

**Application No: 20/00583/FULL Full Application**

**Site:** Corner Ground, Norley Wood Road, Norley Wood, Lymington, SO41 5RS

**Proposal:** Raised garden terrace

**Applicant:** Mr & Mrs Strom

**Case Officer:** Claire Woolf

**Parish:** BOLDRE

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP17 Local distinctiveness  
DP18 Design principles  
DP37 Outbuildings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Boldre Parish Design Statement  
Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 12 - Achieving well-designed places  
Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Boldre Parish Council: Recommend refusal for the reasons listed below - summarised to include additional re-consultation comments:

- mitigation screening will block the existing neighbour's views and does not address the fundamental issue that this platform is too high and

invades the privacy of neighbouring properties.

- not in keeping with the Boldre Parish Council Design Statement or planning policy as Boldre Parish Council understand it.
- far beyond what would be considered decking.
- additional loss of privacy and designs should as far as possible maintain a status quo.
- disagree with the comments of the applicant regarding overlooking towards Two Pines.
- potential for noise from platform users which through its height would not be mitigated by hedges or other screening at a lower level.
- the application would grant the applicant to look into the neighbour's property.
- usage of the platform cannot be conditioned or enforced.
- serious concerns regarding the safety of the platform - dangerous and unwelcome precedent.
- single tree does not offer sufficient screening and cannot be conditioned against removal.
- re-locating the platform in a different location would provide similar views whilst maintaining neighbouring amenity.

## **8. CONSULTEEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 Two representations received objecting for the following reasons:

- Direct overlooking on the same plane towards the main bedroom window of Two Pines creating a loss of privacy. (previously no overlooking into, or out of the property from this plane)
- Concern regarding recorded measurements of the distance from Two Pines
- Trellis removes view from the bedroom window and would be incongruous
- Not in keeping with the village and impinges on neighbour's privacy; hedges could be reduced in height in the future

## **10. RELEVANT HISTORY**

10.1 3 no. single storey extensions: re-roofing; alterations to fenestration; cladding; render; extension to existing car parking area (18/00528) granted on 5 September 2018

## **11. ASSESSMENT**

11.1 Corner Ground is a bungalow sited within a corner plot with Norleywood Road wrapping round the property on the north east and south boundary. The dwelling has undergone a significant

transformation since the completion of planning permission reference 18/00528. The application site is in the Forest South East Conservation Area. Across the road to the north east from the application site is the neighbouring property, Two Pines.

- 11.2 Consent is retrospectively sought for a raised garden terrace constructed of hardwood timber decking and the addition of a timber trellis in the north east corner. The total height, including trellis, would be 2.7 metres above ground level. The 'floor level' is 1.5 metres above ground level edged by a 0.28 metre lip and is accessed via a short flight of stairs. The trellis would measure 1.25 metres above standing level. The hedge, which has been cut to regenerate, measures approximately 2.8 metres from ground level. The structure would result in a covered void below the terrace which would be used for a play area accessed on the north elevation.
- 11.3 The key issues are:
- The impact on neighbouring amenity (Policy DP2); and
  - Design and outbuildings (Policy DP37).
- 11.4 The garden terrace is sited behind a deep hedge and offset from Corner Ground's boundary by a deep hedge. The distance between the structure and Two Pines is between 30.5 to 36 metres from the closest to furthest point. Representations received from Two Pines have raised concerns over the accuracy of the distance, but the applicant has clarified these distances using a digital laser confirming the distances measured on the plans. At this distance, it is not considered that the structure would facilitate any significant detrimental overlooking. To further reduce any potential impact, the applicant has amended the application to include the trellis (mitigating any hedge height differences) and a tree to mitigate the outlook towards Two Pines.
- 11.5 The terrace cannot be seen outside of the curtilage due to its low height and therefore there would not be any direct impact on the character and appearance of the conservation area. The trellis would not be visible from the street scene due to the depth of the hedge. The trellis would be constructed of natural materials and would be lightweight in design. The total structure is for an incidental use and is clearly proportionate and subservient to the dwelling it would serve in accordance with Policy DP37.
- 11.6 In addition to the loss of privacy, Boldre Parish Council raise an objection on grounds of safety, noise, non-compliance with the Boldre Parish Design Statement and Planning Policy and suggest the relocation of the structure.
- 11.7 The safety of using the structure is not controlled by the Local Planning Authority, so cannot be taken into account in determining the application. At over 30 metres away from Two

Pines, the distance is considered far enough away so as not to be detrimental to neighbouring amenity. The structure itself would not be visible outside of the curtilage and the applicant has the right to quiet enjoyment within their garden. Whether Two Pines is overlooked from other locations is not applicable in determining this application as this case needs to be determined on its own merits.

11.8 The Boldre Parish Design Statement sets out design guidelines. These guidelines re-iterate the need for the use of natural and traditional materials in new buildings and that the form and massing should be in keeping with the part of the parish that the development takes place in. In this instance, the structure is constructed of natural materials and the form and massing is low. The existing boundary treatments are not proposed to be reduced and instead strengthened through the planting of a tree and as such the proposal is considered to accord with the Boldre Parish Design Statement and National Park Design Guide.

11.9 Planning permission is therefore recommended subject to conditions as below.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

1 Within three months of the date of this decision works shall be carried out in full so that the development strictly accords with drawing no: 1704-150 Rev C. and the Authority notified in writing to enable a post completion check to be undertaken.

Reason: The existing structure does not benefit from formal planning consent and conflicts with Policy DP2, SP17, DP18 and DP37 of the Local Plan. The proposed works to complete the the development would comply with local policy.

2 Development shall only be carried out in accordance with drawing number: 1704-150 Rev C.

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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 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 DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST  
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 18/12/2020

**Ref: 20/00583**

**Scale: 1:1250**

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**Application No: 20/00620/FULL Full Application**

**Site:** Brookwood, Sway Road, Brockenhurst, SO42 7RX

**Proposal:** 2No. Detached bungalows; fence; cattle grid; alterations to driveway and parking; demolition of existing dwelling and outbuilding

**Applicant:** Mr Tyrell

**Case Officer:** Ann Braid

**Parish:** BROCKENHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Defined New Forest Village

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP17 Local distinctiveness  
 SP6 The natural environment  
 DP2 General development principles  
 SP19 New residential development in the National Park  
 SP55 Access  
 DP34 Residential character of the Defined Villages  
 SP15 Tranquillity  
 SP21 The size of new dwellings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 5 - Delivering a sufficient supply of homes  
 Sec 12 - Achieving well-designed places  
 Sec 15 - Conserving and enhancing the natural environment

**6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Object to this application on the basis that plans to culvert the existing ditch give rise to the risk of flooding to neighbouring properties. The absence of a landscaping plan also causes loss of amenity to neighbouring properties and affects the character of the Sway Road street scene, particularly given that much of the original hedging has been removed with attendant loss of screening.

## **8. CONSULTEEES**

8.1 Ecologist: No objection subject to condition

8.2 Highway Authority (HCC): No objection subject to condition

## **9. REPRESENTATIONS**

9.1 Six letters have been received, two of which are follow up letters following receipt of amended plans. Objections are raised on the following grounds:

- Drainage issues and potential flooding
- lack of landscaping
- impacts on ecology, including the protected areas.

9.2 The Friends of Brockenhurst object on the following grounds:

- Distance to and impact on SPA;
- Impact on watercourse;
- Type of dwelling proposed; and
- Boundary treatment.

## **10. RELEVANT HISTORY**

10.1 1no. replacement detached dwelling; 2no. semi-detached dwellings; 3no. carports; 4no. parking spaces 2m high close boarded fence; access alterations; demolition of existing dwelling (19/00522) refused on 11 September 2019

10.2 4no. 2 bedroom flats; 2no. car ports/storage outbuildings; 4no. car parking spaces; 1no. bin store; boundary fencing; alterations to existing access (demolition of existing dwelling and outbuilding) (19/00069) withdrawn on 3 April 2019

## **11. ASSESSMENT**

11.1 The site lies on the east side of Sway Road and currently comprises a bungalow with a detached double garage. The plot rises slightly from the road and measures 27 metres wide by 59 metres deep. To the east of the plot are the rear gardens of the houses in Tattenham Road, to the north lies a house, Amberlea, and the doctors' surgery and to the south is Robin Cottage, which



backs on to the application site. There is a drainage ditch which runs parallel with the northern boundary and the front boundary is enclosed by a close boarded fence. The site lies within the defined village boundary.

11.2 Consent is sought to demolish the existing bungalow and to redevelop the site with two single storey dwellings. Plot 1 to the north would have a similar floor area to the existing (132 square metres) and plot 2 to the south would have a floor area of 100 square metres. The design has been amended to include features such as traditional porches, small paned windows, and a revised bay window to plot 1. The rear of the roof to plot 1 has also been amended to a hipped form to reduce its bulk and impact. Car parking would be provided in spaces at the front of the house, but it is not proposed to enlarge the access or the gate. The plots would be fenced with timber fencing as existing, and the drainage ditch would be enclosed in a culvert.

11.3 The issues to assess are:

- The impact of the proposed development on the site and its surroundings;
- The impact of the proposal on neighbouring amenity;
- Drainage considerations;
- Access; and
- The impact on ecology and trees.

