

Application No: 19/00787/FULL Full Application

Site: Linford Park Nursing Home, Linford Road, Linford, Ringwood, BH24 3HX

Proposal: Installation of sewer system and pumping station

Applicant: Mr White, Coombe Healthcare

Case Officer: David Williams

Parish: RINGWOOD

1. REASON FOR COMMITTEE CONSIDERATION

Previous Committee consideration
 Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
 Flood Zone
 Site of Special Scientific Interest

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 SP7 Landscape character
 SP17 Local distinctiveness
 SP16 The historic and built environment
 DP45 Extensions to non-residential buildings and uses

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

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

Ringwood Town Council: Recommend refusal. Support the views of

Ellingham Harbridge & Ibsley Parish Council. The applicant should investigate the suggested alternative route and use of the former mortuary, as this would negate the need to dig up Linford Road, preventing damage to a significant number of trees and disruption to residents. Should the need to excavate the length of Linford Road remain, a Construction Management Statement should be required to address concerns over damage to trees (and root protection areas) and explain how the impact on residents will be mitigated.

It is further suggested that the applicant be requested to install branches in to the pipeline to give residents the option of connecting to the mains drainage in the future.

Ellingham, Harbridge & Ibsley Parish Council: Recommend refusal due to the paucity of details submitted. Additional information is required concerning traffic, impact on trees along pipe discharge route, construction management and technical specifications of new sewage treatment plant (including acoustic attenuation, drainage infrastructure, capacity, anticipated operating load, system operating procedure).

There should be a risk assessment of installation and alternative provision (particularly in event of system or power failure). Within the site, there should be consideration of an alternative drainage route via the former mortuary area, avoiding any intrusion into designated agricultural land.

Following removal of temporary sewage treatment equipment and other drainage infrastructure, detailed restoration proposals required for woodland area, bunds areas, current pipeline routes and access track. Applicant should hold a meeting with residents who will be impacted during the anticipated six-week highway closure.

Further comments to be reported orally at the meeting.

8. CONSULTEES

- 8.1 Ecologist: No objection in principle subject to conditions and recommendations in supporting specialist reports.
- 8.2 Landscape Officer: Commenting on the amended plans and reports. No objection is raised.
- 8.3 Tree Officer: No objection subject to conditions requiring recommendations and mitigation set out in supporting statements. Recommend conditions to limit direct impact upon trees during the construction phase, landscaping and attention to trees in the CEMP and construction phasing.
- 8.4 Environmental Protection (NFDC): The noise report methodology and conclusions can be relied upon although note that background noise measurements were taken over a 24 hour period and it would have been preferable to have obtained background data over a longer period. Overall, the report

concludes that noise from the proposed plant at the pumping station will not have a significant adverse impact upon the amenity of the local area. Furthermore, the calculated plant noise level is so significantly below the prevailing background sound level that it is unlikely to be detectable at noise sensitive premises.

- 8.5 Environment Agency: Following additional information, previous objection no longer stands. Require conditions to be included to require works in accordance with the flood risk assessment and supporting information, limitation on storage of materials in the flood zone and limited changes in ground levels.
- 8.6 Natural England: No objection, subject to securing mitigation including need to minimise impact upon SSSI highway verge and works undertaken in accordance with Kingfisher Landscape and Biodiversity Enhancement Strategy Feb 2020.
- 8.7 Highway Authority (HCC): No objection to installation of new sewerage pipeline in principle. Works in the highway will require a license agreement with the highway authority.

9. REPRESENTATIONS

- 9.1 14 letters of objection to the plans originally submitted:
- Concerns with regard appearance and impact upon the character and appearance of the conservation area
 - Lack of adequate assessment of noise and amenity impact of proposed pumping station
 - Lack of adequate Construction Management Statement or Construction Environmental Impact and Mitigation Plan
 - Concern with regard impact and damage upon trees and their roots along the connection route
 - Potential long-term disruption to local residents from road closures and implementation works and accessibility for emergency vehicles
 - Inadequate working space on road to mitigate impact and damage upon the hedges, trees and SSSI verge
 - Consider the proposal as overdevelopment of the site by virtue of the increased human pressure, which is incompatible with the area and will erode the special rural qualities
 - No justification provided for the siting of the proposal, upon agricultural land as opposed to within the immediate grounds of the building
 - Concern with regard the environmental implications should the existing system fail

- If approved this will facilitate and be tantamount to supporting an unlawful use of the Linford Park Nursing Home which is subject of a restrictive condition preventing its use as a hospital (St Marthas is registered as a Mental Health Hospital).
- Commercial enterprise is sited upon agricultural land, however is not for agricultural purposes and inappropriate development in the National Park
- Conditions should be included to require removal of bladder bund track following completion of the new system
- Independent scrutiny of engineering solution should be undertaken
- Inadequate information has been provided to allow application to be properly considered.

9.2 14 further letters of representation in response to amended plans, main additional comments being:

- Current Covid 19 pandemic is being used as an excuse to bully the Authority into making a decision.
- Proposal facilitates unauthorised hospital use in breach of 1985 planning condition restricting use to elderly persons nursing home. St Martha's is a hospital. Site operates as a mental health hospital outside of the lawful use (elderly persons nursing home)
- No evidence of genuine need for facility to operate as a hospital
- Submissions and pressure put upon LPA reinforces the inadequacies of the current bund and bladder system being wholly unsuitable for the site
- Inadequate report to consider noise impact of pumping station based upon non comparable site and background noise analysis.
- Reports and submissions leave too many unanswered questions. Consent cannot be granted until full impact can be assessed.
- Concern with regard impact upon ecology as per the Kingfisher Ecology report
- No Construction Environment Management Plan has been provided
- Objections to lack of information over temporary closure of Linford Road and measures taken to minimise inconvenience to residents
- Concern over disruption caused to residents and disturbance caused to the environment by development works
- No consultation with Water authorities. No evidence to confirm capacity or suitability and adequacy of pipework and sewage system.
- Long term harm to SSSI verges and trees along route

