

Application No: 20/00230/FULL Full Application

Site: Arnewood Manor Farm, Arnewood Bridge Road, Sway, Lymington, SO41 6ER

Proposal: Use of land and part of former farm building for storage of vehicles, machinery, equipment and cut timber in connection with the business of an arboricultural, forestry and rural land management contractor, including the cutting of timber on no more than one day a week

Applicant: Mr Shutler, John Shutler Tree Services

Case Officer: Ann Braid

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration.

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP42 Business and employment development
 SP43 Existing employment sites
 DP45 Extensions to non-residential buildings and uses
 DP49 Re-use of buildings outside the Defined Villages
 DP2 General development principles
 SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 6 - Building a strong, competitive economy
 Sec 12 - Achieving well-designed places
 Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend permission for the reasons listed below (unanimous):

Sway Parish Council expressed concern about the site being used for purposes other than arboriculture or agriculture in the future, particularly the storage of vehicles. Following a lengthy and constructive discussion which involved the agent, the owner and the user of the site it was suggested by the user that a planning condition to limit the applicability of the consent to the user (John Shutler) would be acceptable.

Sway Parish Council recommends permission subject to the inclusion of a condition to tie the permission to the incumbent user only, the purpose being to ensure any future uses of the site are subject to the planning process.

8. CONSULTEES

8.1 Environmental Protection (NFDC): No objection subject to conditions.

9. REPRESENTATIONS

9.1 Two letters of support on the grounds that the proposal provides employment and an essential service to the local community without causing disruption to neighbours.

9.2 One letter, supported by a further letter from a planning agent representing the objector, objecting on the following grounds: The application does not reflect the activities taking place at the site. The letter raises no objection to the storage of vehicles and machinery, but objects to the manufacturing operation, with the significant storage of timber and waste which is not part of the application. Machinery has been used for sawing, log splitting, and chipping, there is also smoke and exhaust from idling engines. Concern is raised regarding hours of operation. The agent's letter reiterates the above and asks a series of questions relating to the adequacy and content of the plans, the lack of a noise assessment, the access, the hours of operation, the lack of a five to ten year business plan and proposing conditions.

9.2 With regard to the amended description, one letter has been received, stating that the previous objection stands, as there is insufficient information to assess the scope or likely future impact of the proposal.

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

- 11.1 Arnewood Manor Farm is located on the north side of Arnewood Bridge Road and comprises a range of barns to the west and north of the neighbouring converted barn, Eagleswood Barn. The buildings are accessed by way of a track that leads from the road frontage to the rear of the site, between the former farm buildings and the barn conversion. Most of the former farm buildings have been in commercial use for more than 20 years, however, one building located in the north eastern corner of the range of buildings was, until recently, retained in agricultural use. It is now being used in association with a tree contractor's business. This current business use is unauthorised.
- 11.2 Members considered this application for the proposed use of the site at Planning Committee in June. It was considered that to grant consent subject to conditions preventing sawing or splitting of logs at the site would not be appropriate as it was clear that the applicant needed to be able to carry out this form of timber processing, even though it had not been specifically applied for in the original description of the proposed development, which was just for storage. The agent therefore proposed amending the description to include the cutting of timber on one day per week and the storage of timber. In the light of the potential for noise nuisance, the opinion of the Environmental Protection Officer was sought. Following his advice, a revised block plan has been submitted showing defined areas for cutting and for timber storage.
- 11.3 By way of history, the applicant has been using the site for some eight years, but, until recently, the business also operated from another location. Following thefts from the other site, the applicant has decided to move to Arnewood Manor Farm, where security measures are already in place and the owner lives nearby. The Authority was made aware of the use in September 2019, when reports concerning processing of timber and the burning of waste material were received. The complaint was investigated and the applicant was advised to apply for the use of the site for his business use.
- 11.4 The issues to assess are:
- Compliance with relevant Local Plan policies relating to employment sites; and
 - The impact of the use on the locality and neighbouring amenity.
- 11.5 Policy SP42 of the New Forest Local Plan 2016-2036 (August 2019) relates to business and employment development. The policy states that, outside the defined New Forest villages, small scale employment development that helps the well-being of local communities will be permitted through the re-use or extension of

existing buildings. Policy SP48 supports land-based businesses that help maintain the overall character and cultural identity of the National Park, in particular supporting farming and forestry that would be beneficial to the Forest. Policy DP49 supports the re-use of an agricultural building, provided it is shown to be genuinely redundant in its existing use, and not capable of fulfilling any beneficial agricultural use.

- 11.6 The business is a successful arboricultural enterprise which employs four people. It has been established for 12 years. Clients include the Forestry Commission, local authorities and the National Trust as well as local estates and private landowners. To this extent, the applicant's enterprise is a land-based business that benefits the local community. The building is a former agricultural building that was once part of the accommodation for a dairy herd, but is not required for agricultural purposes by the tenant farmer. Other buildings on the site have already been put to commercial use. The requirements of Policies SP42, SP48 and DP49 are therefore met by this proposal. Policy DP45 allows the extension of a non-residential use, such as the commercial use of the farm, but states that this should be contained within the site boundaries. In this case, the area proposed for the outside storage of vehicles and timber chips and logs was the site of a former dung heap, which had become overgrown. It was clearly part of the farm and in that respect the proposal does not extend beyond the site boundaries. However, the proposal would extend the commercial use beyond the envelope of the buildings and, in accordance with the policy, the level of impact of the proposed use should also be considered.
- 11.7 The use now proposed comprises storage of vehicles, machinery and cut timber and the cutting of timber on no more than one day per week. Consent for these uses would allow the use of the yard as a temporary holding area for logs and wood chips before they are sold and transported off site. It should be noted that it is a stipulation of the site owner that no burning of material is allowed on the site. Inside the barn the majority of the space would be used for secure storage, but an area at the southern end of the building has been divided off for staff welfare facilities and, given the risk of theft of smaller items of machinery, there is extra secure lockable space.
- 11.8 The residential property that would be most likely to be affected by the proposal is Eagleswood Farm House. The boundary of this property is located 55 metres south of the yard area. The owners of this property object to the application, although they stated in their original letter that they have no objection to the storage of vehicles or machinery. Their objections relate to the manufacturing process that they have seen take place on the site, the storage of timber, the burning of waste and the use of machinery on site. They are also concerned about hours of operation and the running of engines at the site, with associated

pollution and disturbance. The advice of the Environmental Health Officer (EHO) relates to the mitigation of impacts on these neighbours.

- 11.9 The EHO agrees that timber processing, in the form of log splitting, should be limited to Fridays between the hours of 09:00 and 17:00 as proposed by the applicant. The timber processing machine and associated plant, should be re-positioned to the boundary line of the field which would be further away from the dwelling. The existing log pile should be re-positioned so that it forms a 'barrier' of line of sight between the timber processing machine, the associated plant and the neighbour. Subject to these matters being controlled by conditions, the EHO has no objection to the proposal. The context of this site is important in the assessment of the impact of the proposal. Other farm buildings at the site have been in use for commercial purposes for over 20 years. There are no conditions relating to hours of operation at these other units, or any conditions restricting the use of buildings and associated land. The proposed use of the site for storage would not be a noisy use, but the movement of vehicles machinery should be controlled by condition. The applicant has indicated that employees come to the site at 07:30 and take machinery off site. They are rarely at work after 16:30. The hours of the business use of the site may also be controlled by condition. Vehicle movements generated by this business would not materially increase the level of traffic using the access.
- 11.10 The neighbours have written in respect of the amended description and details and continue to object. They would like to reach a consensus, but do not feel confident about the scope or likely impact of the proposal. Amended plans show that machinery and the log pile will be re-located in accordance with the Environmental Health Officer's advice. With regard to landscaping, the yard area has been fenced with a new post and wire fence and a ditch provided. The application states that a new native hedge would be provided around the perimeter and this should also be the subject of a condition. The time limit relating to timber cutting and processing has been proposed by the applicant and agreed with the EHO. With regard to the future expansion of the business, the applicant has advised that any growth in staff numbers will take the business out of the "small business" (up to 5 members of staff) category as defined in the Arboricultural Association's Approved Contractor Scheme, to a medium sized business which would incur an increase in annual fees and paperwork, which he has no wish to do. The business is profitable, capable of carrying out the work he is contracted for, and there is no need or wish to expand.
- 11.11 The Parish Council supports the application, but recommends that consent should be subject to a personal condition. Whilst there is clearly a wish to support a local business, Government advice relating to personal conditions advises that they should be

avoided unless there are exceptional circumstances, such as new, restricted-occupancy dwellings, where a consent would be justified solely on the basis of the applicant's specific circumstances. In this case, provided the activity is controlled by conditions, there is no reason why any operator could not work from the site in the same way. For this reason, a personal condition would not be justified.

- 11.12 This arboricultural contracting business is not located in a remote or isolated site. It is sited in a building alongside other business uses which are not subject to restrictive conditions controlling either hours of use or the nature of the business that could operate there. Potential noise issues relating to timber processing in association with the use have been addressed following advice from the Environmental Health Officer and it has been agreed to landscape the site. The majority of tree contracting work takes place away from the site, but machinery and vehicles would be stored either in the yard area or in the barn. This storage would have little additional impact over the existing uses which already take place at Arnewood Manor Farm. Planning Policy supports such business uses which support the rural economy, and subject to potentially adverse impacts being controlled by conditions, the proposal is considered to be acceptable.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 Development shall only be carried out in accordance with drawing numbers: DR1, RSH/01 A and RSH/03. 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 development in accordance with Policies SP17 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 Within three months of the date of this decision a scheme for the landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

- (a) a specification for new planting for the proposed hedgerow (species, size, spacing and location);
- (b) any other means of enclosure;
- (e) a method and programme for the implementation of the scheme and the means to provide for its future maintenance.

The planting of the hedgerow in accordance with the approved details shall take place in the first planting season following the

approval of the landscaping scheme. Any trees or plants which within a period of 5 years from the date of this decision 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 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).

- 3 No activity, including the operation of machinery or movement of vehicles, shall take place on the site in connection with the approved use other than between the hours of 07:30 and 17:00 Monday to Fridays, and 08:00 and 13:00 on Saturdays, not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 No timber processing, cutting or log splitting, shall occur on the site other than between the hours of 09:00 and 17:00 on Fridays, not including public holidays.