11.4 The site lies within the defined New Forest village boundary where the principle of new residential development is acceptable. The existing dwelling is of no particular architectural merit and there is no objection to its demolition. Plot 1 would be a replacement for the existing bungalow, and would be two square metres smaller in floor area, thus complying with Policy DP35 of the Local Plan. Plot 2 complies with the requirement of Policy SP21 that all new dwellings in the defined villages should have a floor area of 100 square metres or less. The plots would be of a sufficient size to accommodate the proposed dwellings, and would be of a similar width to those in Tattenham Road to the east and the plots fronting Sway Road north of Highwood Road to the north. Local Plan Policy DP34 states that development must be informed by a consideration of the character of the defined village. The use of traditional materials and design features as well as the plot density means that the proposal would not contravene the requirements of that policy. With regard to the wider locality, the proposed parking areas would open up the front of the site, but once the proposed trees and planting have matured this would not appear overly suburban, or erode the existing character of the locality, and would comply with Policy SP17 of the Local Plan.

11.5 The single storey design of the proposed dwellings avoids the overlooking of neighbouring properties. The neighbours to the north have raised concerns relating to their outlook and have

requested additional planting along their boundary. Despite additional information having been provided, the neighbours have continued to express concerns relating to the drainage of the site, and this is considered below. The Friends of Brockenhurst have suggested that two larger semi-detached houses would be more in-keeping, but larger two-storey houses would not comply with Policy SP21 or meet the neighbours' concerns with regard to overlooking. Overall the scale and impact of the proposal would comply with Policy DP2 and is considered to be acceptable.

- 11.6 A revised tree planting scheme has been included in the arboricultural report and shows new trees (of about 2m height) to be planted, as well as indicating the remaining trees, which will be retained and protected during construction. A full landscaping scheme will also be secured by condition which will ensure their replacement should they fail to thrive. The proposed fencing along the front of the site would be softened by the planting. With regard to ecological issues the proposal has been accompanied by a report which sets out mitigation and enhancement measures which fulfil the requirements of Policy SP6.
- 11.7 A drainage report has been submitted which is intended to form the basis of an application for Ordinary Watercourse Consent, which will need to be made to Hampshire County Council (HCC) as Lead Local Flood Authority (LLFA). The submitted report concludes that the culverting of the ditch would not have any adverse impact on flooding on the locality and provides calculations to show this. The grille entrance to the culvert would be on the site of Plot 1 so the householder would have responsibility for keeping it cleared rather than responsibility falling to neighbours to the east. A condition would ensure that works are carried out in accordance with the strategy. It should be noted that Ordinary Watercourse Consent will be required prior to works taking place and the works should be in accordance with any conditions HCC may require.
- 11.8 The Highway Officer has advised that the areas for parking and turning are adequate, and has raised no objection subject to a condition to ensure the retention of the areas for their intended purpose. The existing access scales at five metres at its widest point, and it is intended that the existing access will be used. The plans show that the gate and cattle grid would be 2.8 metres wide, with the drive widening to 4.9 metres. The loss of verge grazing is therefore avoided as is the erosion of the existing character of the locality.
- 11.9 Any additional residential development in this locality has the potential to increase recreational impacts on the internationally designated New Forest and Solent Special Protection Areas (SPAs). In accordance with the Conservation of Habitats and Species Regulations 2017, an Appropriate Assessment has been carried out as to whether granting planning permission would

adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's Mitigation Strategy or mitigation to at least an equivalent effect. The applicant has indicated that he would prefer to provide mitigation in the form of a contribution and a condition will be attached to secure the necessary agreement.

- 11.10 Natural England has also recently advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's recent advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application and a condition is included to address the issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Development shall only be carried out in accordance with drawing numbers: MBA/100/104, MBA/100/105 REV B, MBA/100/106 Rev B, MBA/100/107 REV A and MBA/100/108 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 SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 No windows/doors shall be installed until typical joinery details including window/doors, eaves, verge, bargeboards have been submitted to, and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and appearance of the development in accordance with Policies DP2, DP18 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 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) boundary treatments and 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 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 by Abbas Ecology dated November 2020 hereby approved. The specified measures shall be implemented and retained at the site in perpetuity and, post completion, a statement confirming their implementation shall be submitted to the Authority.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 No external lighting shall be installed on the site unless details of such proposals, which shall be in accordance with the recommendations of the approved ecological report, have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities and ecology of the area in accordance with Policies SP6, DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 9 Unless otherwise agreed in writing, development shall take place in accordance with the details of the means of disposal of surface water from the site set out in the drainage design statement dated August 2020 by Odyssey consultants, hereby approved.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 10 The development hereby permitted shall not be occupied until the arrangements for 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 Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order 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 defined village and to comply with Policies SP21 and DP35 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 12 The trees/hedges 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 impact statement and tree protection plan by Hearne Arboriculture dated November 2020.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 13 Prior to the occupation of the development, ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), the Authority's Habitat Mitigation Scheme and the SRMP.

- 14 The development hereby permitted shall not be occupied until:

a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

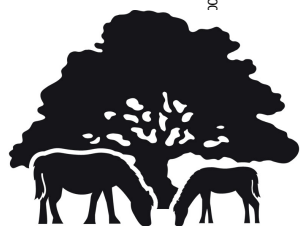
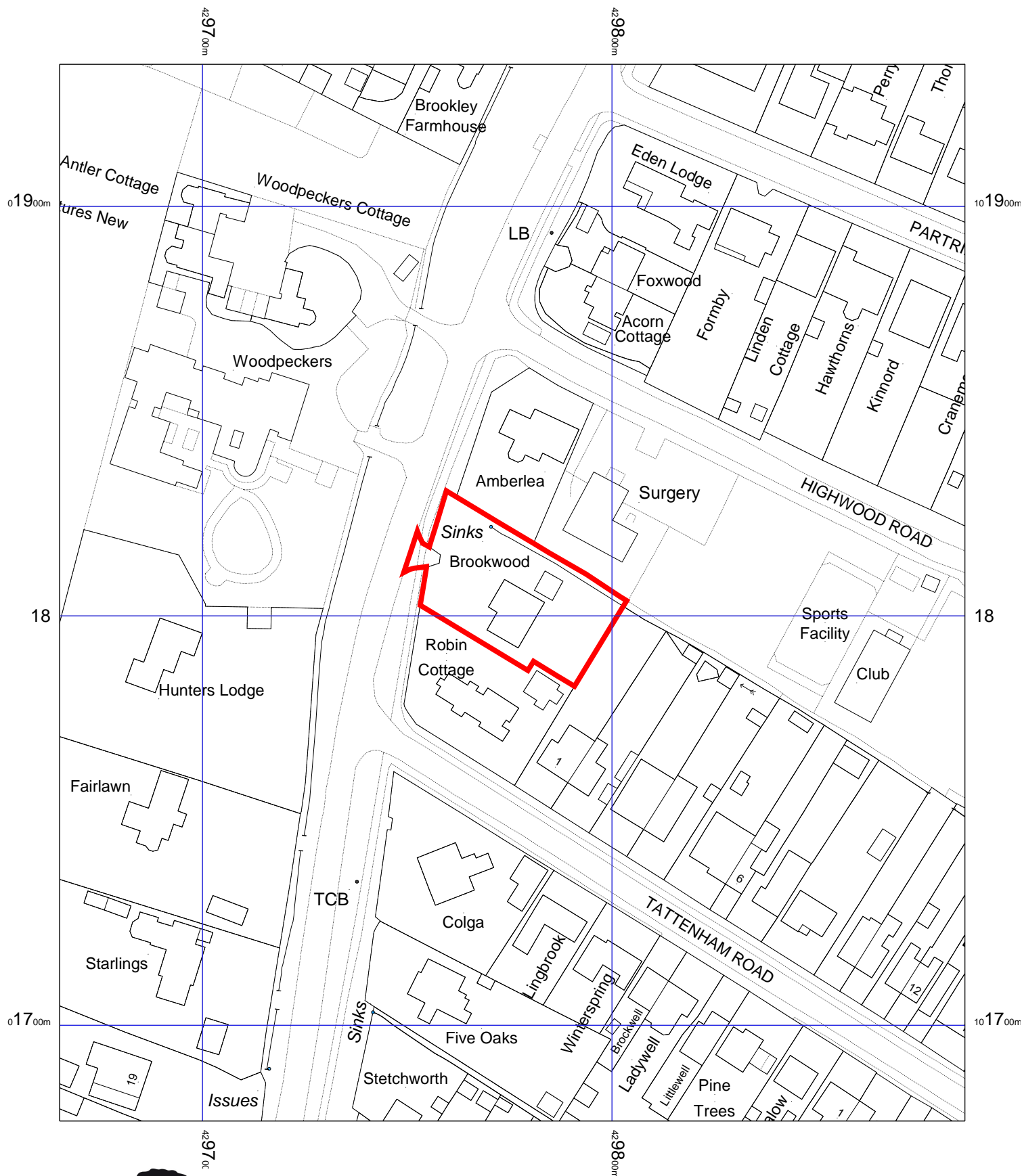
b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and

approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

The development shall be carried out in accordance with and subject to the above details.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy DP8 of the New Forest National Park Local Plan 2016-2016 (August 2019).