10. RELEVANT HISTORY

- 10.1 Retention of access track (19/00618) refused on 26 November 2019. Enforcement Notice served on 11 December 2019 and appeals subsequently lodged against planning refusal and enforcement notice on 8 January 2020.
- 10.2 Retention of 2no. bunds/bladders for drainage purposes; 1.2 metre high post and rail fencing (19/00512) refused on 26 November 2019. Enforcement Notice served on 11 December 2019 and appeals subsequently lodged against planning refusal and enforcement notice on 8 January 2020.
- 10.3 Retention and completion of access track (19/00058) refused on 17 April 2019.
- 10.4 New dwelling to provide managers accommodation (18/01002) refused on 11 March 2019.
- 10.5 2no. new dwellings to provide staff accommodation with undercroft parking, new access and footpath (18/00435) refused on 01 October 2018.
- 10.6 Addition of cladding and render to nursing home and accommodation/catering block; alterations to fenestration (17/00321) granted on 27 June 2017.
- 10.7 Application to vary condition 2 of planning permission 84/27216 to allow use as Residential Centre for treatment/rehabilitation of people subject to alcohol/drug misuse within class C2 of the Town and Country Planning Use Classes Order 2010 (13/98490) withdrawn on 07 June 2013.
- 10.8 Change of Use of land to use as a nursing home & creation of 49 self-contained units of sheltered accommodation (01/72225) refused on 30 April 2002.
- 10.9 Add 2 fire escapes & conservatories to ground & first floors (NFDC/93/51647) granted on 19 April 1993.
- 10.10 Erect 6 detached dwellings (demolish extg sanatorium bldgs) (NFDC/91/46980) refused on 10 April 1991.
- 10.11 Erect 6 detached dwellings (demolish extg sanatorium bldgs) refused 09 January 1991.
- 10.12 Construct new access road and provision of car park (NFDC/89/42938) granted on 17 October 1989.
- 10.13 Change of use to elderly persons nursing home (NFDC/84/27216) granted on 07 October 1985.

11. ASSESSMENT

- 11.1 The application site of Linford Park (now St Martha's) is located to the north western side of Linford Road, within the Western Escarpment Conservation Area. The main building has a lawful C2 use (restricted by condition to elderly persons nursing home). and is located within the northern section of the site which is elevated from Linford Road; as such, the site slopes north to south. The site comprises a total of approximately 10 hectares, which includes agricultural land and woodland, and is surrounded by parcels of other agricultural land. The New Forest SSSI adjoins the southern boundary. The main access track adjoins Linford Road, and runs north-south within the western section of the site.
- 11.2 St Martha's is now open and operational following a programme of restoration of the building (subject of planning permission reference 17/00321) and comprises 79 patient rooms with associated communal facilities.
- 11.3 **Background**
Members will recall that planning permission was refused at the Planning Committee last November for the temporary retention of two bladder tanks and bunds, and an access track serving these installations. As noted above, these unauthorised works are now the subject of enforcement notices and appeals to the Planning Inspectorate.
- 11.4 Planning permission was granted on 7 October 1985 for 'Change of use to elderly persons nursing home' (NFDC/84/27216). Condition 2 of this permission states:

The premises shall be used only as an elderly persons nursing home and for no other purpose whatsoever (including any other purpose in Class XIV of the schedule to the Town and Country Planning (Use Classes Order 1972)

Reason: Any other use such as a hospital, would be likely to give rise to disturbance to local residents and result in the undesirable use of an inadequate highway system.

A section 52 legal agreement was also attached to this consent restricting proportions of land to specific uses, primarily to limit the expansion of the uncontrolled use/buildings and car parking into the adjoining agricultural land.
- 11.5 Prior to this, the building was originally built as part of the former Linford Sanatorium. It was completed after the second world war and served an earlier sanatorium next door, which itself was converted to flats in the 1950s (a sanatorium being a specialist type of hospital where people would have treatment and rest,

especially when recovering from or living with a long illness, often associated with tuberculosis). Following the 1985 consent the property is understood to have been used as a nursing/care home for the elderly until its closure around 2012 and remained unused since the current operators refurbished the site.

11.6 There remains an on-going related matter relating to the alleged use of the building as a hospital, in breach of the restrictive condition limiting its use as an elderly persons nursing home. This is being pursued with the applicant but is not considered by officers to negate the need for the site to have a suitable, permanent drainage solution (given its permitted use as a nursing home).

11.7 The applicant has further stated that St Martha's is now part of the NHS contingency plan where patients will be moved to St Martha's to enable beds to be freed up in NHS hospitals for Covid 19 Virus patients. As such there is likely to be an immediate spike to full occupancy requiring a swift resolution to the drainage requirements.

11.8 **Installation of sewer system and pumping station**

The proposal seeks to provide a permanent, minimal impact solution to the foul drainage from St Martha's with the installation of a sewer system and pumping station which will lead to the removal of the unsatisfactory temporary interim arrangements. The originally submitted plans proposed an above-ground pumping station compound, enclosed by a fence and accessed via a track. Amended plans were subsequently submitted by the applicant for the installation of a below-ground sewage pumping station and associated drainage tank and pipework, to connect to the mains drains (located approximately 1.2km to the west of the site adjacent to St John the Baptist Church on Linford Road).

The proposed below-ground station would be located on agricultural land close to where the bladder tanks and bunds are currently situated, outside of the flood zone. The pumping station would be located approximately 50 metres to the east of the main access track connected by a shorter section of a 'grass road' track. The pipework would be routed from the pumping station to Linford Road under the existing access road, and would then be routed under a small area of SSSI verge before being located under the existing metalled part of Linford Road to the point where it would adjoin the mains drains adjacent to St John the Baptist Church.

11.9 **Onsite works at St Martha's**

The works on site comprise an extension to the existing drainage system underground to run from the south of St Martha's to a point adjacent to the access road, following the route of the existing unauthorised track. Following the installation of the pipe the main part of the track will be removed and the land restored. An underground 40,000 litre GRP storage tank (approx. 2.7m in diameter by 6.2m long) to a depth of 4m would be located close

to the lower bund but at a higher level closer to the field boundary. An adjacent submerged structure would house steps down to an underground kiosk which provides maintenance access. Visible at ground level would be two slightly elevated pitched retractable green GRP hatches. Any remaining track would be reconstructed as a grass road.

11.10 Linford Road sewer

A drainage pipe would then run from the pumping station to the edge of the site under the main access road and alongside the bridge to its junction with Linford Road. The provision of a sewer pipe under Linford Road would be constructed to a point approx 1.14km to the west adjacent to St John the Baptist Church. The main sewer pipe will be installed 1m deep within the tarmacked road in typically a 600mm wide trench.