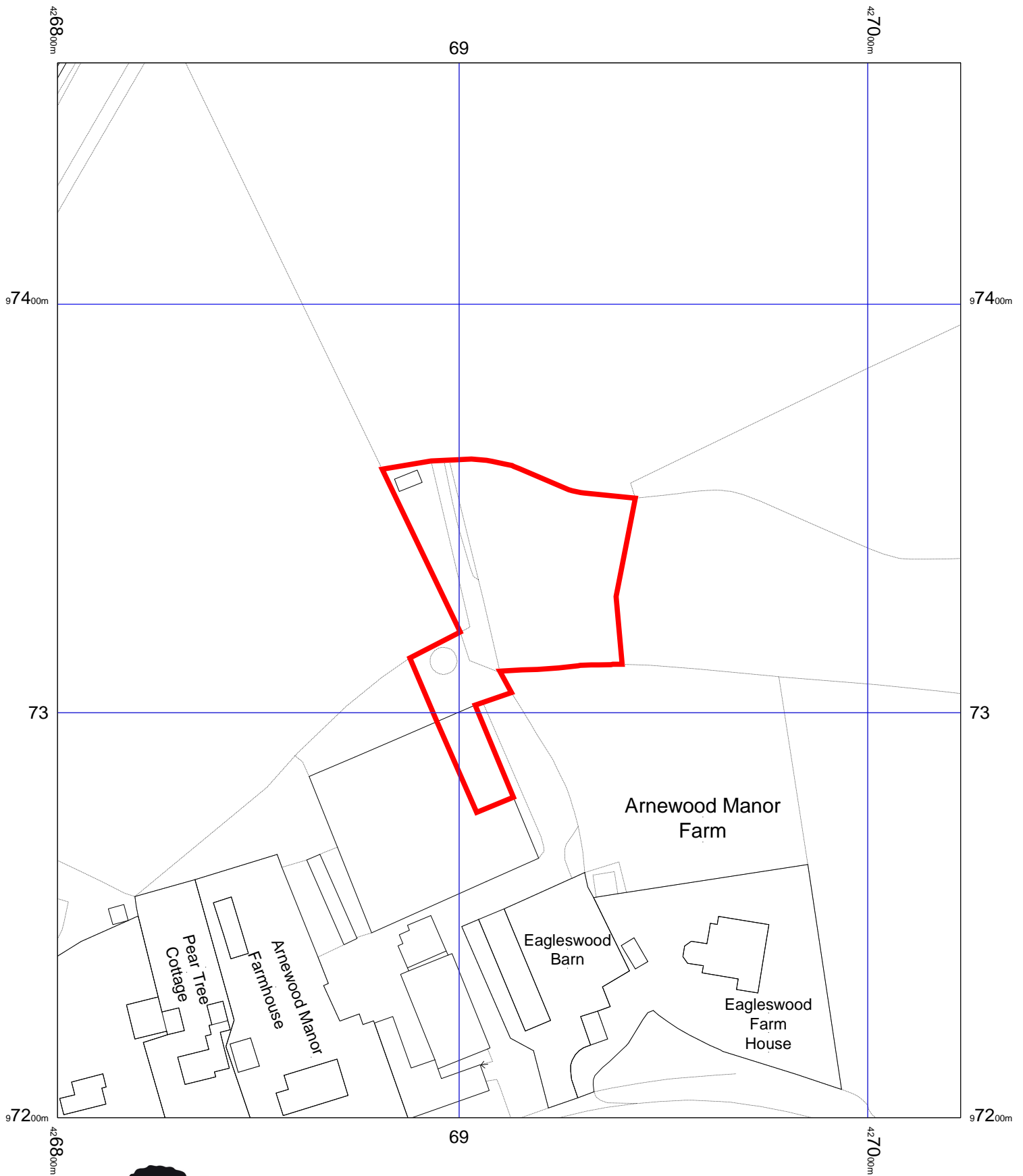
Reason: To safeguard the amenities of nearby residential properties, and avoid adverse impacts on the locality in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 Within one month of the date of this decision, the log pile, the timber processing machine and associated plant shall be relocated to the locations shown hatched in green on the approved block plan number RSH/03 and retained in the approved positions, unless otherwise agreed in writing with the National Park Authority.

Reason: To safeguard the amenities of nearby residential properties, and avoid adverse impacts on the locality in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 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

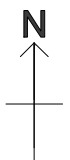
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Application No: 20/00271/FULL Full Application

Site: Squirrels, Lyndhurst Road, Brockenhurst, SO42 7RL

Proposal: Demolition of existing single storey shops; erection of building to form a ground floor shop/cafe with associated holiday lets above and basement below; decking; associated parking; alteration to kerb

Applicant: Mr Ahmed

Case Officer: Liz Young

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP6 The natural environment
DP18 Design principles
SP16 The historic and built environment
SP17 Local distinctiveness
SP19 New residential development in the National Park
SP42 Business and employment development
DP34 Residential character of the Defined Villages
SP39 Local community facilities

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment
Sec 6 - Building a strong, competitive economy

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Objection raised:

- Concerns regarding the extent and layout of the parking, particularly given the proposed use as holiday lets and café and the existing parking issues in this area of the village.
- Overdevelopment of the plot.
- Negative impact upon the local street scene including nearby listed buildings.

8. CONSULTEES

- 8.1 Planning Policy Officer: No objections raised.
- 8.2 Building Design & Conservation Area Officer: No objection subject to conditions
- 8.3 Natural England: No objection subject to mitigation of additional impact upon designated sites.
- 8.4 Ecologist: No objections subject to conditions.
- 8.5 Highway Authority (HCC): No objections based upon amended plans and subject to at least two of the proposed parking spaces being made available to overnight guests.
- 8.6 Environmental Protection (NFDC) No objections subject to conditions.
- 8.7 Tree Officer: No objections subject to conditions.

9. REPRESENTATIONS

- 9.1 Twenty five representations received (23 objections, 2 comment only):
- Overdevelopment.
 - A single storey development would be more appropriate.
 - Proposal would exacerbate highway safety, access and parking issues along a stretch of highway which is already very congested.
 - The existing buildings have been deliberately damaged to avoid the need to repair.
 - The adjacent cul-de-sac is already congested with cars.
 - Overlooking towards adjacent properties.
 - The basement is unnecessary and construction will cause disruption to adjacent properties.
 - Construction traffic will cause further congestion.

- Proposal would amount to a significant increase in comparison with the existing building.
- Loss of light.
- Proposal would overwhelm the adjacent chapel.
- Amended plans do not sufficiently address concerns about size and parking.
- There are numerous other eating establishments along this stretch of road and there is no justification for another food outlet.
- Concerns over the right for adjacent properties to carry out improvements to drains and sewers in future.
- There is a covenant which prevents trade and business on a Sunday and also the sale of alcohol from the site.
- Proposal would cause damage to the adjacent tree.

9.2 Two representations received from the agent in response to the third party concerns raised:

- The proposal will be run as a family business.
- The existing site is an eye sore.
- The size of the proposed basement has been reduced and the design has been amended to address concerns from the Conservation Officer.
- The excavation of the basement will be undertaken to ensure minimal disturbance to neighbouring properties.
- The entrance doors and windows proposed on the holiday lets will be obscurely glazed to prevent overlooking.
- The previous business was unviable.
- The surveyor has advised that it is not viable to retain the existing buildings.
- Measures will be undertaken to ensure the protected tree would not be damaged as a result of the proposed works.
- The Local Plan encourages tourism and Brockenhurst is a tourist destination.
- Parking and traffic will always be problematic in Brockenhurst and adequate parking is proposed to accommodate this development.
- The buildings have not been left to deteriorate intentionally.
- The building would need to be demolished and replaced to meet current building regulations.

10. RELEVANT HISTORY

- 10.1 Demolition of single storey retail units (18/00007) refused on 28 February 2018
- 10.2 Application for Prior Notification under Part 11 of the Town and Country (General Permitted Development) Order 2015 for demolition of single storey retail units (17/01050) approved on 5 January 2018

11. ASSESSMENT

11.1 This application relates to four modest, vacant shop units (known as "The Squirrels") which are prominently sited within the Brockenhurst Conservation Area. The buildings originate from the 1920s and are of lightweight construction made from softwood timber frame, asbestos cement panels and corrugated iron cladding. The Brockenhurst Conservation Area Character Appraisal states *'They are an important and rare survival of small shops from the period and should be preserved'* and their significance lies in their aesthetic and historic value. The quirky design of the shops and their human scale at the north end of Brockenhurst contributes to the character of the village. Until only a few years ago, these shops were in use. They were an attractive row, animating the street scene as a group of antique shops up until around 2014. Two listed buildings lie immediately north of the site (a pair of semi-detached cottages) and a listed public house lies directly to the east.

Proposal

11.2 Consent is sought to replace the existing shop units with a two storey building and basement below. The ground floor area would accommodate a restaurant use with associated storage in the basement below. Four en-suite bed and breakfast rooms are proposed above. Access to these rooms would be via an external staircase on the southern end of the building, linking up with a raised walkway would run along the rear elevation. The buildings to be replaced have an external footprint of 114 square metres and a ridge height of 4.5 metres. The replacement building would have a ridge height of 8 metres and an external footprint of 213 square metres. A flat roofed projection would run along the front elevation. This elevation would be predominantly glazed at ground floor level with signage above. The external facing materials would comprise facing brick work, clay roof tiles and timber sash windows. Black metal railings would enclose the external staircase. Cycle parking is proposed to the rear, whilst four staff parking spaces and a small outdoor seating area are proposed immediately south of the building.

11.3 The main issues under consideration would be:

- The extent to which the proposed demolition of the existing buildings can be justified having regard to their local historic interest and their general condition.
- The impact the proposed redevelopment of the site would have upon the character and appearance of the conservation area, the setting of adjacent listed buildings and the street scene along Southampton Road.
- The extent to which the proposal would meet the requirements of policies within the Local Plan which relate to business and employment development and sustainable tourism (Policies SP42, DP44 and SP46).

- Any potential loss of amenity to neighbouring residents.
- Highway safety considerations and parking provision.
- The impact the development would have upon the ecology and natural features of the site itself and also adjacent designated sites.

Principle of Demolition

- 11.4 In terms of background, this application has been submitted in order to address the previous concerns which led to the refusal of the 2018 submission (18/00007). This earlier scheme related only demolition and no details had been provided at this stage in relation to the proposed redevelopment of the site. In 2018 there was insufficient evidence to demonstrate that the buildings could not be reasonably retained and restored. The Authority concluded that it would also need to be established that the buildings have not been allowed to deteriorate further through neglect and/ or abandonment.
- 11.5 To address these concerns, a 2019 RMA Heritage Statement and updated 2020 condition survey have been submitted as part of this latest application. Both these documents note the poor state of repair of the existing buildings. The roof and walls of all four units have been patch repaired in different materials. The central flat roofed unit has been altered on at least two occasions in the past. The original double doors and vending machines are no longer in place and the lower section of the building has recently been clad in weatherboarding. The surviving units were completely re-fronted by the late 20th century and whilst they are around 100 years old they are no longer wholly corrugated and are not considered to be a good example of this type of building, particularly as the two northern units were timber add-ons. The mullion on the display window has been crudely repaired and both shop fronts are in a poor state of repair. There are much better quality examples of 20th century shop fronts in Brookley Road. The Condition Survey notes that the shops were last in use in 2014, by which point the structural condition had become very poor (this mainly being attributed to the ongoing poor standard of repairs). There is asbestos within the roof and a number of structural failures. The roof has suffered heat damage and has become soft and covered in vegetation. There is also no structural support on the western eaves. The flat roof over the toilet extension has also failed. Deterioration has been in progress for several years and much of the roof would need to be completely rebuilt. The buildings are also not capable of attaining an energy efficiency certificate.
- 11.6 Based upon the further information which has been submitted with this latest application, along with feedback from the Building Design and Conservation Officer, it is apparent that only a modest amount of original historic fabric remains within the buildings. Any proposal to refurbish the buildings would result in the loss of much

of the remaining fabric. The deterioration of the buildings has taken place over a significant length of time and more recently the current owner has ensured the structures remain weather tight. Therefore, there is no sign of deliberate neglect. The low quality of the structures in their current form and the fact that any proposal to retain them would involve extensive replacement of the original fabric provides sufficient justification for their demolition. Subject to ensuring an appropriate scheme for their replacement, the loss of these buildings would not have a harmful impact upon the character and appearance of the conservation area.