NEW FOREST  
NATIONAL PARK

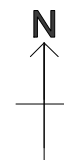
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Date: 04/01/2021

**Ref: 20/00620**

**Scale: 1:1250**



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**Application No: 20/00629/FULL Full Application**

**Site:** 128 Lyndhurst Road, Ashurst, Southampton, SO40 7AS

**Proposal:** Repairs and alterations to canopy, extension to building; fencing and underground water storage tank

**Applicant:** Robinwood Development Ltd

**Case Officer:** Daniel Pape

**Parish:** ASHURST AND COLBURY

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
 SP7 Landscape character  
 SP17 Local distinctiveness  
 DP18 Design principles  
 DP44 Redevelopment of existing employment sites  
 DP45 Extensions to non-residential buildings and uses

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
 Ashurst and Colbury Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 12 - Achieving well-designed places  
 Sec 16 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Ashurst and Colbury Parish Council: Recommend refusal. Comments:

- disappointment that the refurbishment of such a highly visible site had

been carried out without planning permission and that a more sensitive reworking of the site to fit in with the surrounding area and comply with NFNPA Planning Policies was not achieved

- the development does not comply with DP2 a, b, d, e and f: it is visually intrusive, the cladding on the canopy and the very large plate glass windows are not in keeping with the immediate (residential) area, nor the small shops in the precinct on the opposite side of the road, the lighting is excessively bright, especially at night, and it is clear that the height of the canopy has been raised above the previous level
- contrary to DP18, e, 'ensuring development is contextually appropriate' it occupies a highly visible location within the village and obtrusively stands out within the village streetscape and the surrounding properties
- noise issues from the power washers, which are now stronger in pressure and can be heard clearly by neighbouring properties (contravening DP2, f) and thus causing adverse impacts for those neighbours
- the development does not comply with DP44 and SP43 as the refurbishment constitutes a departure from these two policies in terms of the impact on the locality and neighbouring properties, traffic and inappropriateness of the building within its surrounding area through the chosen scale, design and materials
- it is also noted that the fence erected has been done so outside of the property and on the footpath; it is inappropriately clad and is constitutes a hazard to pedestrians and other traffic as it reduces the visibility of cars leaving the car wash into Ash Road
- the development does not comply with the guidance within the village design statement, namely: it should not impinge on the linear form and character of Ashurst & Colbury; buildings should be constructed of materials which match or complement those currently in use in the nearby area, and the scale, form and mass of any new development should be in keeping with surrounding buildings and be sympathetic to the character, appearance and rural outlook of the village.
- it is noted that the many comments in favour are not concerned in the slightest with planning matters, only with how good a car wash the place provides.

Following re-advertising, the recommendation remained the same.

## **8. CONSULTTEES**

No consultations required

## **9. REPRESENTATIONS**

- 9.1 Two representations received objecting on the following grounds:
- Obtrusive levels of noise
  - Safety concerns
  - Encroachment of fence
  - Visual appearance
- 9.2 31 representations of support: around half commenting on improved appearance, the remainder commenting on good service.

## **10. RELEVANT HISTORY**

- 10.1 Continued use as hand car wash (07/91926) granted on 24 September 2007.

## **11. ASSESSMENT**

- 11.1 The application site comprises a covered area for the hand washing of cars and an attached office building. The site is visible from the A35 that runs through the centre of the Defined New Forest Village (DNFV) of Ashurst. Recent works have been undertaken, without the benefit of planning consent, including the raising of the canopy roof, an extension to the boundary fence, the addition of an underground waste water tank, a single storey storage area and alterations to fenestration. By way of background, the site was regularised through planning consent 07/91926 for use as a hand car wash, with a condition attached limiting hours of operation between 09:00 to 18:30 Monday to Sunday.
- 11.2 The applicant seeks retrospective consent to regularise the undertaken works. The canopy has been re-clad and the height raised by 20cm. The eastern boundary fence has been extended by 10.6m, at a height of 2.5m, and is constructed of decking material facing outwards with plastic cladding on the inner face. The applicant proposes to reduce the height of this fence extension to 1.4m and utilise timber, which can be agreed through condition.
- 11.3 The use of the hand car wash and its associated hours of use have previously been established, and it is therefore considered that the alterations now retrospectively applied for would not increase the impact of this use. The business is considered a small scale employer within a DNFV, and the alterations would therefore accord with Policy SP42. The main considerations for this application are therefore:
- the appropriateness of the design;
  - the impacts upon the character of the National Park; and
  - the impacts upon neighbour amenity.
- 11.4 The site is located within a DNFV where a car wash or other similar business that serves local residents might be expected to be located. The site is clearly visible from the busy main road and the works to the canopy could be considered to improve the aesthetics of the site to passers by, customers and local residents. The previous canopy was in a state of disrepair and bright yellow in colour. The new canopy is a smarter version, repaired, and a more neutral white colour. The raising of the canopy would not create undue harm and does not appear any more prominent within the street scene. The replacement of the

front office windows are permitted development and the single storey store area is recessed within the corner of the site behind the existing fence and has little impact outside the site.

- 11.5 The fence as built is not located within the boundary of the site. An amended plan has been received to ensure that the existing fence extension would be removed and re-erected within the boundary of the site. The repositioned fence would be of a lower height and would use natural materials to be agreed through condition. Overall, it is considered that the alteration to the canopy and proposed alteration to the fence would accord with Policies DP2 and DP18 as the development would not result in unacceptable adverse impacts upon amenity and would be appropriate in terms of scale, appearance and location.
- 11.6 A number of representations have been received, 31 of which are in support, but only around half commenting on the improvement of the design. Two objections have been received and the Parish Council has also recommended refusal for the application.
- 11.7 The Parish Council and objectors raise a number of points including noise impacts, impacts upon visual amenity and the fence being outside of the boundary of the site. The Parish Council was advised of the change to locate the fence within the red line, however its response remained unchanged. An objection references noise impacts, however the business is regularised for the hours referenced in the objection. The fence would mitigate the noise outside of the site to an extent and assist in the public not being soaked from spray. The visual impacts of the raised canopy, fence design and fence location have been referred to earlier within the report and would be considered acceptable subject to the fence line being moved wholly within the red line of the site.
- 11.8 The application is considered to be policy compliant and permission is recommended to be granted.

## **12. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

- 1 Within six months of the date of this decision the boundary fence shall be demolished and removed from its existing position and relocated and rebuilt in accordance with the position and design shown on drawing numbers 128LY-A-03-001 REV 2 and 128LY-A-06-004 REV 2.

Reason: To ensure development remains wholly within the application site and is of an appropriate design to comply with Policies DP2 and DP18 of the adopted New Forest National Park

Local Plan 2016 - 2036 (August 2019).

- 2 Development shall only be carried out in accordance with:  
Drwg Nos: 128LY-A-01-002 REV 2 (SITE PLAN),  
128LY-A-01-002 REV 2 (PRE-EXISTING FENCE DETAIL),  
128LY-A-03-003 REV 2, 128LY-A-02-001 REV 2,  
128LY-A-03-002 REV 2, 128LY-A-06-001 REV 2,  
128LY-A-06-003 REV 2, 128LY-A-06-004 REV 2,  
128LY-A-03-001 REV 2.

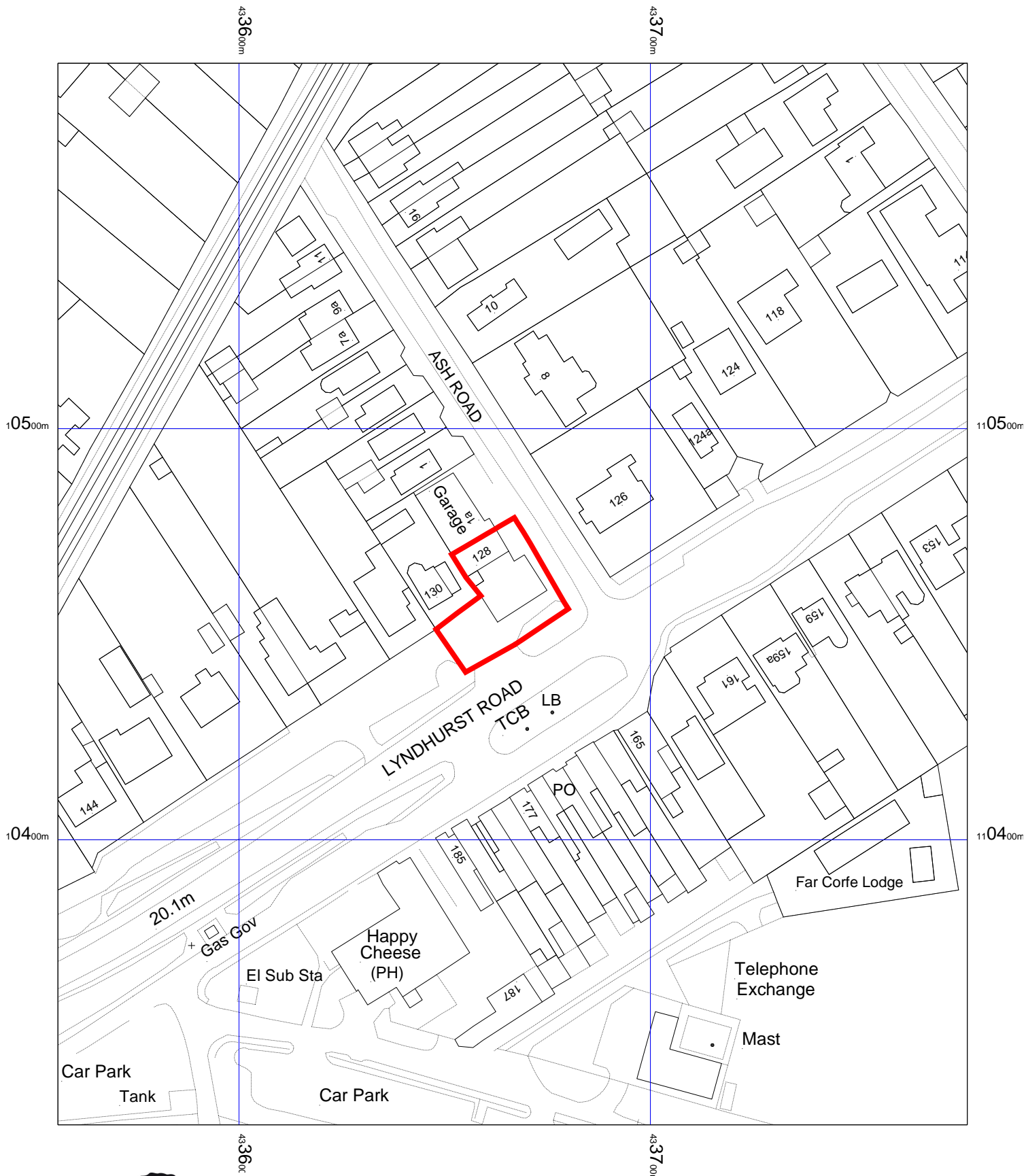
No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 No alterations shall take place above slab level until samples or exact details of the facing and roofing materials, and materials for the fence 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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