11.11 Wessex Water would control the technical specifications through the necessary drainage consents required but have confirmed that the existing 150mm foul sewer in Linford Road can accommodate foul flows from St Martha's at the nearest manhole.

11.12 Hampshire County Council as highway authority would control any road closures / works to the highway reasonably necessary. The full extent of these are unknown but would not directly be a reason for withholding permission. No highway authority objections are raised in principle.

11.13 Main Planning Considerations

The main planning considerations and comments raised by local residents during consultation relate to:

- The encroachment onto agricultural land (and therefore the principle of the development);
- The impact upon the visual amenity and the character and appearance of the conservation area and landscape quality of the National Park;
- The impact upon the natural environment;
- The impact upon neighbouring amenity;
- Healthcare needs in response to the Covid 19 pandemic; and
- Highway implications

11.14 The proposed pumping station would be located on agricultural land which is functionally separate from the operational area of the St Martha's building (contained within the northernmost section of the site). However, the siting of the pumping station does need to take account of the topography of the wider site.

11.15 Once constructed the below ground scheme would minimise any above ground visible impact such that they would become negligible in landscape and visual impact terms.

11.16 The above issue has been raised as a concern by local residents,

and the Landscape Officer has also commented that the proposed grass track would appear out of place. In this instance, the below-ground siting results in a set of access 'doors' being the only part of the station visible above-ground. These would project approximately 300mm above ground level, and would be finished in a green colour. The proposed track would still constitute a track across agricultural land for non-agricultural purposes, however in relation to its appearance, would be more appropriate as it would allow the grass to regenerate and grow around it, reducing the visual impact of its presence. The length of the proposed track would be significantly less than that previously refused, and it is considered that in combination with the overall remediation of the land across the wider site, which is subject of separate enforcement action, can reasonably be secured by condition. For these reasons, the proposal would not result in a significantly adverse impact upon the visual amenity, or character and appearance, of the Conservation Area.

- 11.17 The applicant acknowledges that the proposal is located upon agricultural land, and therefore its siting is not strictly in accordance with policy. Information has been provided within the amended Supporting Statement in relation to not only alternative solutions for the drainage at the site, but also in relation to the siting of the pumping station. Whilst the current proposed location is upon agricultural land, it is clear that to move the station elsewhere within the site (i.e. not upon the agricultural land) would involve significant impact on trees and their roots. This is an option that has been strongly advised against by the Ecological Consultant. As such, it is considered that the siting of the pumping station is acceptable in this particular instance.
- 11.18 Linford Park Nursing Home and the route of the proposed sewage pipe falls within the Western Escarpment Conservation Area offering statutory protection to trees. It is considered that it may be more practical to take a phased approach with regard to the tree protection measures rather than it all being installed for the duration of the construction. A landscaping scheme is conditioned to ensure long term tree cover is maintained. 'The Landscape and Biodiversity Enhancement Strategy (LBES) Feb. 2020 includes details of hedgerow planting and wildflower meadow creation that is acceptable and would help mitigate the visual impacts of the construction of the sewer pipeline as it crosses the field to the underground pump house. The Authority's landscape officer is satisfied that the details within the LBES are sufficient to provide suitable landscape benefits to the site if they are carried out as prescribed and maintained as such. In time the proposed landscape enhancements would help repair the landscape. It should be noted that the land where the two bladders are located would be returned to their pre-existing and natural contours and vegetation after the bladders have been removed.

There is time to prepare detailed planting plans before the next

planting season (October to March) and this would be appropriate to ensure that the Authority can monitor the number and species of plants planted and also monitor the replacement of any dead or dying plants. The landscaping and condition commitments made in the LBES would be sufficient to ensure the planting and management of the planting as proposed.

It is also recommended that a condition to control any external lighting on any of the apparatus of the sewage pipeline be included.

11.19 Environmental Protection and Amenity Impact

Taking into account the comments from the Council's Environmental Protection Team (EP), underground noise from the proposed plant at the pumping station is not considered to have a harmful impact upon the amenity of the local area or the residential amenities of nearby properties. Furthermore, the calculated plant noise level is significantly below the prevailing background sound level such that it is unlikely to be detectable at noise sensitive premises. In order to ensure noise from the proposed pumping station does not adversely impact on the local area, now or in the future, EP recommend that a noise related condition is included.

11.20 There will inevitably be some disturbance and inconvenience during the construction phase, particularly if the works are fast tracked at considerable pace. Some road closures and construction vehicles in the public highway will be a nuisance factor to those residential properties in the vicinity of the site both in terms of obstructions and noise nuisance from time to time. Individual construction noise complaints, a concern raised by some residents, are best dealt with by the Council's EP team should such issues arise.

11.21 Environment Agency

The amended scheme, its siting and supporting flood-risk assessment provide assurances that subject to conditions the proposals do not raise material planning issues.

11.22 Ecology & Natural England comments

The sewer system will run adjacent and partially within a SSSI, and recommendations are included in the conditions to help minimise damage to the features for which the SSSI has been designated. The majority of the works which do fall within the SSSI lie within the hardstanding of the road on Linford Road, where the direct impact is minimal.

11.23 Covid 19 and Healthcare needs

The applicants have set out in their recent submissions with communications to them from the Southern Health NHS Foundation Trust that the St Martha's facility, as with most care related facilities at this unprecedented time, is being pushed into

action at a much quicker rate than at first planned due to the current Covid 19 emergency. St Marthas is part of the NHS contingency plan. There will be an immediate spike to full occupancy as patients are moved in to create capacity within the NHS for virus victims. This will obviously directly impact the sewerage flows and the rate of fill of the temporary bladders and there is urgency on behalf of the applicants for a permanent solution to be found. It is understood that the pipeline contractors are on standby to start work. The applicants estimate a 16-week programme subject to necessary highway authority consent / license to undertake works in the highway. Whilst there may be an identified need for a quick resolution this should not outweigh consideration of the wider planning implications albeit a proportionate and reasonable approach is necessary. It is considered that consent should not unnecessarily withheld or delayed by an excessive number of pre-commencement conditions which could otherwise be controlled during the actual construction works by ongoing monitoring.

11.24 **Highway Implications**

The Highway Authority raise no objection to the proposals but draw attention for the need for a license to be issued by them for works in the highway to ensure construction and reinstatement is done to a level and standard required as set out in the highway license. There will be short term disruption to local traffic at times when the Linford Road will be at reduced width or temporarily closed. A longer detour for occupiers within Linford Road lower down the hill will occur at times. There will be no direct material highway implications as a result of the completed works and pumping station. There will be a net short-term gain with the removal of the need for the unauthorised bladders to be emptied by the continuous visit of tankers.