Impact of Redevelopment on the Character of the Area

- 11.7 In terms of the proposed design, the scheme had previously been subject to pre-application advice where it had been agreed that the general principle of a two storey building with facing brick work and clay roof tiles (replicating other buildings in the immediate locality) would be acceptable. The plans originally submitted as part of this application, however, caused concerns in relation to scale, bulk and suburban form. In order to address these concerns, amended plans have now been submitted. The amendments have achieved a less bulky roofline (by removing the flat roofed element and reducing building depth). The basement has been reduced in size. Design features (bricked in windows) have been introduced on the flank walls to add interest and gabled projections are proposed to the rear. The Building Design and Conservation Officer has advised that these changes sufficiently address previous concerns and that the development would not have a harmful impact upon the character and appearance of the conservation area.
- 11.8 Whilst the concerns raised in relation to the size and scale of the development are noted, the development is not considered to be at odds with the character of the wider area. This section of Lyndhurst Road comprises a mix of building styles and heights and the proposal seeks to replicate the form, scale and materials of the public house directly opposite. The buildings which front directly onto Lyndhurst Road typically have fairly restricted plots as the locality is built up with a mix of commercial and residential properties. Building heights are also very varied, ranging from single storey to three storey. The main two storey element on the proposed building would be set further back from the highway and, subject to ensuring appropriate landscaping and materials, the development is considered to meet the requirements of Policies DP2, DP18, SP16 and SP17 of the New Forest National Park Local Plan.

Policy Considerations

- 11.9 The site lies within the defined settlement boundary of Brockenhurst and the general principle of introducing new business uses (including food and drink establishments) is

permitted in principle subject to ensuring the development would be small scale. Policy DP44 of the Local Plan seeks to ensure the redevelopment of existing employment sites deal comprehensively with the site and would have a minimal visual impact upon the landscape, amenities of neighbouring residents and traffic. Replacement buildings should be appropriate to their surroundings and the development would be contained within the site boundary.

- 11.10 The information accompanying the application states that a total of two full time employees are proposed. The amount of commercial floorspace would increase by just over 100 square metres. Whilst this would be a significant increase, this is in part attributed to the change of use from retail. In terms of scale and size, the proposal would be comparable with other businesses in the immediate locality. The proposal would be contained within the boundaries of the site and only a modest amount of outdoor seating is proposed. The development also lies within a sustainable location within walking distance of the train station and within the defined village of Brockenhurst. It is closely associated with other commercial uses in the immediate locality. The proposal is considered to meet the objectives of Policy DP42 which seek to focus more significant development proposals in the defined villages. As set out above, the overall visual impact of the proposed development is considered acceptable and the proposal would re-instate a commercial frontage which has remained vacant since 2014. The proposed restaurant use is therefore considered to meet the policy requirements set out within the Local Plan.
- 11.11 Policy SP46 of the Local Plan seeks to direct new tourist accommodation to the four defined villages as these are typically well served by restaurants, shops and public transport. This policy also seeks to ensure development proposals would be small scale. The proposed provision of four en-suite bedrooms in this context is considered to be sufficiently small scale and would not lead to a harmful increase in levels of activity. There are a number of significantly larger hotel establishments in the immediate locality and, in this context, the level of development now proposed is considered to be sufficiently low key. The proposal to provide bed and breakfast use directly associated with the ground floor restaurant (rather than self-contained accommodation) would also be in line with the policy objective of retaining serviced visitor accommodation where it contributes to the sustainability of local communities.

Neighbouring Amenity

- 11.12 There would be a distance of over 10 metres between the flank wall of the proposed building and the boundary with the property to the south and no upper floor windows are proposed in the south elevation. The main outlook of the upper floor would face

towards the main road. The rear walkway access to the bed and breakfast rooms would overlook the communal parking areas to the west and would not impact upon the privacy of any neighbouring properties. The amended design has resulted in the introduction of a rear projecting gable on the northern end of the building and this would mitigate any potential overlooking towards the property to the north. Whilst the main parking and turning area proposed would adjoin the boundary with the property to the south, the overall level of disturbance in this context is unlikely to be harmful in light of the activity already associated with the parking areas off Forest Hall and also vehicle movements along Lyndhurst Road itself. Whilst the proposal would lead to some loss of light to the property to the north, this would only impact upon their front drive / parking area, whilst the house itself (and private garden area) would be at least 10 metres from the proposed flank elevation. Environmental Protection have indicated that they raise no objections to the proposal subject to appropriate mitigation relating to dust, construction hours, waste and odour being implemented. The proposal is therefore not considered to give rise to an unacceptably harmful impact upon the living conditions of neighbouring properties.

Highway Considerations

- 11.13 It is acknowledged that the proposal falls short of the level of parking provision set out within Annexe 2 of the Local Plan. The supporting text within the Local Plan, however does recognise that reduced parking provision can be acceptable in circumstances where there is relatively good access by public transport. The site lies approximately 300 metres from Brockenhurst train station and also lies on a regular bus route. A large public car park also lies within the village centre along with on road parking. In light of the concerns raised by third parties in relation to parking provision, the issue has been discussed further with the Highways Authority. As Highways have pointed out, no parking was proposed as part of the original scheme for the 4 bed and breakfast rooms. The plans have now been amended to provide a total of four spaces with at least two of these serving the bed and breakfast use. Whilst this equates to a 50% provision, it would be reasonable in this case to take a balanced view based upon the fact the applicant is expecting to actively market the rooms to cyclists who are expecting to travel to and from Hampshire via bike/ public transport. As set out above, the site lies close to the Brockenhurst train station. Based upon the amended plans and the further feedback received from the Highways Authority, it is considered that in this context the development would provide adequate provision for off road parking.

Trees

- 11.14 The proposed development lies close to a protected horse

chestnut tree which makes a positive contribution to the character and appearance of the conservation area. However, the footprint of the proposed building would not lie any closer to this tree than the existing buildings. Subject to the proposed hardsurfacing being constructed in accordance with British Standards and ground protection with special surfacing being installed, the Tree Officer is satisfied that any potential harmful impact upon the tree could reasonably be mitigated. It would also be necessary to obtain details of tree protection and construction design prior to development. The applicant has agreed that they would be willing to accept these conditions.

Ecology and Biodiversity

- 11.15 The site lies within 144 metres of the New Forest Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) and within 154 metres of the New Forest Ramsar Site and Special Protection Area. The site also lies within the Solent catchment and, because the proposed development would result in a net increase in overnight accommodation, it will lead to additional recreation impacts upon designated sites and also an increased output of nutrients (specifically nitrates) to the Solent water environment. The applicant, however, has indicated that they would be willing to provide the appropriate level of mitigation in each case. Natural England are satisfied that subject to the appropriate mitigation being in place and an appropriate assessment being undertaken, the development would not give rise to a harmful impact upon the designated sites of the New Forest and also the Solent Catchment.
- 11.16 The submitted ecology report includes a preliminary bat roost appraisal and concludes that there is negligible potential for bats within the building and on the site. There are no badgers occupying the site and the short length of the vegetation is such that there is also limited potential for reptiles. The report proposes various measures for bringing about biodiversity net gain. These include native hedgerow planting, a sensitive bat lighting strategy and provisions for swifts, hedgehogs, bees and bats. The Ecologist, however, has recommended that further details of compensation and enhancement would be required and the applicant has indicated that they are willing to accept a pre-commencement condition requesting these details.
- 11.17 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') 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.

Conclusion

- 11.18 It has been established that much of the original historic fabric of the existing buildings has been lost and that this has largely been attributed to a series of ongoing poor quality repairs rather than deliberate neglect. The retention of these buildings would be unviable as it would necessitate the wholesale replacement of a large proportion of the existing structure. It has been established that the building is no longer one of the best examples of its type and the loss of these buildings would therefore not be harmful to the built heritage of the New Forest. Based upon the amended plans, the design of the proposed building would (subject to appropriate landscaping) not have a harmful impact upon the character and appearance of the conservation area. The proposal to incorporate a commercial use on the ground floor would ensure the vibrancy and mix of uses along this part of the Lyndhurst Road would be retained. The proposed visitor accommodation would be low key and incidental to the main restaurant use and the proposal would not give rise to a harmful impact upon the living conditions of neighbouring residents. It is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 No development shall take place above slab level until samples or exact details of the facing and roofing materials (including the proposed stair balustrade) 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).

- 3 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).

- 4 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.

- 5 No windows/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority.

- a) Typical joinery details including window/doors, eaves, verge, bargeboards.
- b) Any other detail relevant to the case

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

Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

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

No development shall take place unless these details have been

approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 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 SP5 of the adopted New Forest National Park Local Plan (2016 - 2036).

- 9 A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

The spaces shall be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), Section 9 of the National Planning Policy Framework and the Development Standards SPD.

- 10 No development shall take place (including site clearance and demolition) until a construction management statement has been submitted to the New Forest National Park Authority and has been approved in writing.

The approved measures shall be implemented in full for the duration of the approved development.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 11 Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and/or 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.

- 12 No development, demolition or site clearance shall take place until an arboricultural method statement and engineering drawings for the foundation design of the approved development has been submitted to and approved in writing by the Local Planning Authority.

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

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 Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: In order to preserve the amenities of neighbouring residents and to meet the requirements of Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 14 The approved development shall not be occupied until a scheme of odour suppression has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a description of all proposed cooking processes, a plan of the proposed ventilation system and odour abatement measures including the location and details of the filters and fans and the manufacturer's recommendations concerning frequency and type of maintenance. The approved equipment shall be installed in accordance with the approved details prior to the use hereby approved commencing and shall thereafter be operated at all times when cooking is taking.

Reason: To preserve the amenities of neighbouring residents and to meet the requirements of Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 15 Prior to works commencing (including demolition and site clearance), a written Dust Management Plan (DMP) shall be submitted to and approved by the Planning Authority. The approved DMP shall consider all aspects of the works being undertaken on site, and include mitigation measures which follow good practice and are site specific. The approved DMP shall be retained and maintained thereafter until the demolition and construction phases have been completed.

Reason: To preserve the amenities of neighbouring residents and to meet the requirements of Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 16 The approved development shall not be occupied or brought into use until suitable and sufficient waste storage facilities have been provided for the safe and secure on-site storage of waste derived from the business/flats to ensure that no detriment to amenity from smell, flies or vermin arises.