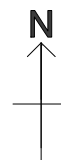
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Date: 04/01/2021

**Ref: 20/00629**

**Scale: 1:1250**

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**Application No: 20/00781/FULL Full Application**

**Site:** Rossenford House, Brook Hill, Norley Wood, Lymington, SO41 5RQ

**Proposal:** Replacement outbuilding

**Applicant:** Mr & Mrs Evans

**Case Officer:** Daniel Pape

**Parish:** BOLDRE

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
 SP7 Landscape character  
 SP16 The historic and built environment  
 SP17 Local distinctiveness  
 DP18 Design principles  
 DP37 Outbuildings

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD  
 Boldre Parish Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 12 - Achieving well-designed places  
 Sec 15 - Conserving and enhancing the natural environment  
 Sec 16 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Boldre Parish Council: Recommend refusal. Comment:

- this application for use as habitable accommodation as this latter plan

shows is in contravention of the Boldre Parish Design Statement and Policy DP37 (d) of the NPA Local Plan

- if granted, conditions should be placed to avoid the outbuilding being used as habitable accommodation

## **8. CONSULTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 One representation received (from adjacent neighbour) objecting for the following reasons:

- Location of outbuilding;
- 'Ribbon of development' adjacent to border;
- Use of outbuilding as annex, inclusion of shower/toilet; and
- Overlooking concerns.

## **10. RELEVANT HISTORY**

10.1 Dormer window and balcony (08/93572) granted permission on 12 January 2009

10.2 Two-storey extension (06/87606) granted permission on 11 May 2006

10.3 Addition of garage (demolish existing) (99/67728) granted permission on 24 December 1999

## **11. ASSESSMENT**

11.1 Rossenford House is a detached chalet-style dwelling located on the outskirts of the small village of Norleywood. The property, which has external facing materials of render with cladding, is set within a large garden plot which is largely screened from the road by hedging and fencing. An existing outbuilding lies within the site constructed of similar materials to the dwelling. The dwelling lies in a largely residential area with properties which are mixed in character, but mostly detached, with open fields to the rear.

11.2 The application is for a replacement outbuilding for use as a home office. The current building is used as a garden store and home office, although it is referenced on the plan as partly in use as a bedroom annex. The proposed outbuilding would have a smaller footprint than the existing (27sqm as oppose to 39sqm) but the ridge height would remain the same. The orientation of the proposed outbuilding would be rotated through 90 degrees. Natural timber is proposed, painted to match the existing dwelling, as is a slate roof.



- 11.3 The main considerations are:
- the use and design of the building;
  - the impact upon the character of the area and locality; and
  - the impact on neighbour amenity.
- 11.4 Policy DP37 permits outbuildings subject to a number of criteria: it should be proportionate and subservient to the main dwelling in terms of its design, location and siting; it should be for purposes incidental to the dwelling and not contain any habitable accommodation; and should be located within the residential curtilage. The replacement outbuilding is considered modest in size and would meet the criteria of the policy and, as the location is similar to the existing outbuilding, there would be no loss of private amenity space. The proposed outbuilding is therefore considered to comply with the policy.
- 11.5 The proposal is considered to retain the character of the area and locality. The outbuilding would not have any additional impact upon the streetscene and would make use of appropriate materials which would match the dwelling. The character and appearance of the conservation area would be preserved in accordance with Policies SP7 and SP16.
- 11.6 It is noted that there has been an objection to the proposal from the adjacent neighbour at 'Plummers Water' to the north of the site. Concerns include the visual impact of the proposal and its use for accommodation. The objection also references a two storey side extension to the dwelling that was granted under application 06/87606, but is not yet completed. For clarification, it is noted that the aforementioned permission has been commenced in part and therefore is extant. The proposed outbuilding would not be located where the footprint of the extant extension is to be built.
- 11.7 The objection also refers to a 'ribbon of development' along the border that would result if the two storey extension and outbuilding were to be built. The dwelling of Plummers Water sits recessed from the mature vegetated border by approximately 16.5m and 19m from the proposal, and it is considered that the set back would be sufficient to ensure that the objector's view to the application site would be no more adversely affected by the proposal than the existing outbuilding. It is considered that the proposed outbuilding would not have an adverse impact upon the neighbour as it would be smaller than the existing and its rotation would minimise the amount of development fronting the neighbour's border.
- 11.8 The Parish Council has also objected to the application on the basis that it considers the outbuilding would be for habitable accommodation. The application form originally described the proposal as a replacement annex and the existing plan does show

a bedroom. However, the proposed use for the outbuilding is as a home office, incidental to the dwelling and the description has been updated accordingly. The incidental use of the outbuilding would therefore be conditioned. Although the original proposed floor plan indicated a toilet within the outbuilding, this has now been removed with the amended plan to clarify the applicant's intention for incidental use only.

- 11.9 To preserve dark night skies and the character and appearance of the conservation area, whilst also retaining neighbour amenity at Plummers Water, a condition is recommended to require express planning permission for external lighting.
- 11.10 The application is policy compliant and permission is recommended to be granted subject to conditions.

## **12. RECOMMENDATION**

Grant Subject to Conditions

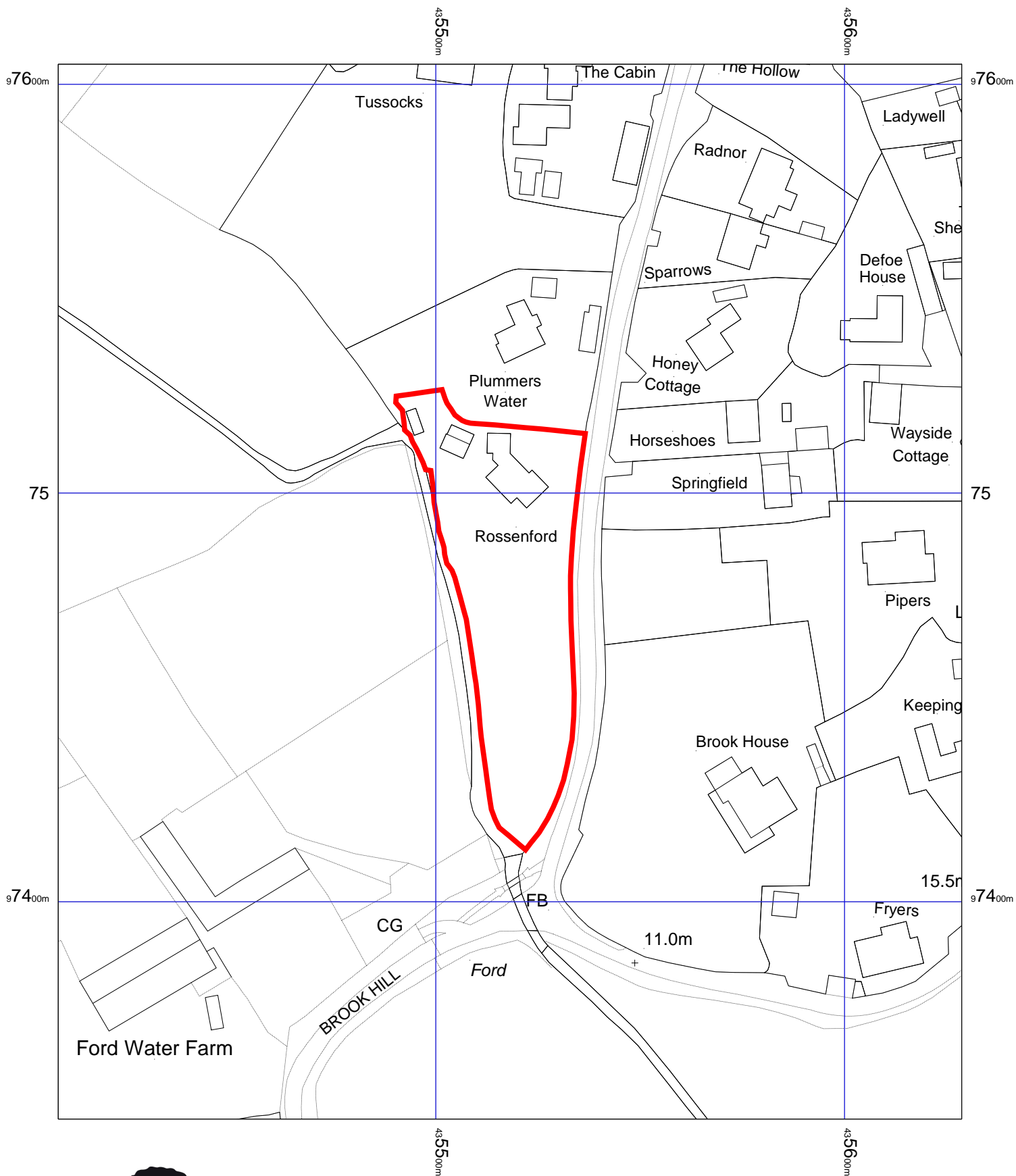
### **Condition(s)**

- 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 dwelling, 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 DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 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 DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 4 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 Development shall only be carried out in accordance with Drwg Nos: 107 Rev A, 102 Rev B, DR1 and DR2. 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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
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Tel: 01590 646600 Fax: 01590 646666