11.25 **Conclusions**

The development would provide a permanent foul drainage solution and remove unauthorised temporary on-site solutions which are subject of separate enforcement action. It would provide a drainage solution that in the long run provides a reasonable solution within a National Park setting taking into account its visually and ecologically sensitive location, the Conservation Area and the amenities of neighbouring occupiers.

11.26 Regard has been given to suggested conditions by consultees and these have been included and/or amended or amalgamated where relevant having regard to the need to ensure a quick resolution.

11.27 The applicants have been invited to maintain contact with local residents during the construction phase in order to keep inevitable inconvenience and loss of amenity to a minimum during the construction phase. A draft Construction Phase Plan and

Construction Environmental Plan has been submitted in anticipation of an immediate commencement on site. Subject to completion of these reports with outstanding information they will form the basis of satisfying the relevant proposed condition.

- 11.28 Finally, it should be noted that approval of this application would not prejudice the current investigation into the use of the building as a hospital as it is evident that the building's lawful use as a nursing home requires an adequate and modern drainage system.

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 ensure that the development is implemented at the earliest opportunity in light of the unsatisfactory existing drainage arrangements at the site and 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 the plans and reports listed below:
- White NFNP-ID-257.9.10C SLP (Site location plan);
 - White NFNP-ID-257.9.11E BP (Block plan);
 - White NFNP-ID-257.9.12E (Plans Sections);
 - White NFNP-ID-257.9.13D Drainage Plan;
 - NSL Plant Noise assessment 89139 dated 5th March 2020;
 - Landscape and Biodiversity Enhancement Strategy (LBES) LP-280220-LBES;
 - Preliminary Ecological Appraisal LP-041219 04.12.19
 - Arboricultural Impact Assessment LP-25112019-AIA-519.V1 13.12.19
 - Tree Survey Schedule LP-25112019-tss-519.v1
 - Arboricultural Method Statement LP-26112019-AMS-v1
 - Flood Risk Assessment (FRA) comprising Flood Risk Assessment, Ian Donohue and Supporting statement, St Martha's, Ian Donohue, January 2019, ref: N F-NP-257-9-ID and email dated 24/02/2020 from Ian Donahue, Pumping station revised location plan section as proposed, drawing number NFNP-ID-257.9.12, Revision E.

No alterations to the approved development shall be made unless

otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) comprising Flood Risk Assessment, Ian Donohue and Supporting statement, St Martha's, Ian Donohue, January 2019, ref: N F-NP-257-9-ID and email dated 24/02/2020 from Ian Donahue, Pumping station revised location plan section as proposed, drawing number NFNP-ID-257.9.12, Revision E and the following mitigation measures detailed within the FRA:
- (i) There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.
 - (ii) There shall be no raising of existing ground levels on the site

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to ensure to ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity. In accordance with Policy DP12 of the New Forest National Park Local Plan 2016-2036.

- 4 The mitigation measures in the approved Flood Risk Assessment shall be fully implemented in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity and to ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity in accordance with Policy DP12 of the New Forest National Park Local Plan 2016-2036.

- 5 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during the relevant section subject of ground excavations site clearance and installation works, in accordance with the measures set out in the submitted arboricultural information by Kingfisher Ecology Ltd alongside the recommendations set out in both BS5837:2012 and within NJUG 2018.

Attention is drawn to the requirement for a pre-commencement site meeting (or equivalent) as per 7.2 of the Arboricultural Impact

Assessment.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

- 6 All materials, equipment and machinery shall be stored in a main designated compound, within the curtilage of the site and outside the SSSI. (other than that reasonably necessary for the mobile works)The applicant shall carry out operations in such a way as to give rise to as little damage as reasonably practical to the SSSI. This includes restricting vehicle movements within the SSSI verge to a minimum.

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).

- 7 Prior to commencement the draft Construction Environment Management Plan (CEMP) and draft Construction Phase Plan (CPP) shall be finalised and submitted to and agreed in writing by the Authority and implemented as such unless otherwise agreed in writing with the local planning authority. The CEMP and/or CPP shall include the following information:

- All contractors working on site shall be made aware of the designation afforded the New Forest as a SSSI and be provided with a map that clearly shows its defined boundary in relation to the development site. Any works within the SSSI verge should adhere to the attached guidance note for pipe laying within the New Forest and the verge reinstated accordingly.
- Identification of any potential pollution risks and any mitigation required to address them.
- An emergency pollution plan is produced that sets out how any future failure of the proposed system will be managed to avoid and minimize adverse impacts to the designated site, woodland and brook.
- Confirmation and specifications of all tree works required; or how these will be considered during construction.
- Location of main site compound, mixing and storage areas;
- Details/description of the temporary migratory works compound;
- Details/arboricultural methodology of phased tree protection measures;
- Depth and width of trench.
- Managing mud on the road.
- Removal of any mud/spoil.
- Storage of materials/skips etc. (in particular having regard to tree roots).
- Dust suppression and management of noise
- Hours of work

- Traffic management in liaison with Hampshire County council.
- Security.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest, local amenity and interests of flood risk in accordance with Policies SP6 DP8 DP2 and DP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 The noise rating level from the pumping station and associated plant (either measured or calculated) shall not exceed the background noise level (LA90) during daytime hours (07:00-23:00hrs) or night-time hours (23:00-07:00hrs) 3.5m from the façade of any noise sensitive premise in accordance with BS4142:2014 + A1:2019.