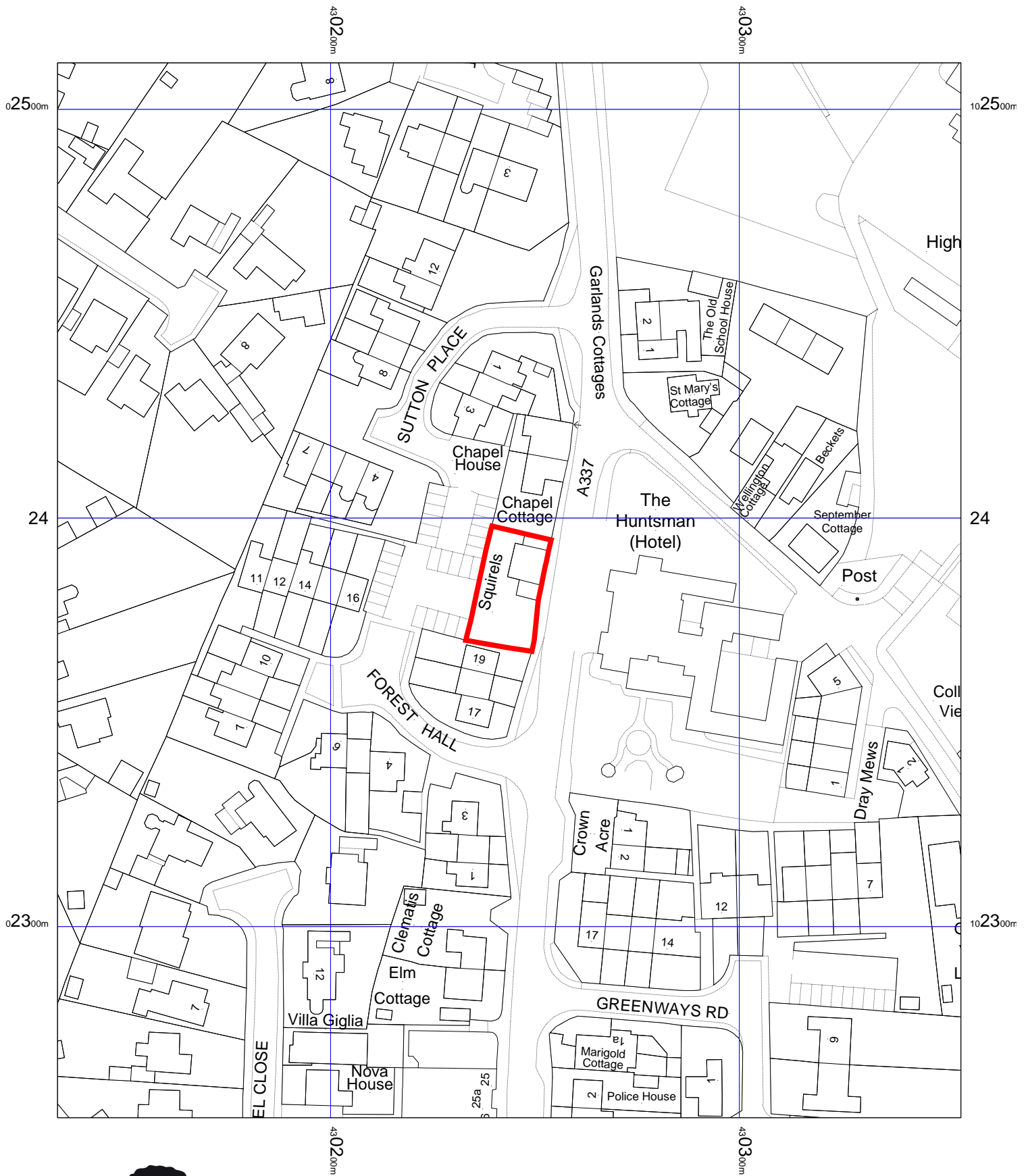
Reason: To preserve the amenities of neighbouring residents and to meet the requirements of Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 17 Prior to the commencement of development (including site and scrub clearance), measures for ecological compensation and enhancement (including timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity. The measures shall be based on the recommendations set out in the ecological report approved as part of this planning application.

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).

Informative(s):

- 1 Please be advised that any signage to be introduced on the building would be subject to a separate application for advertisement consent.



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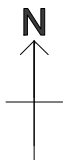
New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 03/08/2020

Ref: 20/00271

Scale: 1:1250



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Application No: 20/00370/FULL Full Application

Site: Hazelhurst Farm, Flexford Lane, Sway, Lymington, SO41 6DN

Proposal: Change of use from a mixed stables/tack room/workshop/agricultural use to use as a social/amenity room incidental to the existing holiday lets on site (use class C1)

Applicant: Mr Mirauer

Case Officer: Clare Ings

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP7 Landscape character
SP42 Business and employment development
SP46 Sustainable tourism development
DP2 General development principles
DP45 Extensions to non-residential buildings and uses

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 6 - Building a strong, competitive economy
Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend refusal for the reasons listed below:

- There is uncertainty as to whether this building is genuinely redundant.
- There is uncertainty as to the necessity of the proposed use, particularly given the range of possibilities advertised on the Hazelhurst Farm website, with no prospect of effective monitoring of its use and hence no enforcement.
- Increased traffic on Flexford Lane.
- Impact on neighbour amenity in terms of noise and diminished tranquility.
- The proposal does not form part of a farm diversification scheme and it would not help maintain the land-based economy or the cultural heritage of the National Park.
- Non-compliance with policies SP4, SP11, DP4, DP49, SP15, DP44 and paragraph 172 of the NPPF.

8. CONSULTEEES

- 8.1 Environmental Protection (NFDC) No objection subject to conditions

9. REPRESENTATIONS

- 9.1 11 representations received in support of the application commenting as follows:
- No noise issues as will only be used by people staying and using the existing facilities.
 - Good use of existing barn.
- 9.2 11 representations received objecting to the application for the following grounds:
- The use would be contrary to several policies of the Local Plan.
 - It would not deal with the whole site.
 - No change since the last application was refused and dismissed at appeal.
 - There is no evidence that the barn is redundant from agriculture.
 - No change to highway issues - increased traffic in Flexford Lane.
 - Noise and disturbance in the area would be increased.
 - It would be difficult to control activities to holiday lets only through condition.
 - It will become a commercial venture.
 - Intensification of existing small scale operation.
 - No full noise assessment has been carried out.

10. RELEVANT HISTORY

- 10.1 Change of use of barn to D2 (assembly and leisure) with 17no. associated parking spaces (19/00487) refused on 22 August 2019. Subsequent appeal was dismissed on 19 December 2019
- 10.2 Determination as to whether Prior Approval is required for Proposed change of use of agricultural barn to D2 leisure and assembly (19/00145) refused on 2 May 2019
- 10.3 Subdivision of dwelling to create 1no. self-contained holiday let; alterations to fenestration; associated pedestrian access and parking (19/00032) refused on 20 March 2019
- 10.4 Determination as to whether Prior Approval is required for proposed Change of Use of office building (Use Class B1(a)) to 2no. residential units (Use Class C3) (18/00755) no objection raised on 21 November 2018
- 10.5 Application for a Certificate of Lawful Development for Existing use of building "The Studio" as B1(a) office (18/00446) Certificate issued on 7 August 2018
- 10.6 Determination as to whether Prior Approval is required for proposed Change of Use of light industrial building (Use Class B1 (c)) and any land within its curtilage to dwellinghouse (Use Class C3) (18/00045) no objection raised on 27 March 2018
- 10.7 Creation of new access; driveway; drainage channel; gate; remove existing field gate (16/00334) refused on 29 June 2016
- 10.8 Application for Lawful Development Certificate for existing use of Orchard Cottage as a separate residential dwelling (14/00125) no objection raised on 12 May 2014
- 10.9 Single storey infill extension; external alterations; cladding (15/00577) granted on 7 May 2015

11. ASSESSMENT

- 11.1 The wider site of Hazelhurst Farm lies on the south side of Flexford Lane, well away from the defined village boundary of Sway. It comprises a farmhouse set back well within the site, a mainly single storey complex of buildings in various uses (stables, garaging, offices, residential/ holiday lets) forming a courtyard to the front of the dwelling, again set back from the road, and other stabling elsewhere within the site. As part of the complex, and the subject of this application, is a slightly taller attached brick barn, with a projecting gable into the yard with a large opening. Opposite this opening is another large opening covered with timber doors. This barn has recently been re-roofed. The remainder of the ownership consists of large paddocks. The land

rises gently from Flexford Lane, and the boundary with that lane is formed by a well-kept native hedgerow. Flexford Lane itself is a narrow winding rural lane, with native hedging either side. A field gate lies (quite hidden) within the hedgerow bounding Hazelhurst Farm. There is also a lay by adjacent to the field boundary. The existing access to the complex is on the inside of a bend and has a number of trees in its vicinity.

11.2 The previous proposal for the change of use of the large barn to a Class D2 use (assembly and leisure) available for hire was refused and subsequently dismissed at appeal with the Inspector concluding that:

- The proposed business use would not accord with policies SP42 and DP48 of the Local Plan which seek to ensure that outside the defined village boundaries any small scale employment development seeks to maintain the land-based economy and the cultural heritage of the National Park;
- The proposed use would have an unacceptable impact on the countryside to the detriment of the National Park's special qualities including tranquillity due to the intensification of the use from additional people, traffic and noise; and
- It would have a harmful impact on the living conditions of nearby residential properties.

That use was for a number of activities such as:

- Private dining used in conjunction with the holiday let bookings seating up to a maximum of 40 guests;
- Equine courses and workshops where on site practical learning can be done as well as classroom learning;
- Yoga, mindfulness, meditation and other health and well-being courses;
- Farm to cookery courses; and
- Training and professional courses and conferences for up to 20 people, such as corporate away days;

and also included 17 associated parking spaces.

11.3 The current proposal seeks to address the above reasons for dismissing the appeal by restricting the use of the barn for purposes ancillary to the existing holiday lets and livery only. It is proposed to provide a communal leisure space for guests of the holiday lets for activities such as games, a pool table and space for reading and socialising. It would not be available for members of the public, and would not be used for organised events, workshops or other activities. The applicant's agent has also indicated a willingness to accept conditions which would control this use. It would therefore have similarities to the type of ancillary function/activities rooms frequently found on larger caravan and camping sites.

- 11.4 Therefore, with regard to the previous reasons for refusal (listed in paragraph 11.2 above), it is not considered that the proposed change would represent the introduction of a new business activity outside the defined villages. The "business" activity, such as the holiday lets and livery, already exists and, because the use of the barn would be restricted to those people/ residents already on site, it would be seen as an ancillary activity. Policies SP42 and SP43 have little relevance, as what is being proposed is not a new business activity.
- 11.5 However, Policies SP46 and DP49 would support the proposed use. Policy SP46 (sustainable tourism development) permits the small-scale development of visitor facilities outside the defined villages through the re-use of existing buildings, and Policy DP49 (re-use of buildings outside the defined villages) also supports the re-use of buildings where they are appropriate in scale and appearance, and capable of conversion without significant extension or conversion; they should also be structurally sound. It is considered that the re-use of this building would meet the criteria of those policies.
- 11.6 Similarly to the other reasons why the appeal was dismissed, the restriction of the use of the barn to "existing" residents would not significantly increase the intensification of activities at the site through increased numbers of people, traffic or noise. Conditions restricting the hours of use would also assist with controlling any potential for disturbance on neighbouring properties.
- 11.7 The application has received support and objection in almost equal measure; those objecting are still concerned that it would be a similar activity to that dismissed at the recent appeal. There is also reference from the objectors to the barn not being redundant from agriculture, and on that note, it is relevant to point out the decision relating to 19/00145 for determination as to whether Prior Approval was required for the proposed change of use of agricultural barn to D2 leisure and assembly which was effectively refused on 2 May 2019. At the time of that application, the barn was in use for a mix of stables/tack room/workshop and some agricultural use, and had the barn been considered to be solely in an agricultural use at that time, under Class R Part 3 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2017 its use for D2 would have been permitted development. Thus the agricultural use of the barn has already been considered to have been lost.
- 11.8 Permission is therefore recommended 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 Development shall only be carried out in accordance with drawing number: SK011 Rev A. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 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).

- 4 The building the subject of this permission shall be used for as a recreational facility (social / amenity) building incidental to the on-site holiday lets and for no other purpose including any other use within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification, without express planning permission first being obtained.

Reason: To ensure the building remains in a use appropriate to its location within the countryside and to allow the Authority future control of the site and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 5 The building shall not be used for any private or public entertainment involving the use of amplified music, other than that played as recorded background music and the doors and windows of the building shall remain closed at all times unless needed for emergency use.