Date: 04/01/2021

**Ref: 20/00781**

**Scale: 1:1250**

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**Application No: 20/00787/FULL Full Application**

**Site:** C97/C63 Ipley Crossroads, Beaulieu Road, SO45 5TL

**Proposal:** Reconfiguration of the C97/C63 Ipley crossroads junction to create staggered junction; reinstatement of existing western arm carriageway to heathland; construction of new western arm to south of existing alignment; reinstatement of part of the highway at Wootton Bridge near Brockenhurst to heathland to create compensatory habitat

**Applicant:** Ms Wallace, Hampshire County Council

**Case Officer:** Natalie Walter

**Parish:** DENNY LODGE

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

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

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP2 General development principles  
SP5 Nature conservation sites of international importance  
SP6 The natural environment  
SP7 Landscape character  
SP15 Tranquillity  
SP16 The historic and built environment  
DP18 Design principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 9 - Promoting sustainable transport  
Sec 15 - Conserving and enhancing the natural environment  
Sec 16 - Conserving and enhancing the historic environment

## **6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Beaulieu Parish Council: Support the concerns of Hampshire Constabulary regarding the reconfiguration of Ipley Crossroad. The proposed application would be an effective measure to reduce the likelihood of serious accidents.

Denny Lodge Parish Council: Recommend refusal. Comment:

Whilst the need for measures to be undertaken to improve the junction is fully supported, the Parish Council has significant concerns regarding the safety of the proposed staggered junction. A roundabout or mini roundabout is considered to be a safer arrangement as it would limit the speed of vehicles approaching from all directions.

## **8. CONSULTEES**

- 8.1 Natural England: No objection subject to works taking place outside of the SPA bird breeding season. Comments made in relation to the Habitat Regulations Assessment, alternatives, provision of compensation, impacts on the New Forest SSSI, SAC, SPA and Ramsar site and impacts from road traffic closures and construction works.
- 8.2 Ecologist: Support subject to conditions and works taking place outside of SPA bird breeding season.
- 8.3 Landscape Officer: No objection. Details of splays and kerbs requested.
- 8.4 Archaeologist: Support subject to conditions.
- 8.5 Forestry England: No response received.
- 8.6 Verderers of the New Forest: No response received.
- 8.7 National Park Access Ranger: Support. Comments;
  - 1) This route forms part of the National Cycle Network (NCN2) and those signs should be retained as part of the signage plan.
  - 2) Given that this road is part of the NCN2 and the number of cyclists to have died at this junction, a Warning Cyclist sign should be added at the North and Southern ends of Beaulieu Road.

## **9. REPRESENTATIONS**

- 9.1 Three objections received on the following grounds:
- Existing crossroads is fit for purpose. A staggered junction will not address the problem and is more dangerous than the existing.
  - A roundabout is considered to be safer.
- 9.2 Twenty three representations received in support:
- Improvement to safety.
  - Current junction is a major hazard to all road users in particular cyclists.
  - Work is necessary to prevent future fatal accidents.
  - Improvement of safety of nearby grazing livestock.
  - Large number of accounts of "near misses" at the existing junction by owner of local cycle shop.
- 9.3 Friends of the New Forest: Comment:
- Recognise that the current situation is unacceptable and a solution is required.
  - An alternative would be to close one or more of the carriageways or through other solutions such as a change in speed limits.
  - Support the principle of junction improvements subject to a fully compliant Habitats Regulations Assessment.

## **10. RELEVANT HISTORY**

- 10.1 Application for screening opinion under Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for reconfiguration of C97/C63 Ipley crossroads junction to create staggered junction; reinstatement of existing western arm carriageway to heathland; construction of new western arm to south of existing alignment; reinstatement of part of the highway at Wootton Bridge near Brockenhurst to heathland to create compensatory habitat (20/00812) - EIA not required, confirmed on 04 December 2020
- 10.2 Construction of road layout (RFR/XX/11137) granted on 29 July 1966

## **11. ASSESSMENT**

- 11.1 The 0.32 hectare site is located to west of Applemore and the A326 and north of Beaulieu. It forms the junction between the C63 Beaulieu Road running north to south and the C97 running east to

west. Beaulieu Road has the priority at the crossroads and the C97 has "Stop" markings at the junction. The site is located within the following ecological designations:

- The New Forest Special Area of Conservation (SAC);
- The New Forest Special Protection Area (SPA);
- The New Forest Ramsar Site; and
- The New Forest Site of Special Scientific Interest (SSSI).

- 11.2 A site of interest for nature conservation lies 250 metres to the north west. There are features of historic importance in the vicinity of the site including WWII bomb craters and a scheduled monument is located 150 metres to the north east. The site lies within Environment Agency Flood Zone 1 and the road is drained via a drainage ditch arrangement. The site is surrounded by open grazed forest comprising lowland heathland.
- 11.3 Wootton Junction is situated approximately 16.8 kilometres south-west of Ipley Crossroads at the junction of Brockenhurst Road with Wilverley. The site is approximately 0.074 hectares in area and is located within the New Forest SAC, SPA, Ramsar and SSSI sites. There are recorded monument finds approximately 95 metres to the south of the site.

### **Proposal**

- 11.4 The proposed development is for the reconfiguration of the existing C97/C63 junction to create two T-junctions and comprises the following:
- The excavation and removal of the existing western arm carriageway approximately 125 metres back from its junction with the C63 Beaulieu Road;
  - The construction of a new western arm of the staggered crossroad located approximately 50 metres to the south of its existing alignment, approximately 125 metres in length, approximately 663 square metres in area. The new junction would rejoin the existing C97 westbound carriageway;
  - A temporary diversion route for the western arm of the crossroads junction for the duration of the construction (anticipated to be three to four weeks but up to six weeks);
  - The reinstatement of 591 square metres of forest land where the existing carriageway is removed; and
  - The provision of 82 square metres of off-site compensation habitat at Wootton Junction for the loss of 72 square metres of habitat within the crossroads scheme site.

To prevent adverse effects on any reptile species present within the construction boundary, post and rail stock fencing was installed in September 2020 with the agreement of Natural England. This would remain in place until completion of the road.



The proposal includes replacement of the yellow back crossroads warning signs on Beaulieu Road with grey back staggered crossroads warning signs and the "stop" signs at the junction would be replaced with "give way" signs. The existing finger post sign will be relocated and amended to ensure the correct directions are given. Temporary "new road layout" signs will be installed at all approaches to the junction and will remain in place for three months following the completion of works. All new signs will be installed on black signposts. The existing advance warning sign on Beaulieu Road and the "cyclist caution" signs and "think bike" signs on the approaches to the junction will be removed. The temporary "look up" road markings will be removed and the "stop" lines amended to "give way" lines. "Slow" warning markings will remain on all approaches. Beaulieu Road and the eastern arm of the junction will be resurfaced with a high psv stone surface to remove the existing high friction (coloured) surfacing relating to the existing layout.

The surface of the existing road is owned by Hampshire County Council. The surface of the new road is Crown land with the subsoil owned by an unknown third party. A legal land swap would be used to complete the project under a Section 256 notice.

11.5 The key issues in this case are:

- the principle of the proposed development;
- the impact on ecology;
- the impact on the landscape; and
- transport/ highway considerations.

### **Principle of Development**

11.6 There is a strong and urgent need for the proposed development due to the personal injury records for the junction and a decline in the impact of previous casualty reduction schemes.

11.7 At present, northbound-southbound traffic on the C63 Beaulieu Road has priority at the junction and the C97 running east-west has stop markings at the junction. However, the open nature of the existing crossroads has resulted in many drivers ignoring the road safety at this junction and driving straight over the C63 Beaulieu Road without giving way. A total of 52 personal injury accidents have been recorded in the period January 1990 to August 2019, including two fatalities and 14 serious injuries.