Reason: To minimise the impact upon the residential amenities of neighbouring occupiers in accordance with Policy DP2 and in the interests of protecting the New Forest Site of Special Scientific with Polices SP6 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

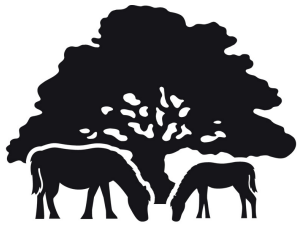
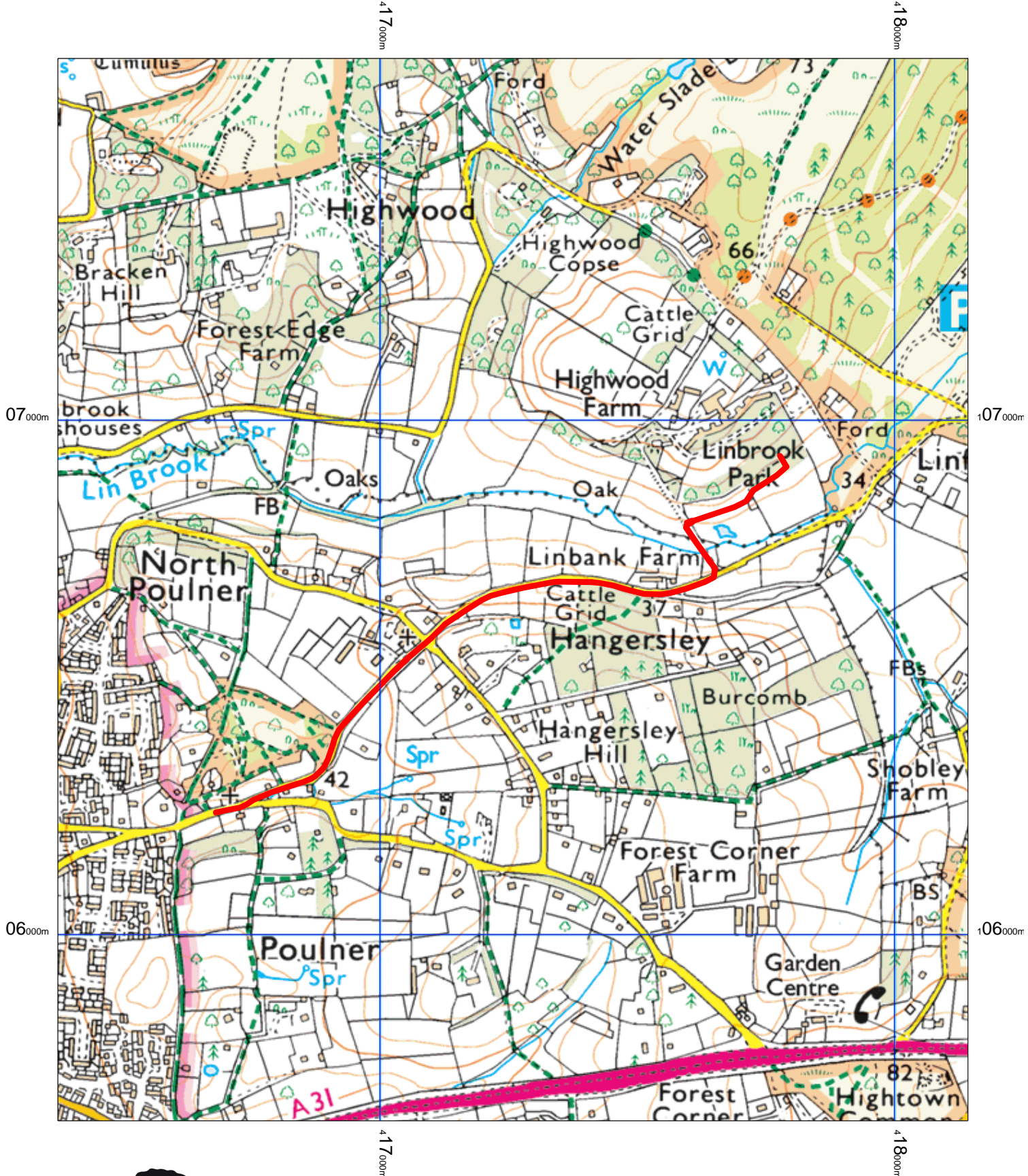
- 9 No external lighting shall be installed on the pumping station and equipment unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

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).

- 10 Within 3 months of the implementation of the permission a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- a) the existing trees and shrubs which have been agreed to be retained;
- b) a specification for new tree 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.

Reason: To ensure that the development safeguards the long-term landscape and visual amenities of the locality.



NEW FOREST
NATIONAL PARK

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

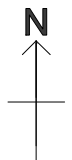
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Date: 06/04/2020

Ref: 19/00787

Scale: 1:10000

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Application No: 20/00050/FULL Full Application

Site: Site Of Woodland View, Rows Lane, East End, SO41 5SU

Proposal: Outbuilding; swimming pool; removal of 2no. caravans

Applicant: Mr & Mrs Mavor

Case Officer: Daniel Pape

Parish: EAST BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

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

East Boldre Parish Council: Recommend refusal because of the visual impact of the proposed buildings and the impact of the proposal on the forest. The development would also cause both noise and light pollution to

the surrounding area.

8. CONSULTTEES

8.1 Tree Officer: No objection subject to condition.

9. REPRESENTATIONS

9.1 One objection on the following grounds:

- Pool noise;
- Design of proposals and its impact on the historic environment; Decline in value of adjacent property; and
- Damage to the environment.

9.2 One representation of comment raising the following:

- Site is already substantially developed with the appearance of being a crowded, urban site;
- Development out of character with the area;
- Proposal would be visible from first floor windows/outside the boundary of the site; and
- Noise from pool and its pump.

10. RELEVANT HISTORY

10.1 Replacement dwelling with attached outbuildings (18/00822) granted on 31 December 2018

10.2 Replacement dwelling with attached outbuildings (16/01056) granted on 02 March 2017

11. ASSESSMENT

11.1 The application site is located on a corner plot of Lymington Road and Rows Lane, within the Forest South East Conservation Area, outside of the defined New Forest villages. Consent has recently been granted for a replacement dwelling and attached outbuildings at the site and works have commenced in relation to this permission.

11.2 The applicant seeks consent for an outbuilding (home office and gym) and an open air swimming pool to the rear of the site, adjacent to the western boundary. The existing mobile homes on site are to be removed.

11.3 The proposed outbuilding is to be 46m² internally with the main flat roof at 2.9m. It is of note that, although one proposed outbuilding, the structure is to be broken up into two smaller components and joined by a glazed link. The element closer to the road is to have a lower roof at 2.65m. The materials to be used include natural vertical cladding for two elevations; bricks; glazed sections, doors and windows; and a single ply flat roofing membrane. The pool is to be open air.