Reason: To ensure the building remains in a use appropriate to

its location within the countryside and to allow the Authority future control of the site and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 6 The building shall be constructed / upgraded in accordance with the attenuation measures listed in noise report Ref: 10909-R01. The rating level of noise from the operation of the proposed development shall not exceed the background level (30dB LA90) in accordance with BS4142:2014+A1:2019.

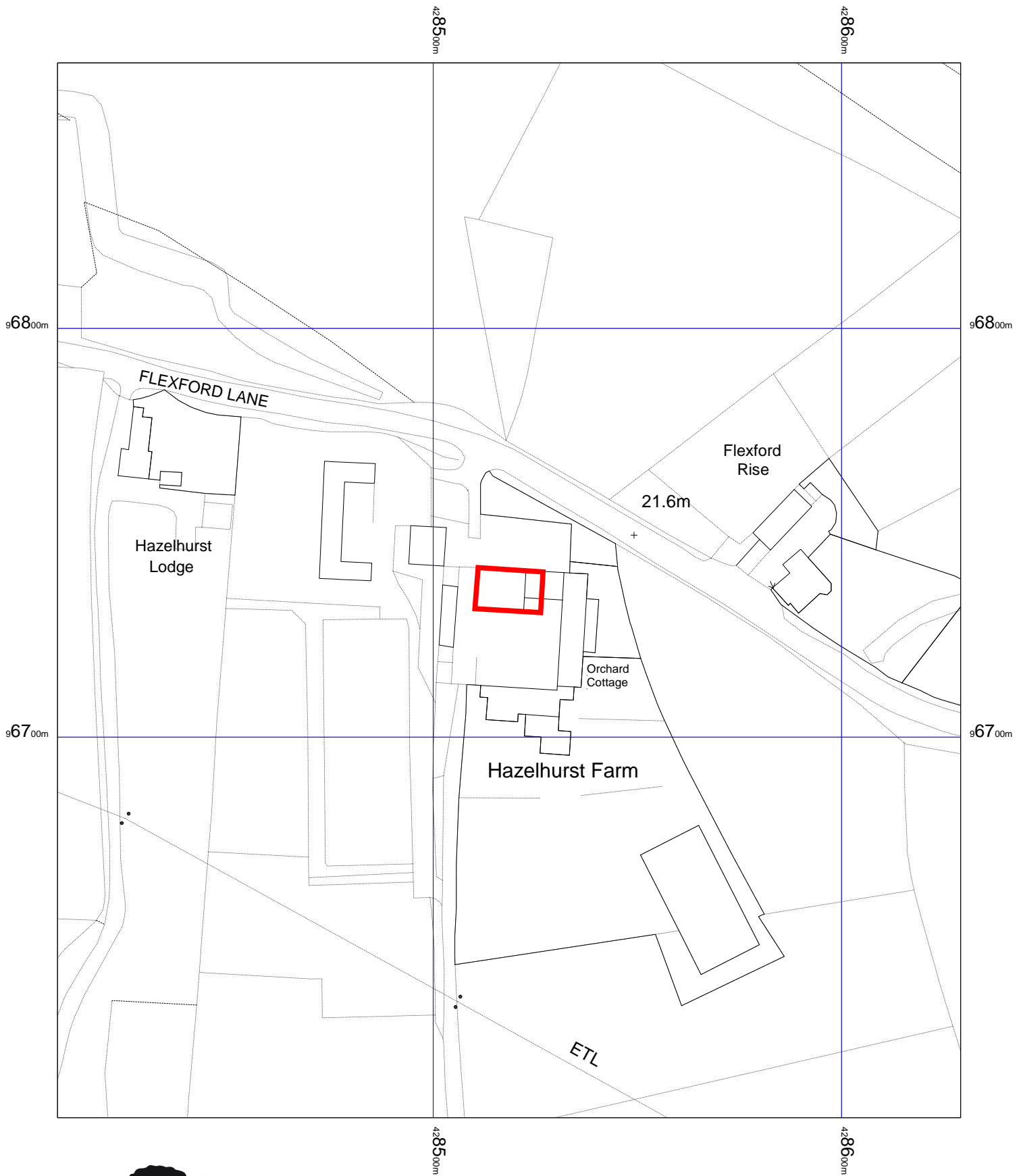
Reason: To ensure the building remains in a use appropriate to its location within the countryside and to allow the Authority future control of the site and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 7 The use hereby permitted shall only be open for the sole use of residents of the on-site holiday lets between the following times: Monday to Sunday between the hours of 08:00hrs and 21:00hrs. No usage shall be permitted at any time for the public, guests or any persons who are not residents of the on-site holiday lets.

Reason: To ensure the building remains in a use appropriate to its location within the countryside and to allow the Authority future control of the site and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

- 8 Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction / upgrade of the building, including the use of any equipment or deliveries to the site, shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interest of the amenity of the surrounding neighbouring properties in accordance with Policies DP2 and SP15 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

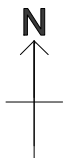
Tel: 01590 646600 Fax: 01590 646666

Date: 04/08/2020

Ref: 20/00370

Scale: 1:1250

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Application No: 20/00379/FULL Full Application

Site: Hartings, Seamans Lane, Minstead, Lyndhurst, SO43 7FU

Proposal: Replacement outbuilding with storage over; demolition of 4no. existing outbuildings

Applicant: Mr & Mrs Salmon

Case Officer: Liz Young

Parish: MINSTEAD

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
 DP37 Outbuildings
 SP16 The historic and built environment
 SP17 Local distinctiveness
 SP6 The natural environment

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

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

Minstead Parish Council: Recommend refusal: Proposed outbuilding would be overly large. Proposal would be contrary to Policy DP37 in that it is disproportionate and not incidental to main dwelling.

8. CONSULTees

8.1 Tree Officer: No objections subject to conditions.

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 Ground Floor Additions (00/70230) approved on 16 November 2000

11. ASSESSMENT

11.1 Hartings is a substantial, detached two storey property located in semi-rural, residential surroundings within the Forest Central (South) Conservation Area. The house itself is a substantial building with a hipped roofline and ridge height of approximately 8 metres, and is positioned end-on to the road. It lies within a moderately sized, mature plot with well-established boundary screening. A cluster of small domestic outbuildings lie along the north boundary of the site.

11.2 Consent is sought to replace the existing outbuildings (a workshop, garage, greenhouse and shed) with one detached outbuilding with a room in the roof. The replacement building would have an external footprint of 72 square metres and a ridge height of 5.5 metres. External facing materials would comprise timber cladding with natural slate roof tiles. Four roof lights are proposed in the roof (three facing south toward the house and one facing towards the highway). The outbuildings to be removed have a combined floor area of just under 61 square metres.

11.3 The main issues to consider would be:

- The impact the development would have upon the character and appearance of the conservation area and the extent to which the proposal would meet the requirements of Policy DP37 in terms of being incidental and subservient to the main house.
- Any potential loss of amenity to neighbouring residents.
- The impact upon the trees which lie on the north boundary of the property.

11.4 Whilst Parish Council concerns have been noted, and the applicant has been encouraged to reduce the overall size of the building, no amendments have been forthcoming. The proposed replacement outbuilding would be significantly taller than the existing structures and would also occupy a larger footprint. However, it would be set further back from the road than the existing garage and the main view of the building through the

access would be end on and set against the back drop of mature trees. The main house itself (set closer to the highway) has a ridge height of 8 metres and the proposal would therefore not appear disproportionate in this context. No habitable uses are proposed within the building and it would be used as a garage and workshop with storage above. The proposal would lie wholly within the residential curtilage of the dwelling and would not result in any wider harm to the character of the area. The proposal would therefore meet the requirements of Policies SP16, SP17 and DP37 of the Local Plan.

- 11.5 The proposed building would be positioned just under 2 metres from the north boundary of the site. However this is adjoined by a small paddock and the small roof light proposed on the north elevation would therefore not give rise to a harmful increase in overlooking towards any residential properties. Whilst the roof of the building would be visible from neighbouring properties, there would not be a harmful impact upon the living conditions of neighbouring residents in terms of visual intrusion or loss of light. The development would therefore meet the requirements of Policy DP2 of the New Forest National Park Local Plan.
- 11.6 A large mature Oak tree lies on the north boundary and is a prominent feature in the wider area. However, it has been established that because the tarmac driveway covers a large amount of the root area of the tree, there would be adequate protection during demolition and construction. However, the very close relationship between the proposed development and the tree is such that further tree protection details would be required prior to development to ensure the proposal would not have a harmful impact. The applicant has agreed to the condition recommended by the Tree Officer and the development is therefore considered to be in accordance with the requirements of Policy SP6 of the New Forest National Park Local Plan.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 No development shall take place 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).

- 3 The window and door joinery to be used in the development shall be timber (as specified on the application form), 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 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 Class E of Part 1 of Schedule 2 to the Order shall be erected or carried out on the approved building without express planning permission first having been granted.

Reason: To ensure the outbuilding remains of a size and design which is appropriate and incidental to the dwelling and to comply with Policies DP37 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 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).

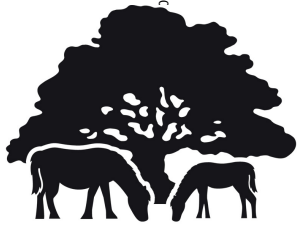
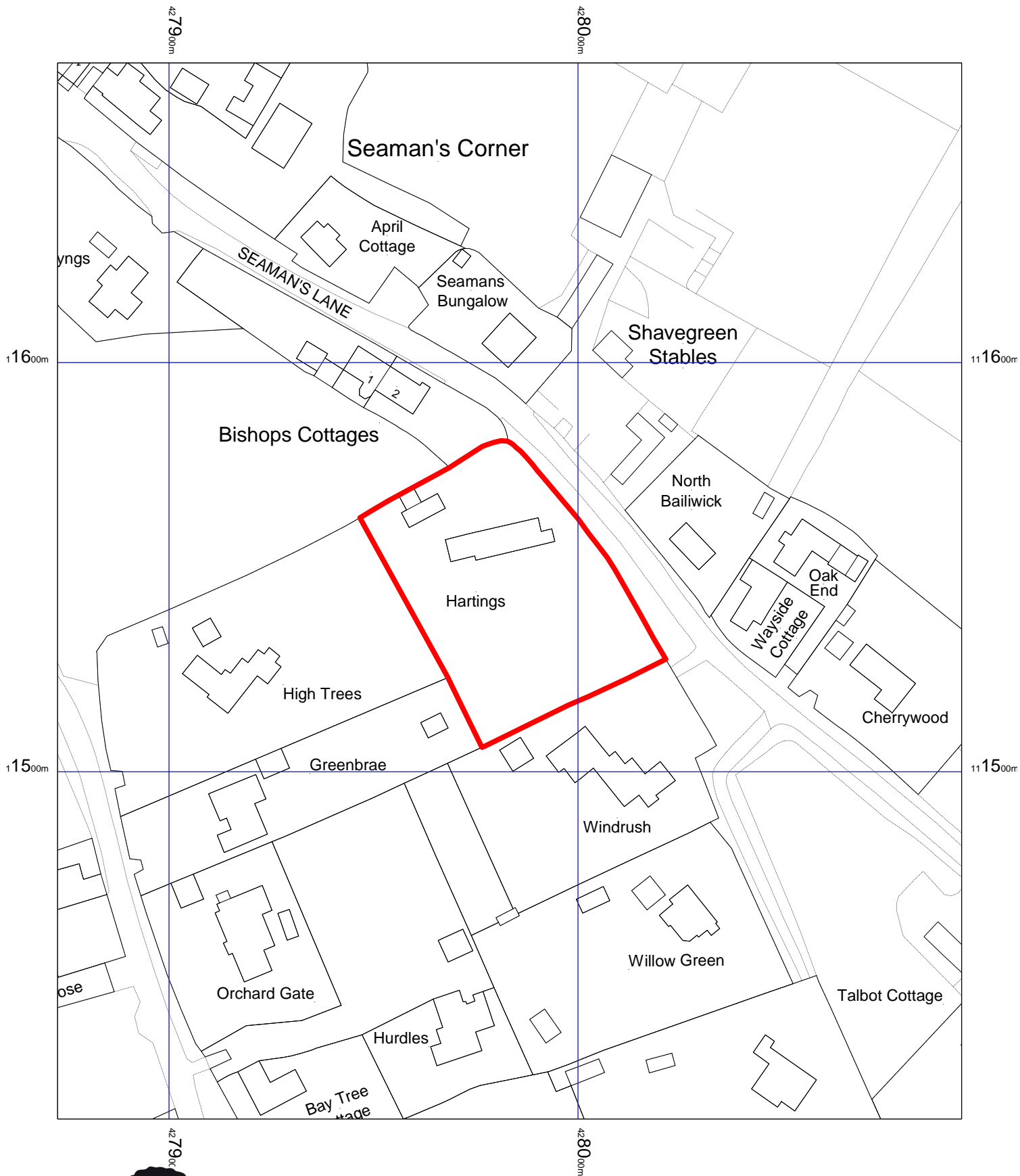
- 7 No development, demolition or site clearance shall take place until a tree protection plan and arboricultural method statement (in accordance with BS5837 2012) have been submitted to and approved in writing by the Local Planning Authority.

