

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

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

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

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

**Case Officer:** Clare Ings

**Parish:** ASHURST AND COLBURY

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

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

**4. SUPPLEMENTARY PLANNING GUIDANCE**

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

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Ashurst and Colbury Parish Council: Recommend refusal. Comment:

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

## **8. CONSULTEES**

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

## **9. REPRESENTATIONS**

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

## **10. RELEVANT HISTORY**

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

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

## **11. ASSESSMENT**

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

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

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

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

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

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

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

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

- 2 Development shall only be carried out in accordance with:
- Drwgs: 13:065:01 Rev B, 13:065:02, 13:065:03 Rev K, 13:065:06 Rev C, 13:065:07, 13:065:11 Rev A, 13:065:12, 13:065:13 Rev A, 13:065:14, 13:065:15 Rev A, AC2
- No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.
- Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.
- 3 No development shall take place until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.
- Development shall only be carried out in accordance with the details approved.
- Reason: To ensure an acceptable appearance of the building in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.
- Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP10 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
- 5 No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the dwelling unless express planning permission has first been granted.
- Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management

Policies (DPD) (December 2010).

- 6 The development hereby permitted shall not be occupied until the arrangements for car and cycle parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010) and Section 4 of the National Planning Policy Framework.

- 7 No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

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

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

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

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

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

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

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

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

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

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

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

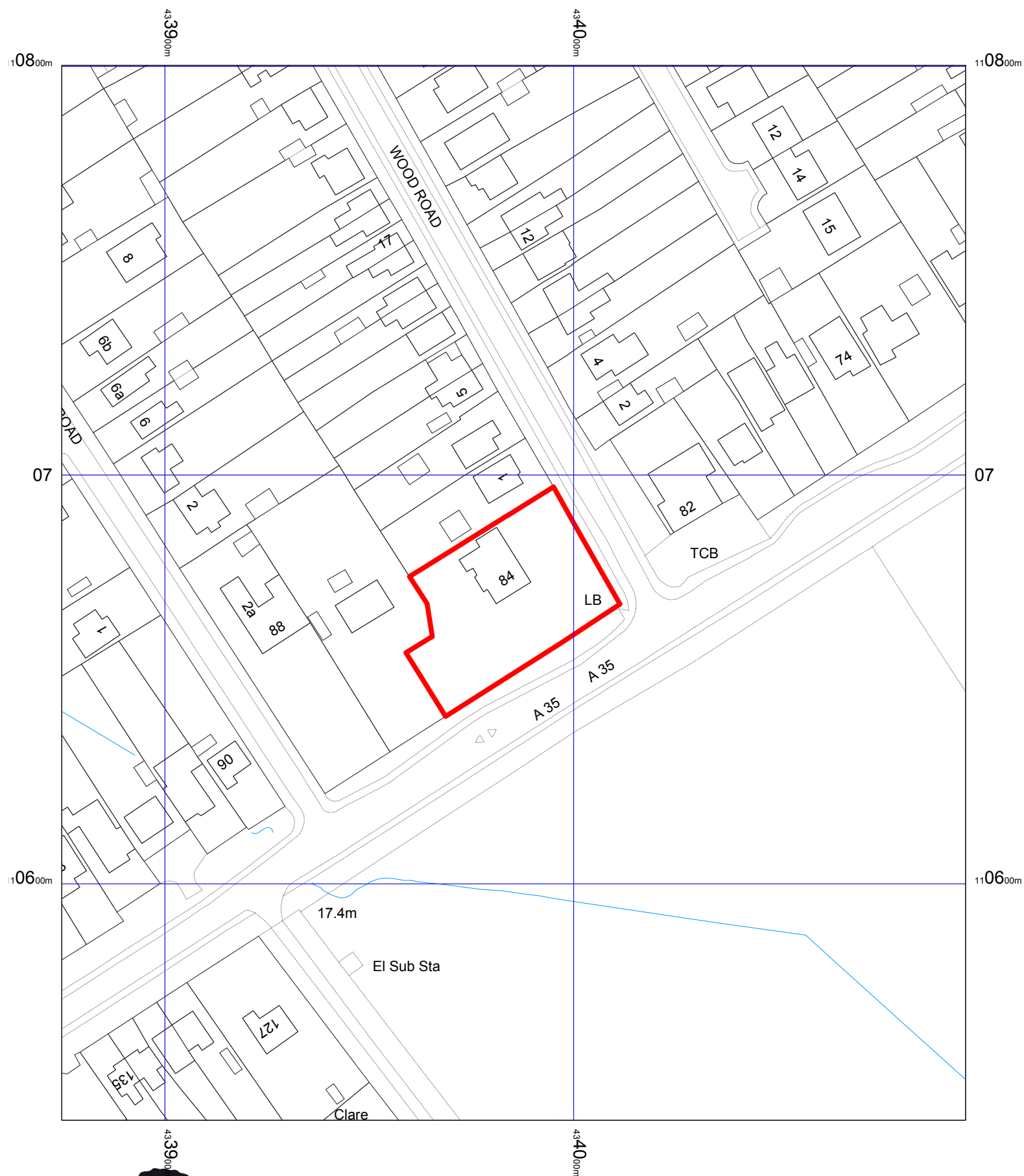
- 11 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ecological report (ecosupport Phase 1 and 2 Surveys & Bat Mitigation Strategy December 2015) hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

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

**Informative(s):**

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





NEW FOREST  
NATIONAL PARK

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