11.8 A number of casualty reduction schemes have previously been implemented at the site, including increased signage, road markings and rumble strips. These measures were installed in 1993, 2008, 2012 and 2017 with additional improvements in 2018 and 2019. However, following an initial phase of success, the impact of these is declining as detailed in the Background Report prepared by the Casualty Reduction Team and there is an increasing trend in the severity of accidents. Concern has been

raised by the Serious Collision Investigation Unit of Hampshire Constabulary. There is an urgent need to implement a long-term solution to prevent further casualties at the junction. The scheme is put forward to address this need and is supported by the Casualty Reduction Partnership (comprising Hampshire Constabulary, Highways Operations, Safer Roads and Parking Officer and Borough Council Members). The scheme is also supported by the Authority's Access Officer.

- 11.9 The applicant has considered a number of alternative solutions, which are also set out below, and has concluded that the proposed scheme would address the need whilst having the lowest impact in this sensitive location. The proposed solution, would accord with Policy DP55: Access, which seeks to promote safer access. The need for the scheme must be balanced against other impacts and these are considered below.

### **Impact on Ecology**

- 11.10 Key considerations in this case are the impact on the designated European sites, the New Forest SSSI and on protected species. The Authority has carefully considered the information submitted by the applicant together with third party representations made. Natural England and the Authority's Ecologist have been consulted.

#### *Impact on European Sites*

- 11.11 The proposed development would have a temporary construction area of 1,436 square metres within the designated sites and a permanent land take of 663 square metres. Reinstatement of heath on former highway land would comprise 591 square metres. There would be a net loss of 72 square metres of habitat. Compensatory habitat of 82 square metres is proposed.
- 11.12 The proposal has been screened by the Authority, as competent authority, under the Conservation of Habitats and Species Regulations 2017 (as amended) and it is concluded that the proposal would be likely to have a significant effect on the designated site without mitigation. An appropriate assessment has therefore been undertaken to determine whether the project will adversely affect the ecological integrity of the designated site. As the proposal, with mitigation, will result in the loss of 72 square metres of qualifying habitat, the Authority concurs with Natural England that consideration of alternatives and imperative reasons of overriding public interest should be considered before compensatory measures are assessed. The Authority has therefore considered the case for alternative solutions and imperative reasons of overriding public interest as contained in DEFRA Guidance (2012).

## Alternative Solutions

11.13 The applicant has set out alternative solutions within the shadow Habitats Regulation Assessment submitted with the application. Information on additional alternative solutions was requested by the Authority and has been submitted and considered in accordance with DEFRA guidance, which states that the consideration of alternatives should be limited to options which are financially, legally and technically feasible. The information is summarised as follows:

- Do nothing/ shunt risk of the left/right stagger - discounted due to strong likelihood of further serious and fatal collisions.
- Road closure/ closure of one or more carriageways - discounted as requires a legal process which could take many years without achieving its aim.
- Change in speed limit/ average speed cameras - discounted as speed has not been cited as a contributory factor in the personal injury accidents data in the last five year period. Instead, there is a need for vehicles to slow or stop at the junction to provide a greater opportunity for cyclists to be visible which is better achieved through an amended junction layout.
- Cameras - discounted as any type of permanent camera would require a solid concrete foundation and a power source which would not be acceptable in this location.
- Gorse planting - discounted as unlikely to achieve sufficient screening; would increase livestock risk on the road; and would require regular management.
- Tree planting - discounted due to landscape impact; increased risk of livestock on the road; effectiveness would reduce over time; self-seeding onto heathland habitat.
- Plastic/ timber screens - discounted due to landscape impact; increased risk of livestock on the road and requirement for concrete bases within heathland.
- Full roundabout - discounted due to substantial land take required; lighting and signage requirements.
- Mini roundabout - discounted as would require an increased land take; lighting and signage.
- Traffic signals - discounted as would require an increased land take; potential realignment of eastern approach; could cause

potential queuing; and power requirement (which would excavation across heathland habitat).

- Chicanes - no evidence of reduction in incidents when used previously; additional signage required.
- Road humps - suitable only for roads with 30mph limit and lighting.
- Traffic islands- discounted as would require an increased land take.
- Double-stagger - discounted as would require a land take twice as large as that of the proposed solution.

The Authority has concluded that there are no other feasible ways to deliver the overall objectives of the project which will be less damaging to the integrity of the European sites affected.

#### Public Interest

11.14 If it can be established that there are no feasible alternative solutions, the competent authority must next be able to show that there are “imperative reasons of overriding public interest” (IROPI) that justify the project. Guidance states that the different elements of the term should be considered:

- Imperative: it must be essential, weighed in the context of the other elements below, that the project proceeds.
- Overriding: the interest served by the project outweighs the harm to the integrity of the site as identified in the appropriate assessment.
- Public interest: a public benefit must be delivered rather than a solely private interest.

11.15 The applicant has set out detail within the shadow Habitats Regulations Assessment in respect of these elements and this has been carefully by the Authority and is summarised below:

- Imperative - there is a strong and urgent need for the proposed development as set out in paragraphs 11.6 to 11.8 above.
- Overriding - the interest served by the project is considered to outweigh the harm identified to the integrity of the site.
- Public interest - there is a clear public interest requirement for the proposal in order to address an urgent public safety issue through provision of a long-term solution.

## Compensation

- 11.16 In relation to compensation at the Ipley Crossroads site, the habitat within the new road footprint will be removed and translocated to the footprint of the existing road. The distance between these areas is approximately 20 metres. The excavated area of the existing road is expected to contain native (but compacted) soils. Where required, locally sourced hoggin will be used to ensure correct depth and levels to receive translocated turf. Intact turf will be removed from the existing heathland habitat to a depth sufficient to retain the existing soil profile and heathland vegetation. The turf will be placed as soon as possible within the donor area (with a maximum ex-situ storage period of two days with daily watering). As the new carriageway area is greater than the old, there will be an excess area of turf which will be used at the off-site location.
- 11.17 At the Wootton Bridge site, a short length of surfaced slip road will be re-instated to heathland habitat (an area of 82 square metres). The existing road surface will be excavated to a depth of 300mm to remove all bound material. Native (but compacted) soils are expected to be present. Where required, locally sourced hoggin will be used to ensure correct depth and levels to receive translocated turf. Excess soil and turf from the Ipley Crossroads site will be used. If the soil/ turf is not acceptable, the site will be left to colonise naturally. A car-free ditch and dragon's teeth will be installed along the edge of the new carriageway.
- 11.18 In Natural England's opinion, the compensation suggested would be appropriate for the loss anticipated and natural regeneration is considered appropriate. The re-use of turf is welcomed, provided it is handled in accordance with the agreed method statement. The Authority's Ecologist has commented that the proximity of the donor and receptor sites increases the likelihood of a higher quality result of heathland restoration and notes the importance of having an experienced ecological clerk of works to direct operations. In respect of the off-site compensation, the proposals are noted to be consistent with other accepted approaches.
- 11.19 Subject to conditions, the Authority is satisfied that the necessary legal, technical, financial and monitoring arrangements are in place to ensure that the compensation will proceed as agreed and will remain in place.

## *Impact on SSSI*

- 11.20 The New Forest SSSI is designated for a wider variety of habitat and species interests than the SAC/SPA and Ramsar. Interest features include the importance of the site for several groups of invertebrates including moths and butterflies. As the Ecological Appraisal that accompanies the application acknowledges, there

are likely to be impacts on invertebrates and in particular the area impacted by the proposal hosts a good population of silver studded blue butterfly. This butterfly has been identified as a species of principal importance for biodiversity (a “priority species”). The Authority’s Ecologist has indicated that, if whole sections of turf can be translocated, there is some potential for conditions to be suitable for the life-cycle of the butterfly and even for some eggs to survive in the shorter term. Whilst regard should be had to the potential impacts on the SSSI, alternatives have been appropriately considered, there is a strong need for the proposed development and appropriate mitigation and compensation has been put forward. Natural England has not objected to the proposal. Monitoring of the translocated mitigation and compensation habitat would be secured by condition.

#### *Impact on Protected and Priority Species*

- 11.21 The Ecological Appraisal acknowledges the potential for impact on protected and priority species, such as reptiles, including the smooth snake which is a European Protected Species. It is understood that a European Protected Species licence has already been granted for the works and can be relied upon by the Authority. That licence requires the favourable conservation status of the species population to be maintained and therefore appears good evidence that the tests of the Habitat Regulations have been met in that regard. The Authority’s Ecologist has no objection in relation to the potential impact on protected species, subject to the measures outlined in the ecology report being implemented effectively. A condition is proposed in relation to this together with a condition to secure the mitigation set out in the Ecological Appraisal which is considered to be suitable.
- 11.22 In summary, the ecological impacts of the proposed development have been assessed against relevant legislation and planning policy. No feasible alternatives exist and there are considered to be imperative reasons of overriding public interest for the scheme. The proposed compensation is appropriate and no objection has been received from Natural England. Subject to conditions to secure both mitigation and compensation, it is considered that the relevant legal tests have been met and that the proposals accord with Policies SP5 and SP6 of the adopted Local Plan and the NPPF. It should be noted that any recommendation to grant permission is subject to informing the Secretary of State of the intention to grant permission and a period of 21 days in which the Secretary of State could prevent the permission being granted.

#### **Impact on the Landscape**

- 11.23 Ipley Crossroads falls within Landscape Character Area 27 (Eastern Forest Heaths) of the New Forest National Park Authority Landscape Character Assessment (2015) (LCA). It sits

within open heathland and the extensive areas of open heathland are noted in the LCA as a key positive attribute.