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 DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 Development shall only be carried out in accordance with drawing number: 01 REV D. 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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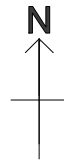
Tel: 01590 646600 Fax: 01590 646666

Date: 03/08/2020

Ref: 20/00379

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Application No: 20/00386/FULL Full Application

Site: South Lodge, Flexford Lane, Sway, Lymington, SO41 6DN

Proposal: Single storey extension; 1No. additional roof light; infill 1No. door

Applicant: Ms Butler

Case Officer: Katie McIntyre

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Listed Building

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
DP18 Design principles
DP36 Extensions to dwellings
SP16 The historic and built environment
SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village 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

Sway Parish Council: Recommend refusal:

The flat roof is in contravention of the Sway Village Design Statement, and

the roof lantern contravening the dark skies policy.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objections to the amendments received subject to suitable conditions

9. REPRESENTATIONS

9.1 Three representations of support:

- Support the proposal as it is in keeping with the surroundings

10. RELEVANT HISTORY

10.1 Single storey extension; 1No. additional roof light; infill 1No. door (Application for Listed Building Consent) (20/00387) decision pending

10.2 External alterations (95/56917) granted on 17 July 1995

10.3 Alterations and additions to bungalow (NFR/08110) granted on 15 July 1959

11. ASSESSMENT

11.1 The application site is a grade II Listed Building which lies within the Sway Tower Conservation Area. The Conservation Area Character Appraisal describes the building as:

"The two lodges are lower status single-storey buildings, with South Lodge having an accompanying important gateway of curved concrete walls terminating at square plan gate piers with pyramidal tops and ball finials to the main gateway. The two buildings, unlike the two towers, are rendered and painted".

South Lodge is considered to be a distinctive form of building and is easily identifiable as a lodge by its roadside location adjacent to the driveway to Arnewood Court and its compact modest form and scale. The Lodge has been altered over time with rear and side single-storey additions, although the barrel vaulted ceilings remain internally under a mid C20 slate roof.

11.2 This application seeks consent for a single-storey extension and rooflight. Amended plans have been received during the course of the application addressing the Conservation Officers concerns in relation to the size of rooflight proposed; a slimmer design which lies flat is now proposed. The relevant considerations are:

- The impact upon the character and appearance of the conservation area and the architectural significance of the lodge; and
- Whether the addition would be appropriate to the existing

dwelling and its curtilage.

The relationship with the neighbouring dwellings is such that there would not be any greater impact upon their amenities.

- 11.3 The Parish Council have recommended refusal as they consider that the proposed flat roof design conflicts with the Sway Village Design Statement and the proposed roof lantern would be unacceptably harmful to the dark skies of the National Park.
- 11.4 This is an unusual lodge being constructed of concrete and having been significantly extended in the late 1950s with a new roof and flat roofed extensions which wrap around the building. These additions have somewhat lost the original design and footprint of the lodge. The late 1950s infill extension to the rear has linked the building with an L-shaped outbuilding which was likely to have been constructed at the same time as the lodge, and this now forms part of the habitable accommodation of the current dwelling. The form of the original barrel ceiling is evident externally within this original addition illustrating the moulded cornice that rises-up curving along the vault of the roof.
- 11.5 The proposed addition would be sited to the rear of the property and would infill the existing space to the right of the current flat roof extension and the now linked original outbuilding (as viewed from the rear). The proposed addition would have a flat roof similar to the additions in situ and would be set in from the side elevation reducing the visual impact of the extension as viewed from the front (east) elevation and the side (north) elevation. A rooflight would serve the proposed addition which would be set into the flat roof. The Authority's Conservation Officer has raised no objections to the proposal as the addition would be largely hidden from view and would not impact upon the view of the lodge as seen from the entrance drive. It would be located to the rear of the building where the character has already been largely altered, and would be in keeping and sit comfortably with the additions in situ. The proposal would also comply with the floorspace restriction as detailed in Policy DP36 representing an increase in floorspace of just over 18% .
- 11.6 It is recognised that the Sway Village Design Statement states that flat roofs in future developments or extensions should be avoided (page 19); however, in this case, for the reasons outlined in the above paragraph, it is not considered the proposed flat roof would have a detrimental impact upon the character of this listed building or the contribution it makes to the surrounding Sway Tower Conservation Area. Furthermore, it is considered that a flat roof in this particular instance would have the least harmful impact upon the historic fabric of the building. This is because, under the current slate roof, parts of the original barrel and vaulted ceiling remain. Any addition which would require alterations to the slate roof in situ could have an adverse impact upon this original fabric.

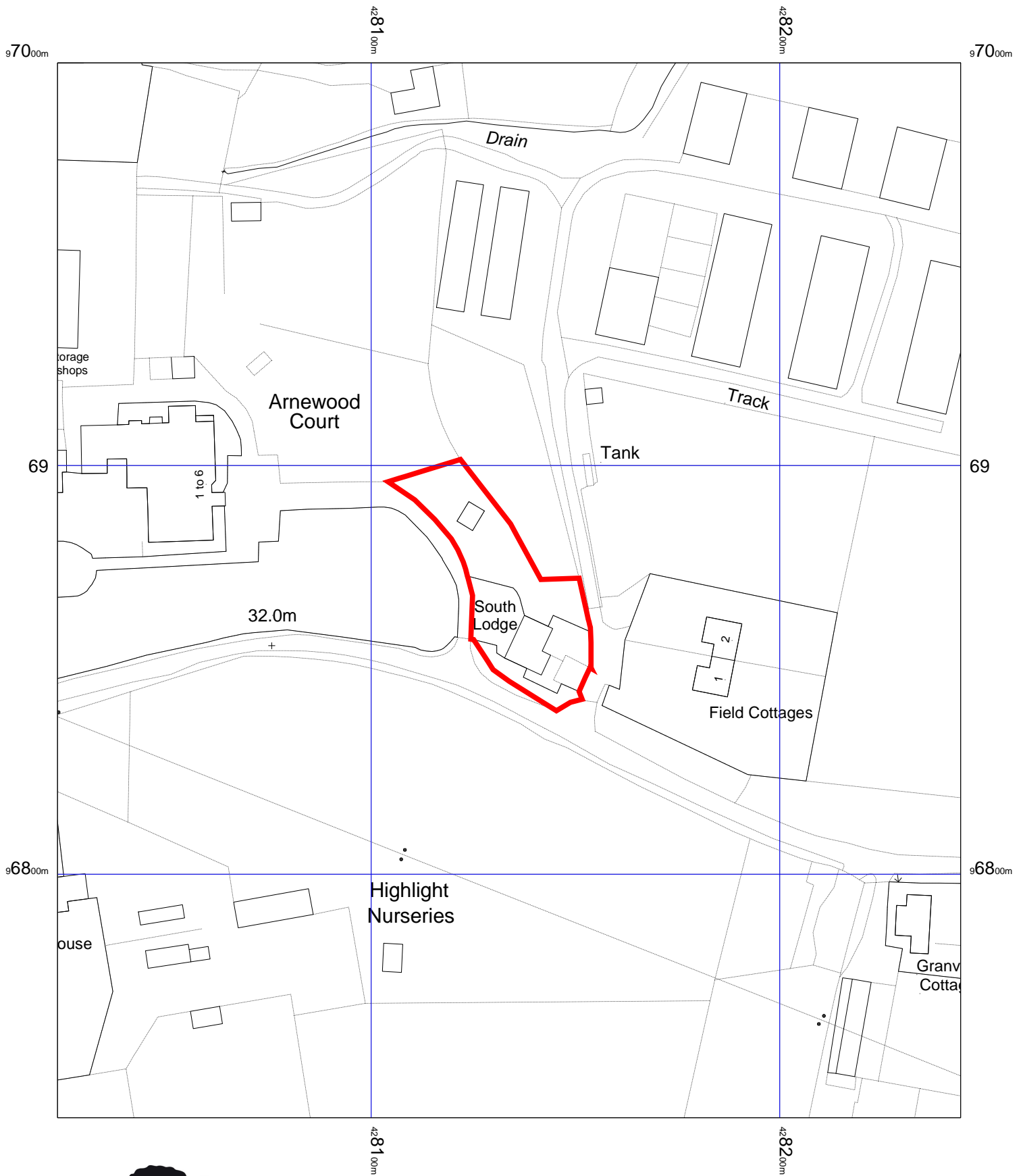
- 11.7 With regards to the impact upon the dark skies of the National Park, the site is located within a rural area where street lighting etc is absent. It is not, however, considered the addition of a rooflight would result in a significant increase in sky glow, as the proposal would result in the actual reduction in the area of glazing overall, due to the large area of existing glazing on the north (side) elevation which would be reduced as part of the proposal. It is therefore not considered that the proposal would have an adverse impact upon the dark skies of the National Park.
- 11.8 To conclude, for the reasons above it is recommended that permission is granted subject to suitable conditions which would be attached to the listed building application 20/00387.