- 11.4 The relevant considerations are:
- The impact upon the character and appearance of the National Park and the Conservation Area;
 - Whether the proposal would comply with Policy DP37: Outbuildings;
 - Neighbour amenity; and
 - Trees and ecology
- 11.5 The street scene along Lymington Road is varied, with built development to the fore of many plots. The proposed outbuilding would be set back from the street scene, behind an existing hedge, and would not be incongruous with the existing varied levels of development along the road. The pool would be located further into the site behind the proposed outbuilding. The outbuilding's flat-roofed design, separated structural elements and vertical cladding would give a sufficiently rustic and minimalistic appearance that would be considered appropriate to its setting. Although part of the outbuilding would be visible from the Open Forest, it is considered that this would not detract from the special qualities of the area in accordance with Policies DP2 and SP7.
- 11.6 In relation to the number of outbuildings on the site, it is considered that the plot will remain adequately spacious if the proposal is granted consent and the site would not become overdeveloped. The outbuilding is subservient to the dwelling in scale and form, located at a distance from the dwelling to retain a rural vista gap in the street scene when viewed from the Open Forest. Further, the natural materials and reduced glazing assist the building in receding appropriately into its proposed setting. The outbuilding and pool would retain the character of the conservation area in accordance with Policies SP16 and SP17. In addition, the proposal includes the removal of the existing mobile homes located on the site. Their removal and replacement with a well-designed outbuilding would be of benefit to the character and appearance of the National Park and conservation area. Their removal is secured through condition.
- 11.7 The outbuilding is considered to be suitably designed to remain incidental to the main dwelling. The reduction in glazing, shower room and roof overhang following Planning Officer's pre-application enquiry comments would ensure the building is fit its intended purpose of a home office and gym. The outbuilding would be compliant with Policies DP18 and DP37 and a suitable condition is attached to ensure that the outbuilding remains incidental in use.
- 11.8 In relation to noise, whilst it is accepted that the construction of a pool may increase occasional noise levels in a concentrated location, refusal of the application on the grounds of noise disturbance would not be justified.

- 11.9 The site is adjacent to the open forest with SSSI designated verges. Due to the sensitivity of the surrounding landscape, it is considered appropriate to ensure that all materials and machinery associated with the development are stored on site. It is also of note that ecological mitigation measures were secured by a condition attached to planning permission reference: 18/00822, and must remain on the site in perpetuity.
- 11.10 The New Forest National Park Authority Tree Officer recommended support for the application subject to condition.
- 11.11 For the above reasons, permission is 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 LP.01 Rev A, PE.01, PP.01 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 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 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).

- 5 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).

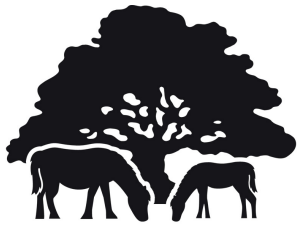
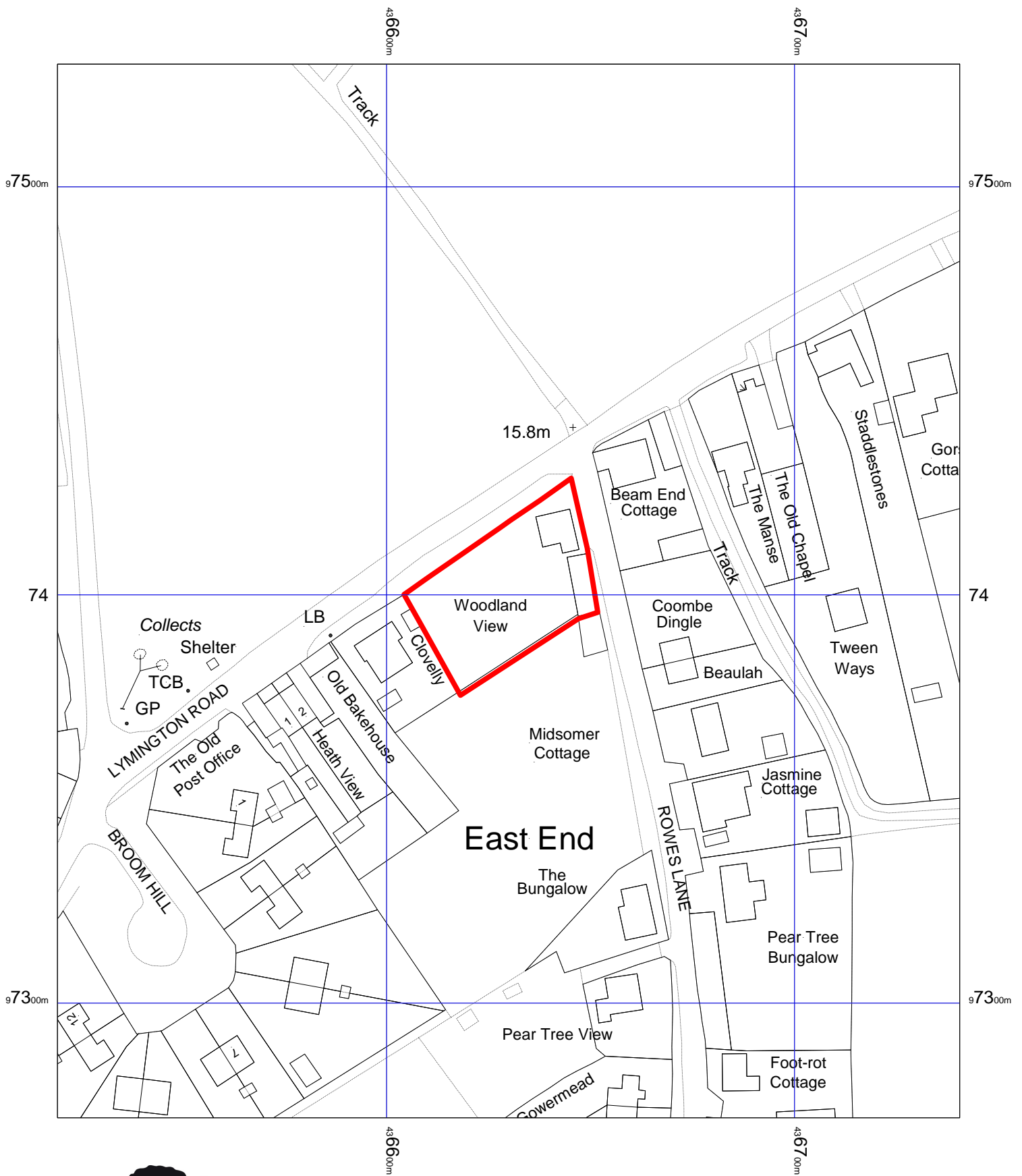
- 6 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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).