11.24 There would be some visual intrusion on the landscape during the construction period from the construction compound, traffic management, plant and staff vehicles. The construction compound would be located partially on the existing highway (closed western arm) and partially on the forest verge on matting to prevent damage. These impacts on the landscape would be temporary and limited in duration.

11.25 On completion, the new junction will have a similar impact on the surrounding landscape to the current arrangement. The scheme has been designed to minimise visual impacts and to reflect the existing character of the road. Key design elements include:

- The new section of road will be built and finished at ground level;
- New shallow ditches with mounds to one side will be dug on both sides and the grass allowed to regenerate naturally;
- Smaller than standard design for the radii of the splays;
- Minimal length of kerbs; and
- A new traditional finger post sign will be provided and signage has been minimised.

Restoration of the old section of road back to open heathland has been carefully designed as above.

11.26 The Authority's Landscape Officer has been consulted on the proposals. Further information was requested and a response received from the applicant. The proposals are generally supported by the Landscape Officer subject to details in relation to kerbing and materials. As the scheme relies on natural re-establishment of the habitat with no new landscaping proposed and any consent would be subject to conditions in relation to the method of works for translocation of turf and monitoring contained within the ecological appraisal, a formal Landscape Ecological Management Plan is not proposed by the applicant.

11.27 In respect of signage, the applicant has sought to reduce the overall amount of signage whilst providing an appropriate level of signage for an area without street lighting, consistent with other junctions in the National Park. The Access Officer has commented that a "warning cyclist" sign should be included on the northern and southern approaches to the crossroads on Beaulieu Road. No new lighting is proposed for the crossroads. During construction, where lighting is required for health and safety reasons, it would be directional and low level.

11.28 In summary, the scheme proposes a solution which will have the lowest impact on the landscape whilst addressing the identified need for improved safety. Subject to conditions in relation to

materials, reinstatement of heathland and lighting, it is considered that the proposed development would accord with Policies SP7 and SP17 of the adopted Local Plan.

### **Transport/ Highway Considerations**

- 11.29 Whilst flow rates are relatively low at the crossroads (with a maximum flow of 246 vehicles during the 16:45 to 17:45 peak from Beaulieu Road North to Forest Road East), the crossroads has an extensive history of personal injury accidents and casualty reduction schemes as set out above. The proposal seeks to address this issue and there are not expected to be any material changes to vehicle flows, traffic composition or junction capacity whilst improving safety for road users, including cyclists. Temporary traffic impacts are anticipated to occur during the construction of the scheme. The western arm of the Ipley Crossroads would be closed for the duration of construction (up to six weeks) with short-term traffic light control at the crossroads and a number of diversion routes would be set up to direct traffic away from the crossroads.
- 11.30 A diversion route will be signed from the C97 junction with the A326 to direct traffic northwards to the A35 to travel south west into Lyndhurst to avoid vehicles travelling towards the crossroads to access Lyndhurst. A drawing has been submitted showing diversion routes with the northern diversion route via Beaulieu Road, Arters Lawn and Deerleap Lane and the southern diversion route via Beaulieu Road, Northern Lane and Hatchet Lane (B3056). The diversions are anticipated to be two to three weeks in duration. There are no public rights of way in the vicinity of the crossroads. Access for pedestrians and cyclists will be maintained throughout construction works.
- 11.31 In relation to construction traffic, an estimated total of 40 HGV wagons (with a maximum eight HGVs per day over five days) are anticipated for the excavation of the existing carriageway. An estimated total of 48 HGVs (with a peak of eight HGVs per day for six days or an average of five per day for ten days) would be required for excavation of the proposed new carriageway. In addition, a total of 28 HGV movements (a peak of seven per day for four days or an average of three per day for ten days) would take place for the proposed carriageway construction and two HGV movements would be required for delivery of materials. The submitted Construction Environmental Management Plan (CEMP) includes the requirement for a construction traffic management plan to be prepared and submitted to the applicant for the construction phase and sets out requirements to be included in the plan, such as provision of wheel-washing facilities; arrangements for deliveries.
- 11.32 In respect of the proposed works at Wootton Junction, these will involve removal of layers of highway surface and backfill of the



excavation with excess material from Ipley Crossroads. A total of four HGVs in one day are estimated for the excavation of the existing carriageway and a total of four HGV movements in one day for backfill of the excavation. No road closure is required. The works would be carried out under a lane closure with three-way traffic signals installed at the junction.

- 11.33 Subject to adherence to the measures set out in the CEMP, the temporary nature of the construction period, it is considered that the proposed development would accord with Policy DP2 in relation to transport impacts.

## **Other**

### *Historic Environment*

- 11.34 The application is accompanied by a Heritage Statement which has considered impacts on the historic environment. There would be no impacts on historic buildings and the site lies outside of any conservation area. Any impact on the scheduled burial mound located 150 metres to the north east would be negligible. Mesolithic artefacts have been found close to the site and the application submission includes a written scheme of investigation for an archaeological watching brief for the site. The Authority's Archaeologist has no objection to the proposal subject to conditions due to the nearby Bronze Age burial mound and Mesolithic flint artefacts. The proposed development would therefore accord with Policy SP16 of the adopted Local Plan and the National Planning Policy Framework (NPPF).

### *Drainage*

- 11.35 The site lies within Environment Agency Flood Zone 1 (low probability of fluvial flooding). A drain lies directly adjacent to the site following Beaulieu Road and Rush Bush Pond is located approximately 230 metres south of the site. The drainage arrangement of the new carriageway will replicate existing arrangements at the crossroads. Drainage ditches will be provided either side of the new carriageway to collect surface water runoff. These will connect to the existing system and a new 225mm culvert will be installed under the new junction linking to the ditches to avoid ponding either side of the junction. A concrete bagwork headwall will be installed at each end of the culvert. The CEMP includes measures to protect ground water and surface water quality. The scheme will not result in an increase in water volume running through the system or impacts on water quality affecting on or off-site habitats. The proposal would therefore accord with Policies DP2, DP8 and DP12 of the adopted Local Plan and the NPPF.

### *Air Quality*

- 11.36 During construction, the scheme has the potential to cause emissions of dust and particulate matter from construction activities together with emissions associated with vehicle movements to and from the site, including material deliveries. Emissions of dust and particulate matter would be mitigated through measures contained in the Construction Environmental Management Plan (CEMP) and any effect on air quality would be short-term in nature.
- 11.37 Once operational, the scheme aims to reduce the number of accidents by staggering the junction to create two T-junctions thus forcing vehicles to stop. Although this would have the effect of reducing vehicle speed at the junction, it is not anticipated that the proposed scheme will result in any change in road capacity, traffic flows or speed away from the junction. As there is no anticipated change in traffic flows, the impacts from operational traffic on air quality are therefore not expected to be significant. The proposal would therefore accord with Policy DP2 of the adopted Local Plan.

### *Noise*

- 11.38 During the construction phase, there would be some temporary noise-generating activities, such as from excavation and earthworks. Noise and vibration will be kept as low as reasonably possibly through mitigation measures in the CEMP, for example, working hours, types of equipment used, local screening around plant. The operational scheme is to improve road safety and will not affect traffic volume therefore there are no additional operational noise impacts anticipated.

### **Conclusion**

- 11.39 The proposed development is for the reconfiguration of the existing C97/ C63 junction to create two T-junctions in a sensitive ecological location within the New Forest National Park landscape. 82 square metres of off-site compensatory habitat is proposed.
- 11.40 There is a strong and urgent need for the proposed development due to the personal injury records for the junction and a decline in the impact of previous casualty reduction schemes. Alternative solutions have been considered and it has been concluded that the proposed scheme would address the need whilst having the lowest impact in this sensitive location.
- 11.41 The ecological and other impacts of the scheme have been carefully considered in consultation with internal and statutory consultees and have been weighed against the need identified. The loss of 72 square metres of habitat has been considered against the relevant legislative tests and it is recommended that

permission is granted subject to the provision of the compensation identified.

- 11.42 The recommendation is subject to informing the Secretary of State of the intention to grant permission and a period of 21 days in which the Secretary of State could prevent the permission being granted.

## **12. RECOMMENDATION**

Subject to no objections from the Secretary of State, Grant Subject to Conditions

### **Condition(s)**

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

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

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

CJ008720-ECH-HDG-00007777-DR-HE-0500 Rev P01  
CJ008720-ECH-HFE-26723624-DR-HE-0301 Rev P01  
CJ008720-ECH-HGN-26723624-DR-HE-0101 Rev P01  
CJ008720-ECH-HGN-26723624-DR-HE-0103 Rev P01  
CJ008720-ECH-HGN-26724140-DR-HE-0110 Rev P01  
CJ008720-ECH-HGN-26724140-DR-HE-0111 Rev P01  
CJ008720-ECH-HGN-26724140-DR-HE-0112 Rev P01  
CJ008720-ECH-HSC-26723624-DR-HE-0201 Rev P01  
CJ008720-ECH-HSC-26724140-DR-HE-0210 Rev P01  
CJ008720-ECH-HSN-26723624-DR-HE-1201 Rev P01  
TM/JW/DR001  
WPF0716/CRP/007  
WPF0716/CRP/L/001  
HCC10/C/010.