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: 001, 041 Rev A, 042 Rev A, 045 Rev A, 047 Rev A, 048 Rev A, 049 Rev A, 050 Rev A, 051 Rev A and DR2B. 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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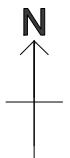
Tel: 01590 646600 Fax: 01590 646666

Date: 04/08/2020

Ref: 20/00386

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Application No: 20/00387/LBC Listed Building Consent

Site: South Lodge, Flexford Lane, Sway, Lymington, SO41 6DN

Proposal: Single storey extension; 1No. additional roof light; infill 1No. door
(Application for Listed Building Consent)

Applicant: Ms Butler

Case Officer: Katie McIntyre

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Listed Building

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
DP18 Design principles
DP36 Extensions to dwellings
SP16 The historic and built environment
SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway 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

Sway Parish Council: Recommend refusal:

The flat roof is in contravention of the Sway Village Design Statement, and

the roof lantern contravening the dark skies policy.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer: No objections to the amended plans subject to appropriate conditions

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Single storey extension; 1No. additional roof light; infill 1No. door (20/00386) decision pending

10.2 External alterations (95/56917) granted on 17 July 1995

10.3 Alterations and additions to bungalow (NFR/08110) granted on 15 July 1959

11. ASSESSMENT

11.1 The application site is a grade II Listed Building which lies within the Sway Tower Conservation Area. The Conservation Area Character Appraisal describes the building as:

"The two lodges are lower status single-storey buildings, with South Lodge having an accompanying important gateway of curved concrete walls terminating at square plan gate piers with pyramidal tops and ball finials to the main gateway. The two buildings, unlike the two towers, are rendered and painted".

South Lodge is considered to be a distinctive form of building and is easily identifiable as a lodge by its roadside location adjacent to the driveway to Arnewood Court and its compact modest form and scale. The Lodge has been altered over time with rear and side single-storey additions, although the barrel vaulted ceilings remain internally under a mid C20 slate roof.

11.2 This application seeks listed building consent for a single-storey extension, rooflight and the infill of one door. Amended plans have been received during the course of the application addressing the Conservation Officer's concerns in relation to the size of rooflight proposed; a slimmer design which lies flat is now proposed. The relevant consideration is the impact upon the architectural character and significance of the lodge. The Parish Council have recommended refusal as they consider that the proposed flat roof design would conflict with the Sway Village Design Statement (they also object to the proposed roof lantern and its impact on the dark skies of the National Park - this issue is addressed in the corresponding planning application).

- 11.3 This is an unusual lodge being constructed of concrete and having been significantly extended in the late 1950s with a new roof and flat roofed extensions which wrap around the building. These additions have somewhat lost the original design and footprint of the lodge. The late 1950s infill extension to the rear has linked the building with an L-shaped outbuilding which was likely to have been constructed at the same time as the lodge and this now forms part of the habitable accommodation of the current dwelling. The form of the original barrel ceiling is evident externally within this original addition illustrating the moulded cornice that rises-up curving along the vault of the roof.
- 11.4 The proposed addition would be sited to the rear of the property and would infill the existing space to the right of the current flat roof extension and the now linked original outbuilding (as viewed from the rear). The proposed addition would have a flat roof, similar to the additions in situ, and would be set in from the side elevation reducing the visual impact of the extension as viewed from the front (east) elevation and the side (north) elevation. A rooflight would serve the proposed addition which would be set into the flat roof. The Authority's Conservation Officer has raised no objections to the proposal as the addition would be largely hidden from view and would not impact upon the view of the lodge as seen from the entrance drive. It would be located to the rear of the building where the character has already been largely altered, and would be in keeping and sit comfortably with the additions in situ. No objections have been raised either in relation to the proposed blocking of the doorway into bedroom two as this is not original historic fabric.
- 11.5 It is recognised that the Sway Village Design Statement states that flat roofs in future developments or extensions should be avoided (page 19); however, in this case, for the reasons outlined in the above paragraph, it is not considered that the proposed flat roof would have a detrimental impact upon the character of this listed building, or the contribution it makes to the surrounding Sway Tower Conservation Area. Furthermore, it is considered that a flat roof in this particular instance would have the least harmful impact upon the historic fabric of the building. This is because, under the current slate roof, parts of the original barrel and vaulted ceiling remain. Any addition which would require alterations to the slate roof in situ could have an adverse impact upon this original fabric.
- 11.6 To conclude, for the reasons above it is recommend permission is granted subject to suitable conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 Development shall only be carried out in accordance with drawing numbers: 001, 041 Rev A, 042 Rev A, 045 Rev A, 047 Rev A, 048 Rev A, 049 Rev A, 050 Rev A, 051 Rev A, DR2B. 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 windows/doors shall be installed until the following details have been submitted to, and approved in writing by the New Forest National Park Authority:

 a) Window and door sections at a scale of 1:10

 Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

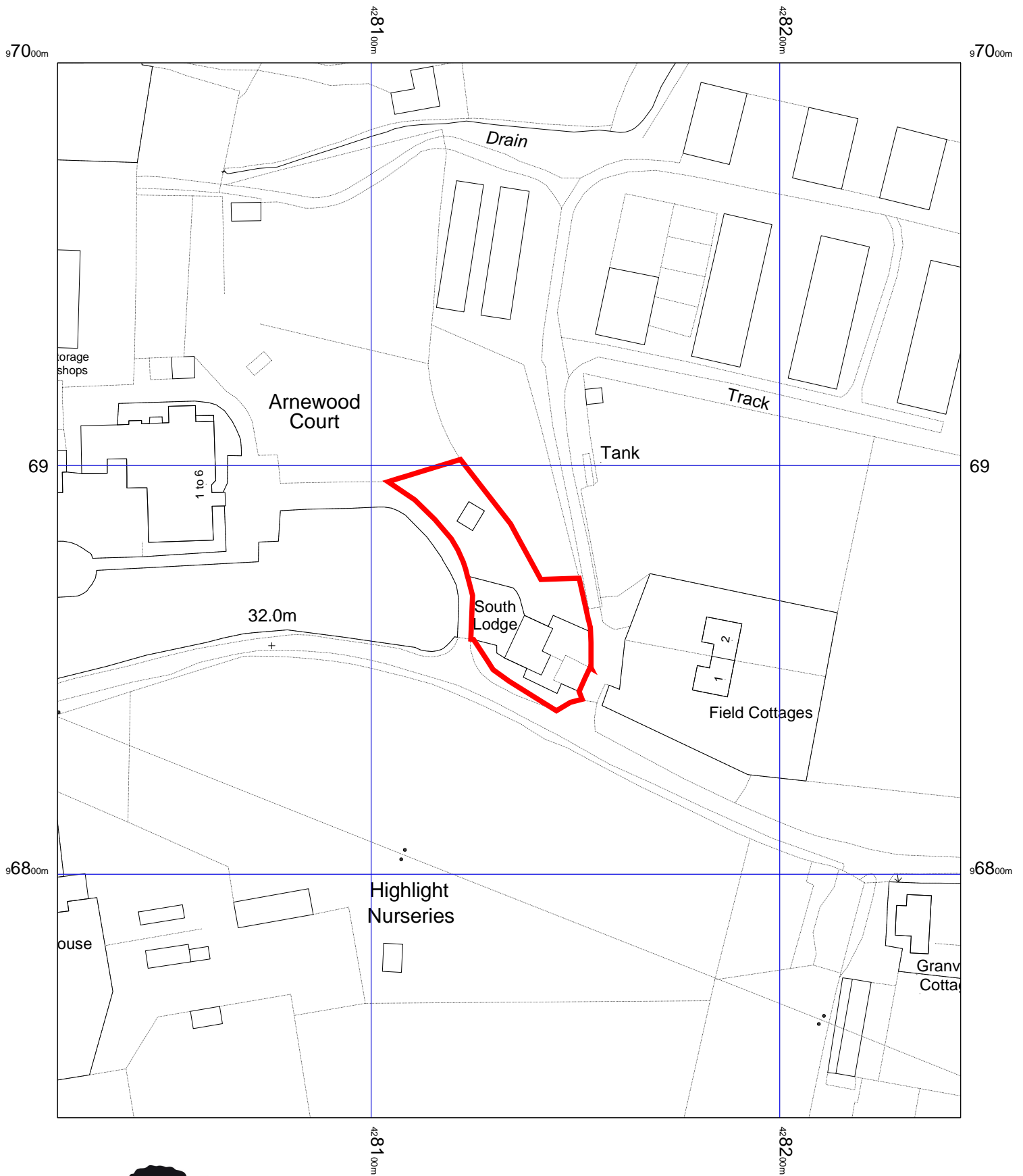
- 4 All new roof lights shall be of a 'Conservation' type and shall be fitted so that, when closed, their outer surfaces are flush with the plane of the surrounding roof covering.

 Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 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).



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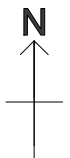
Tel: 01590 646600 Fax: 01590 646666

Date: 04/08/2020

Ref: 20/00387

Scale: 1:1250

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Application No: 20/00389/FULL Full Application

Site: 3 New Cottages The Green, Lymington Road, East End, Lymington, SO41 5SL

Proposal: Outbuilding

Applicant: Mr A Stranack & Ms H Braddock

Case Officer: Katie McIntyre

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

4. SUPPLEMENTARY PLANNING GUIDANCE

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:

While not objecting to a summerhouse in principle it is felt that this design in this very rural, grazed Forest situation does not comply with either the local planning policies or national planning policies, Sections 12, 15 and 16. These were former agricultural workers cottages which, as such, have been classified as non-designated heritage assets in this Conservation Area and the size and design of the proposed summerhouse is thought to be inappropriate.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 Not applicable

10. RELEVANT HISTORY

10.1 None relevant

11. ASSESSMENT

11.1 The application site is a semi-detached dwelling which contributes positively to the rural character of the locality. The site lies within the Forest South East Conservation Area and the application site, together with the adjacent buildings, are identified as non-designated heritage assets. This application seeks consent for an outbuilding.

11.2 The relevant considerations are Policy DP37 and the impact upon the character and appearance of the locality and the surrounding conservation area. The Parish Council have recommended refusal raising concerns in relation to the size and design of the summerhouse.

11.3 The proposed outbuilding would serve as a summerhouse which would have a footprint of circa 6m by 3.5m and a height of 3.7m. It would be sited within the main garden area of the property which is located to the side and front, rather than to the rear. This is because the main vehicle access and parking area for the dwelling is to the rear. The proposal would be positioned forward of the host dwelling, however, it would still be set back a considerable distance from Lymington Road (circa 8m). The proposed outbuilding would meet the requirements set out in Policy DP37.

11.4 The design of the outbuilding is considered to be fairly simple being constructed of timber with a lead roof with glazing to the front. The design would be appropriate to the character of the dwelling and its modest scale would ensure it does not appear as a visually imposing feature within the street scene of the conservation area.