- 7 The caravans shown to be removed on approved plan LP.01 REV A shall be removed from the site within 3 months of development commencing on site.

Reason: To ensure an acceptable appearance of the site and suitably retain the appearance and character of the Conservation Area in accordance with Policies DP2, DP7, SP16, SP17 and DP18 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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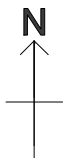
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Application No: 20/00061/FULL Full Application

Site: The Coach House, South Sway Lane, Sway, Lymington, SO41 6BL

Proposal: Alterations to conservatory to include new roof and cladding; flue; porch; roof lights.

Applicant: Ms Houghton

Case Officer: Liz Young

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 DP36 Extensions to dwellings
 SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 12 - Achieving well-designed places

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Recommend refusal: The committee was disappointed to see the inclusion of roof lights, especially above glass doors. The committee continues to strongly support the dark skies policy of the New Forest National Park Authority and considers that multiple roof lights are not appropriate in this location.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 Replacement roof to conservatory; Replacement rear dormer; new porch (19/00475) withdrawn 12 July 2019

10.2 Dormer extension to form en suite accommodation (02/75906) approved on 12 November 2002

10.3 One and two storey additions and conservatory (01/72579) approved on 18 September 2001

10.4 Erect detached triple garage / garden store and games room (98/65446) Refused on 01 March 1999

10.5 Ground and first floor addition (98/63153) Approved on 16 March 1998

11. ASSESSMENT

11.1 This application relates to a semi-detached two storey property located within rural surroundings amongst a small cluster of properties set back from South Sway Lane. The property is not visible from any public views and is set back off a shared access track. The property is an attractive house characterised by a steeply pitched, gabled roofline.

11.2 Planning permission is sought to carry out roof alterations to the existing conservatory including a replacement roof, the addition of a flue and timber cladding. Two additional roof lights are proposed on the rear of the roof slope of the main house at a low level and close to the eaves line. The replacement roof would be tiled in slate and the windows would be replaced to incorporate a simpler design incorporating just vertical mullions. A modest front porch is also proposed on the west elevation and an external flue would be added to the ridge of the rear conservatory (although both these elements would effectively be classed as permitted development). The conservatory which is to be re-roofed was built in 2001 and was not subject to any specific restrictions relating to the amount of glazing to be retained (as it was deemed to fall within acceptable floorspace limits).

11.3 In terms of background, this application follows on from a withdrawn scheme which also included a proposal to re-position a dormer window on the rear elevation of the property. This

application was withdrawn primarily over concerns that the replacement dormer would lead to an increase in overlooking towards the rear garden of the neighbouring property. This element of the scheme is no longer proposed.

- 11.4 The Parish Council have raised concerns over the impact the additional roof lights would have in terms of potential for light pollution at night time from internal illumination. However there would in effect be an overall net decrease in glazing having regard to the proposal to remove the glazed conservatory roof and introduce a solid roof. The proposed roof lights would also have a more modest impact than the glazed roof of the existing conservatory having regard to their very modest size and their position low down in the roof. The proposals would therefore not give rise to a harmful impact in terms of increased light pollution.
- 11.5 In terms of character and scale the proposed slate roof on the rear single storey element, reduced fenestration and simplified window design to the conservatory would improve the overall appearance of the building. The proposal to add timber cladding and to change window materials from UPVC to aluminium would also improve its overall appearance. The two proposed roof lights would be very modest in size and, because they would be positioned low down in the roof slope, they would not have a significant impact upon the character of the wider area. The proposals fall just within the floorspace limits set out under Policy DP36 of the Local Plan and previous concerns relating to overlooking have been addressed. It is therefore recommended 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 proposed timber cladding 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

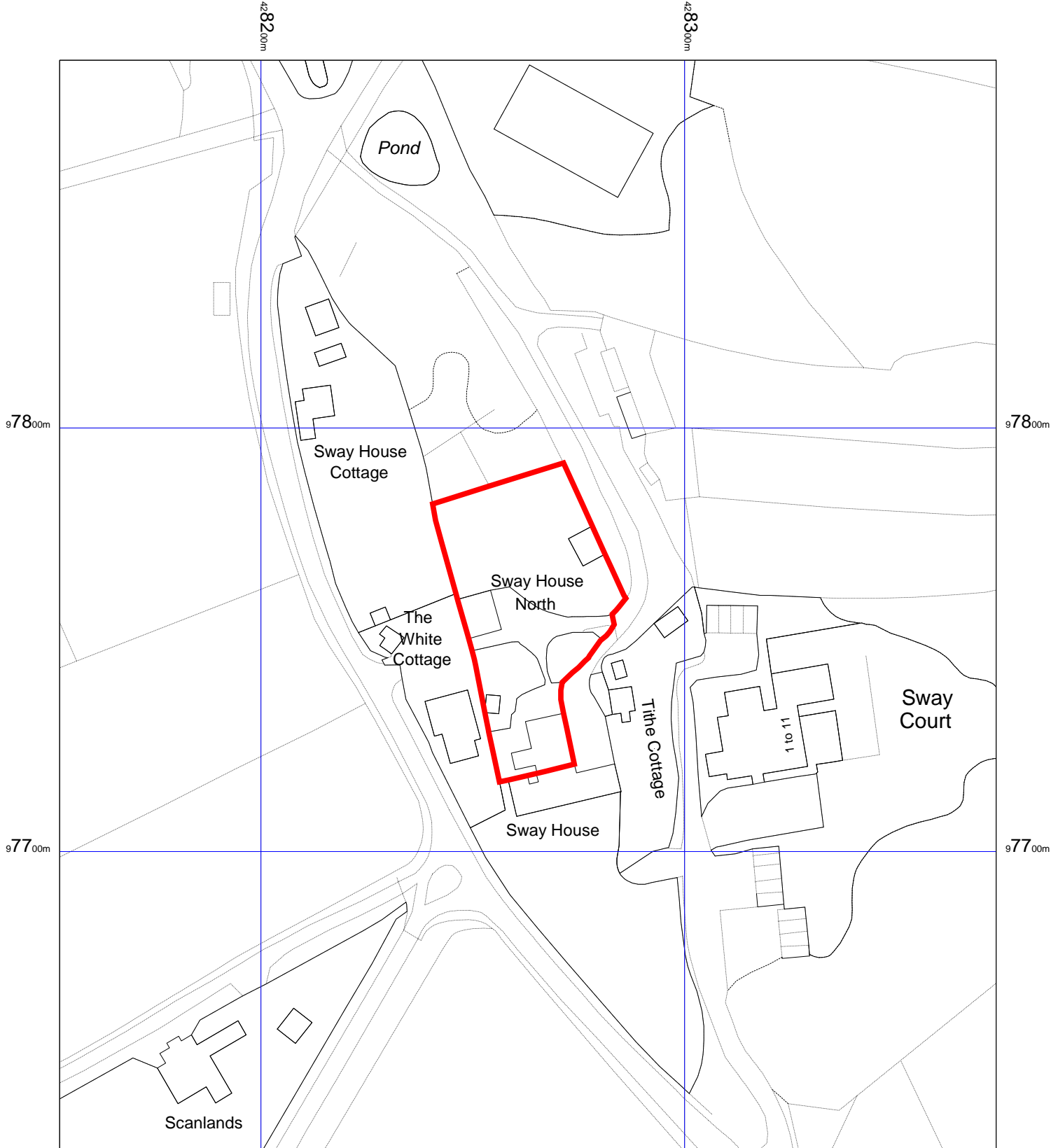
accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 The external facing roofing materials to be used in the development shall be natural light, 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 Development shall only be carried out in accordance with drawings 051, 050, 049, 048, 047, 042, 044, 045 and DR2. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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



