance, the applicant has put forward a case to support a genuine family need in order to justify an extension in excess of the 30% limitation. A time line of events is summarised as follows:
- April 2015: Applicants completed on the purchase of the property
 - October 2016: The applicant's wife was diagnosed with Motor Neurone Disease (MND). This diagnosis is supported by letters from the Doctor at Lyndhurst Surgery, and the NHS Motor Neurone Disease Care Centre Coordinator/Occupational Therapist.
- 11.6 As a result of MND, and also due to the restrictive nature of the property, being a thatched cottage with narrow walkways and staircase, further floorspace is required at ground floor level to provide facilities in order to care for the day-to-day needs of the applicant's wife. The proposed extension would include a bedroom, wet room and reception area, and would allow a wheelchair to be manoeuvred, with the relevant hoists, and access for healthcare professionals and the required equipment and medical supplies. The proposed works would be funded by a grant from New Forest District Council; the proposed plans have already been assessed by their Surveyor and Occupational Therapist, who are satisfied that the proposal meets the required access and medical needs associated with MND.
- 11.7 Although the proposed dimensions of the extension would normally fall within the limitations of permitted development, due to the existing ground floor addition the proposal has to be considered in combination with all enlarged parts. As a result, the extension would exceed the permitted depth and would also project beyond a side elevation, and would therefore not be considered permitted development.
- 11.8 Park Farm Cottage has been identified as a non-designated heritage asset, and is located within a conservation area. The proposal would require a degree of cutting-in of the thatch to the rear in order to facilitate the new ridgeline of the extension roof. The area of thatch to be removed primarily comprises the eaves overhang; it is not considered that this would significantly impact upon the integrity of the non-designated heritage asset. The proposed materials, which would be in contrast to the main dwellinghouse, would be appropriate, and would highlight the

subservience of the extension. The Conservation Officer raised no objections to the proposal, and considered the extension to be in-keeping with the character of the building. However, it was advised that the use of a natural slate would be more appropriate given the historic character and other traditional materials used. The exact specification of the roofing material can be determined as part of a condition requiring samples to be submitted. Overall, it is not considered that the proposal would result in any significant adverse impact upon the character or appearance of the conservation area or upon the importance of the non-designated heritage asset.

- 11.9 The application site backs onto Park Farm House; there is a distance of approximately 22 metres between the respective dwellinghouses, and there is a hedgerow and vegetation along the rear boundary. The land upon which Park Farm House is situated is also at a slightly raised level than that of the application property. By virtue of the single storey nature of the extension, it is not considered that the proposal would result in any adverse impact upon neighbouring amenity.
- 11.10 In conclusion, the design of the extension in itself is not considered to be harmful to the non-designated heritage asset, or have any impact upon neighbouring amenity. The remaining issue therefore relates to policy. In this particular instance, and given the level of information provided in support of this application, it is considered that an exceptional need, which could not have been anticipated at the time of purchasing the property, has been satisfactorily demonstrated. As such, although the extension would exceed the floorspace restrictions set out in Policy DP11 of the Core Strategy, for the unique family reason set out in paragraphs 11.8 and 11.9 of this report, it is recommended that 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 nos: TQRQM17305113220198, 05, 04 Rev A, 03 Rev A,

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 above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

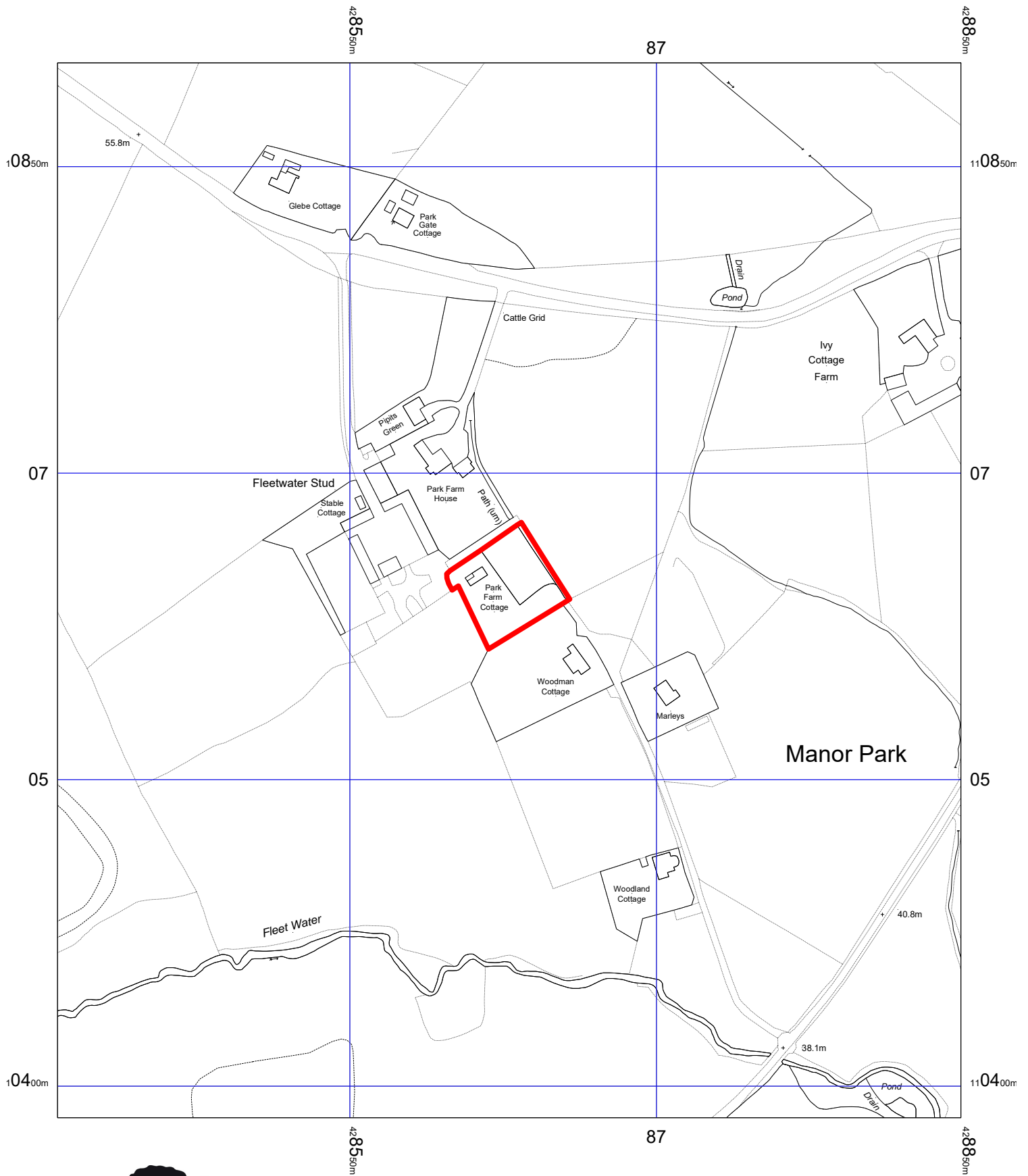
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 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 or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP10 and DP11 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.



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