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: 20, 21, and 22. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

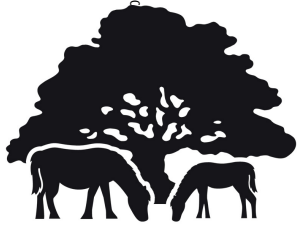
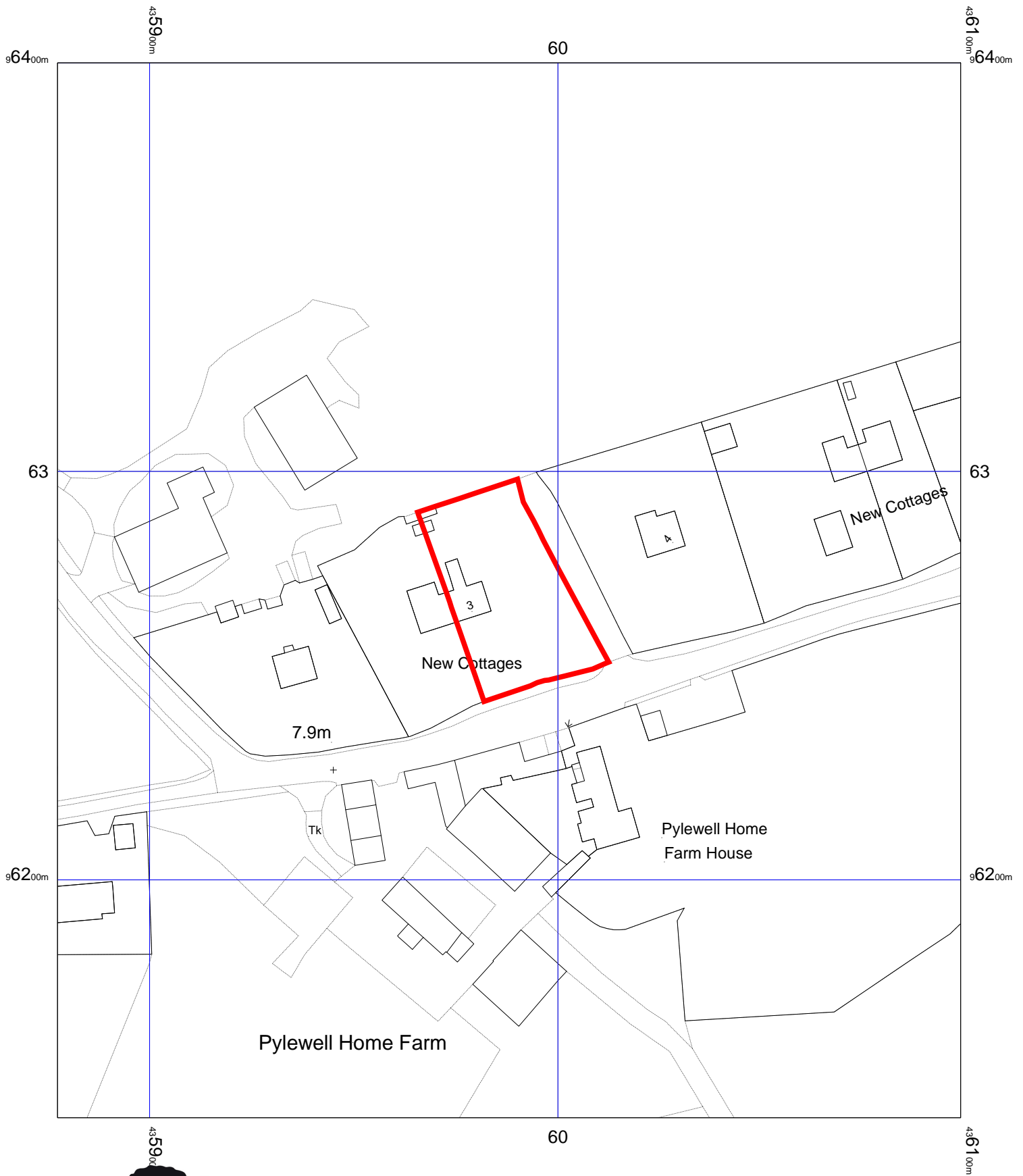
Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 Unless otherwise first agreed in writing by the New Forest National Park Authority the external facing and roofing materials shall be as stated on the application form hereby approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the 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).



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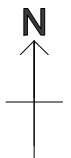
Tel: 01590 646600 Fax: 01590 646666

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Application No: 20/00432/FULL Full Application

Site: 2 Mortimers Cottage, Romsey Road, Ower, Romsey, SO51 6AF

Proposal: Replacement outbuilding

Applicant: Mr P Donaldson

Case Officer: Liz Young

Parish: COPYTHORNE

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
 DP37 Outbuildings
 DP18 Design principles
 SP16 The historic and built environment
 SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

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

Copythorne Parish Council: Recommend refusal:

- Size of building would have harmful impact.
- Visual impact upon listed building.
- Concerns over potential residential use.

8. CONSULTEEES

- 8.1 Building Design & Conservation Area Officer: No objections based upon amended plans.

9. REPRESENTATIONS

- 9.1 One letter of support received from a neighbouring property: Existing building is tired and proposal would enhance the character of the area.

10. RELEVANT HISTORY

- 10.1 Replacement outbuilding (with first floor) (13/98830) withdrawn on 18 October 2013
- 10.2 Rear Conservatory (05/84902) approved on 11 July 2005
- 10.3 Retention of detached double garage (03/78072) approved on 30 June 2003
- 10.4 Additions to form granny annexe with 2 bedrooms/ ensuite over (89/41841) approved on 9 June 1989
- 10.5 Temporary siting of mobile home during building works (NFDC/CARA/89/40568) refused on 16 May 1989
- 10.6 Two storey addition and addition of a granny annexe (NFDC/88/40140) refused on 16 January 1989

11. ASSESSMENT

- 11.1 This application relates to a modest, semi-detached property located within a rectangular plot within fairly rural surroundings. A detached double garage lies to the side (north) of the building. Another pair of semi-detached dwellings (both listed) lie directly to the north of the site and a small area of industrial units lie to the rear (west). The majority of the site is enclosed predominantly by closed boarded fencing but limited vegetation and the main garden area is overlooked by the rearward facing windows of the property to the north.
- 11.2 Consent is sought to replace the existing garage with a detached outbuilding comprising a double garage and garden room with storage over. The existing building to be replaced has a ridge height of 4.7 metres and an external footprint of just under 50 square metres. The proposed replacement would have a slightly taller ridge height and increased footprint but would be positioned in the same location as the existing structure. The external facing materials would comprise timber cladding with roof tiles.

- 11.3 The main issues under consideration would be:
- The extent to which the proposal would meet the requirements of Policy DP37;
 - The impact the development would have upon the character of the area and also the setting of the listed building which lies immediately to the north; and
 - Any potential loss of amenity to neighbouring residents.
- 11.4 In terms of background, this application follows a scheme which was withdrawn back in 2013 due to concerns over the size and domestic character of the building proposed. The 2013 proposal would have had an external footprint of 72 square metres and a ridge height of 5.5 metres. A Juliet style balcony and roof lights were proposed in the roofspace and full height glazing was proposed across the rear elevation. The plans originally submitted with this current application proposed an external footprint of 68 square metres and a ridge height of just under 5 metres. The width would measure 7.7 metres and the length (from front to back) would measure 12 metres. Concerns were raised with the applicant in relation to the overall size and scale of the building and further amendments were then submitted. The ridge height has now been reduced down to just over 4.6 metres, whilst the width has also been reduced to 5.6 metres. The overall length of the building has been reduced by 2 metres.
- 11.5 No habitable uses are proposed within the outbuilding (which would accommodate garaging and a garden store) and the use of timber cladding would ensure a subservient appearance. The proposed building would be set further back from the road than the main house and would relate closely to the fairly substantial outbuilding which serves the property to the north. The Conservation Officer is satisfied that the submitted amendments (which have achieved a significantly reduced span) would ensure that the proposal would not be detrimental to the setting of the listed building or the character of the wider area and the proposal would therefore meet the requirements of Policies DP37, SP16 and SP17 of the New Forest National Park Local Plan.
- 11.6 Whilst the roof of the proposed building would be visible from the property to the north, it would be comparable in scale to the existing outbuilding which serves the neighbouring property. The development would be well distanced from the neighbouring house (the distance between the two measuring approximately 10 metres) and no windows are proposed looking towards this boundary. The roof would also slope away from this boundary and the proposed development would therefore not give rise to a harmful loss of amenity to neighbours by way of visual intrusion, loss of light or overlooking. It is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 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.

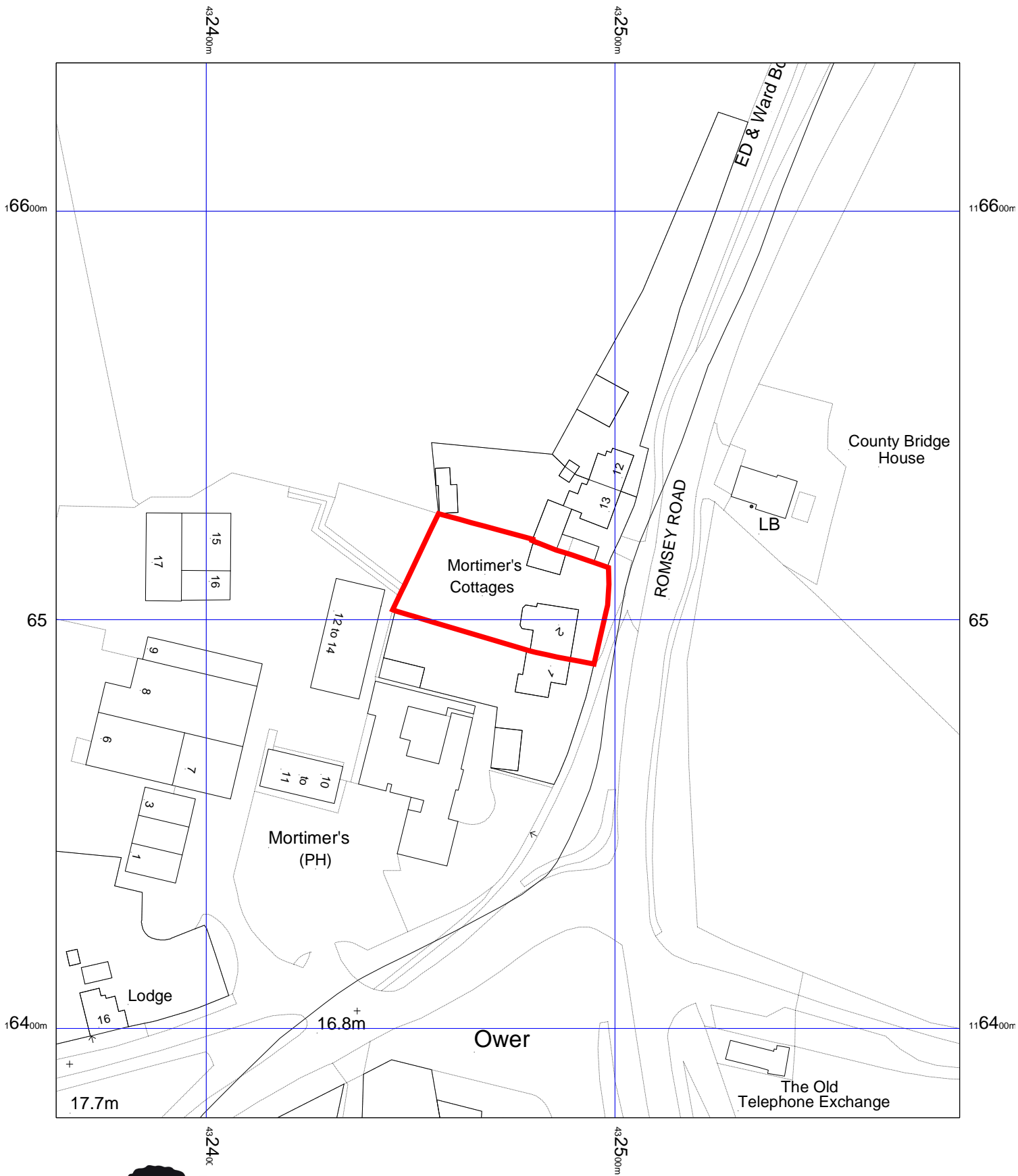
Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 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 Development shall only be carried out in accordance with drawing numbers: 002 REV P, DR3 REV N , DR2 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).



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

Tel: 01590 646600 Fax: 01590 646666

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