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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 Within 3 months of commencement of development, compensatory habitat shall be provided in accordance with the approved plans and the methodology contained within Appendix 2

of the Construction Environmental Management Plan, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To safeguard protected species and to provide ecological compensation in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019)

- 4 Unless otherwise agreed in writing by the New Forest National Park Authority, development shall only take place in accordance with the Construction Environmental Management Plan prepared by Hampshire County Council, dated October 2020 together with additional details of biosecurity, to be submitted to and approved in writing by the New Forest National Park Authority prior to commencement of development.

Reason: To safeguard protected species and to provide ecological enhancements in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019)

- 5 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 Appraisal prepared by Hampshire County Council, dated November 2020, hereby approved. Following the completion of the works, a report confirming that they have been completed in accordance with the above recommendations shall be submitted to (and approved by) the National Park Authority. The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 No development shall take place other than in accordance with the archaeological Written Scheme of Investigation as submitted and approved.

The development shall not be used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The development is located in an area of archaeological significance where the recording of archaeological remains should be carried out in accordance with Policy SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 The development shall take place in accordance with the details of means of disposal of surface water contained within drawing number CJ008720-ECH-HDG-00007777-DR-HE-0500 Rev P01, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

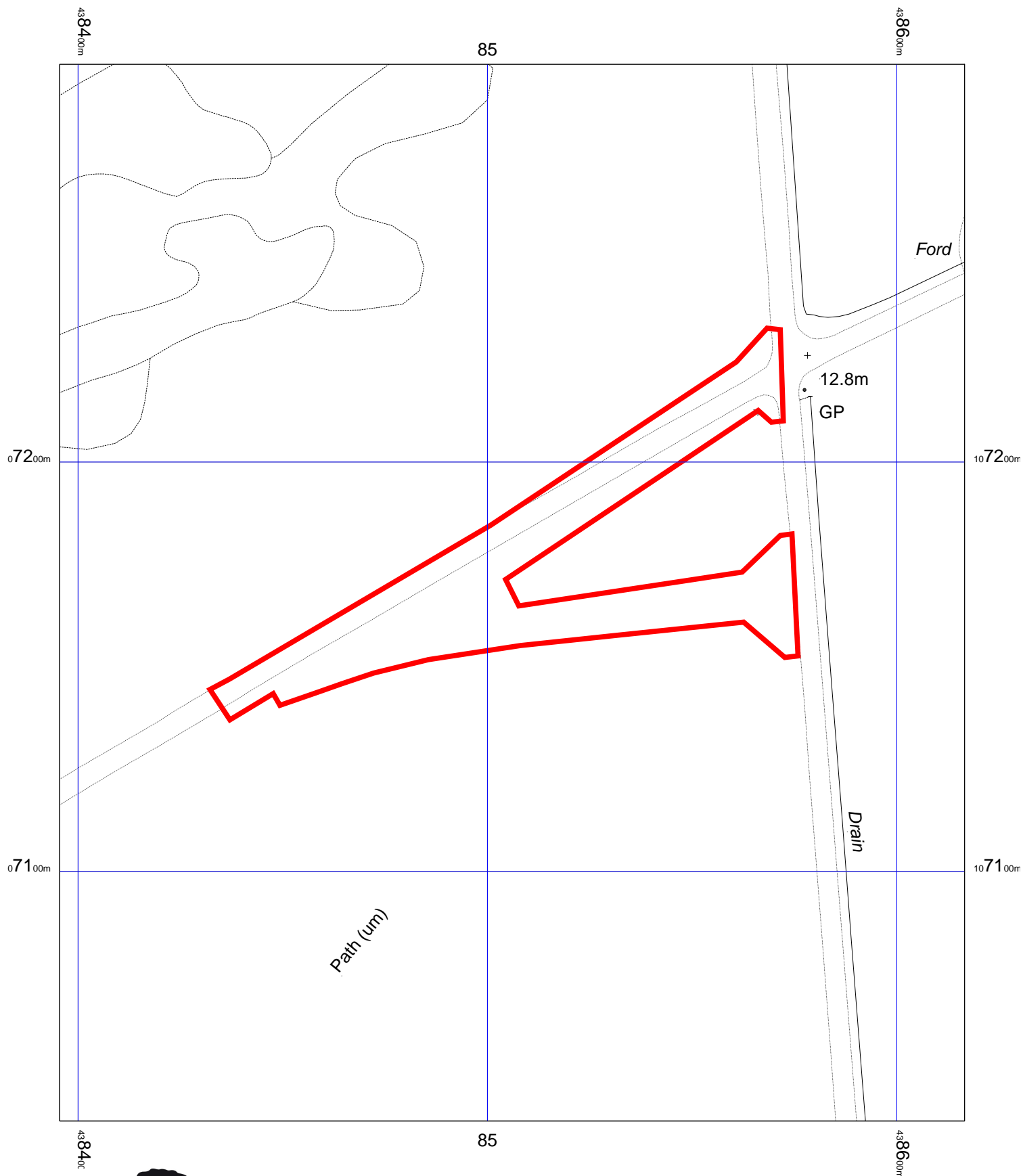
- 8 No development shall take place until details of the kerb and surface materials to be used have been submitted to and approved in writing by the New Forest National Park Authority.

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

Reason: To ensure an acceptable appearance of the road in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 9 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST  
NATIONAL PARK

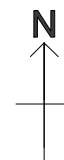
New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

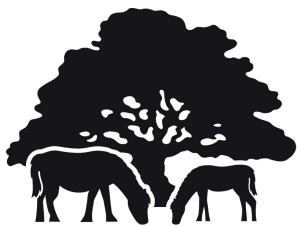
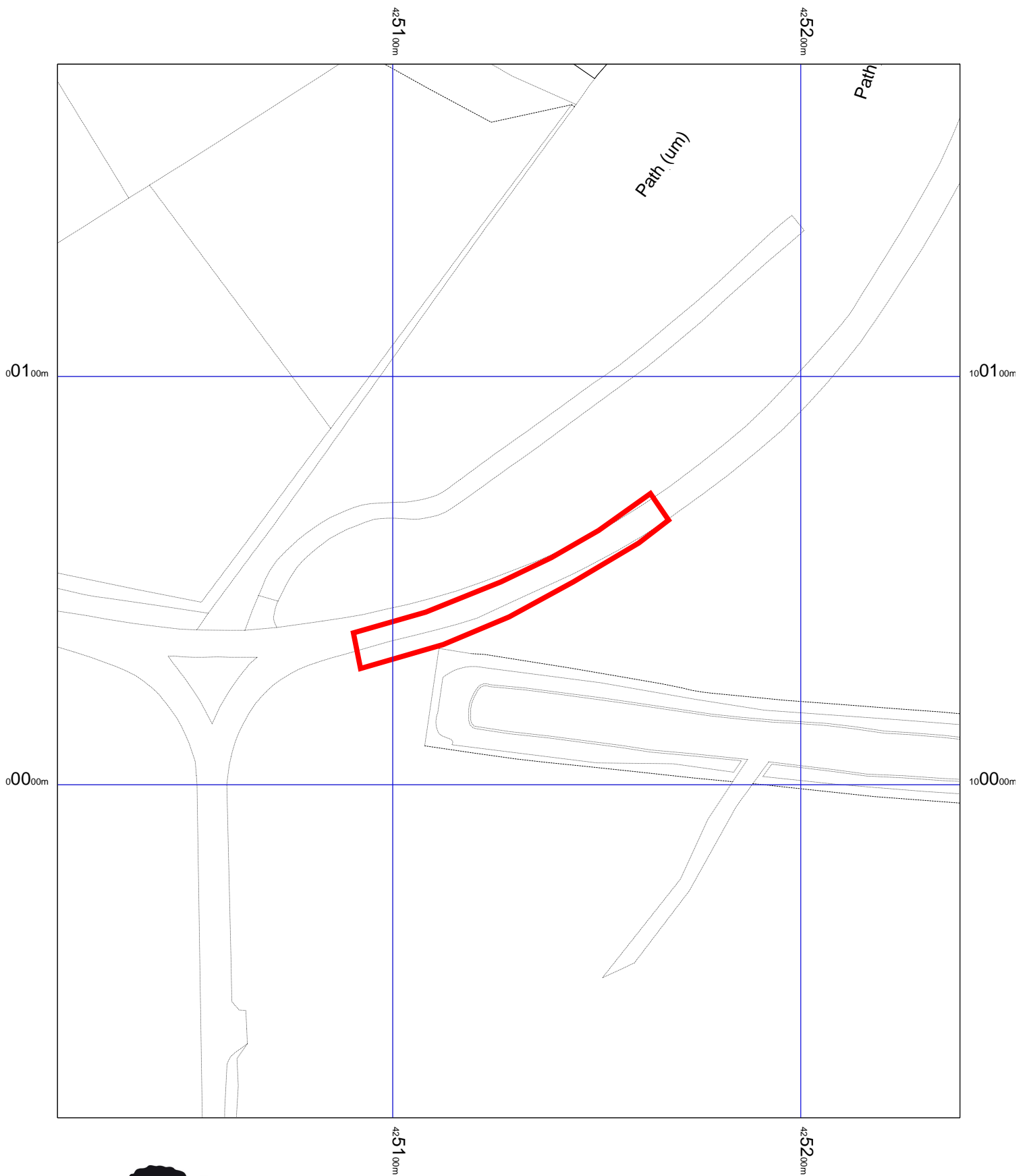
Date: 04/01/2021

**Ref: 20/00787 Ipley Crossroads**

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NATIONAL PARK

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Date: 04/01/2021

**Ref: 20/00787 Wootton Bridge**

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