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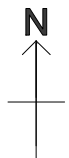
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Application No: 20/00098/FULL Full Application

Site: 5 Pilley Hill, Pilley, Lymington, SO41 5QF

Proposal: Retention of conservatory

Applicant: Ms Talukdar

Case Officer: Liz Young

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
SP16 The historic and built environment
SP17 Local distinctiveness
DP36 Extensions to dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend permission

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments received.

10. RELEVANT HISTORY

10.1 Two storey addition (02/74547) Approved on 13 May 2002

10.2 One and two storey addition (62071) approved on 16 September 1997

11. ASSESSMENT

11.1 The application site is a semi-detached dwelling which is sited within the Forest South East Conservation Area outside of the defined New Forest Villages. The property is classified as a small dwelling. This application seeks consent for the retention of a conservatory.

11.2 The relevant considerations are:

- The impact upon the character and appearance of the area and the surrounding Conservation Area;
- Whether the addition is appropriate to the existing dwelling and its curtilage; and
- Neighbour amenity

11.3 Section 15 of the NPPF confirms that great weight should be given to conserving the landscape and scenic beauty in National Parks, designations which enjoy the highest status of protection. It is also the statutory duty of all English National Parks to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park (being the first statutory purpose as set out in the Environment Act 1995). The NPPF also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area (paragraph 130). Policy DP36 also requires that extensions must be appropriate to an existing dwelling and its curtilage.

11.4 In design terms the addition is not contentious, it is situated to the rear of the dwelling and has a simple form. Similarly, the impact upon the adjacent dwellings is also considered to be acceptable. Notwithstanding this, as the dwelling lies outside of the defined New Forest villages the proposal must also adhere to the floorspace restriction as set out in Local Plan Policy DP36 which seeks to limit the size of additions to properties in order to safeguard the locally distinctive character of the New Forest and to ensure there is the ability to maintain a balance in housing stock. The New Forest is subject to intense development pressure. Its

location and accessibility has led to house prices being the highest of any of the National Parks (December 2018). It is clear that unless firmly controlled the wish of residents to enlarge their properties would result in the Forest becoming an area of substantial houses, an outcome which is undesirable on two counts. Smaller dwellings, such as the application site, contribute to the character and local distinctiveness of the National Park, and a range and mix of sizes provides for a balance in available housing stock.

11.5 Policy DP36 states that:

"in the case of small dwellings and new dwellings permitted by policies SP19 to DP31 of this Local Plan, the extension must not result in a total internal habitable floorspace exceeding 100m2."

The policy defines 'small dwelling' as:

"small dwelling means a dwelling with a floor area of 80m2 or less as it existed on 1st July 1982, or as the dwelling was originally built or legally established, if the residential use post-dates 1st July 1982."

11.6 Therefore the 'base point' for calculating the floorspace of the property is the dwelling that existed on 1st July 1982. A policy that sets a proportionate limit on enlargements to dwellings must have a base date and this must apply to all proposals, whether extensions or replacements. Paragraph 7.79 of the Local Plan expands upon the reasoning behind Policy DP36 and the limitations imposed upon extensions;

"Proposals to incrementally extend dwellings in a nationally designated landscape can affect the locally distinctive character of the built environment of the New Forest. In addition, extensions can over time cause an imbalance in the range and mix of housing stock available. For these reasons it is considered important that the Local Plan continues to include a clear policy to guide decisions for extensions to dwellings. Successive development plans for the New Forest have included such policies which strike an appropriate balance between meeting changes in householder requirements and maintaining a stock of smaller sized dwellings"

11.7 The dwelling had a floorspace of circa 74m2 as at 1st July 1982 and as such is classed as a small dwelling. The dwelling was extended in 2002 (our reference 02/74547) by virtue of a two-storey side extension which resulted in a total habitable floor area of 100m2. The addition to the rear has resulted in a total floorspace of circa 138m2 which is directly contrary to policy DP36. The supporting statement submitted with the application recognises the proposal is contrary to Policy DP36. No information has been submitted regarding exceptional circumstances, however

even in the case to meet the genuine family needs of an occupier who works in the immediate locality, the total floorspace of an extended dwelling must not exceed 120m². The development clearly exceeds this limit. The explanatory text supporting Policy DP36 also defined a genuine family needs as:

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

- 11.8 Policy DP36 has been carried forward through successive local plans for the New Forest over the last 30 years. When the National Park's Core Strategy was adopted in 2010, the Inspector endorsed this policy as a useful tool in ensuring extensions did not cumulatively erode the modest scale and rural character of dwellings within the National Park. It was carried forward largely unchanged into the Local Plan. The Inspector's 2019 report into the New Forest National Park Local Plan 2016-2036 stated:

Policy DP36 sets out the circumstances within which extensions to existing dwellings would be allowed. Whilst concerns are raised regarding the size restriction for small dwellings and new dwellings (100 square metres total internal habitable floorspace); to allow larger extensions would undermine the aim of Policy SP19 which seeks to achieve a more balanced housing stock. Furthermore, the policy allows for larger extensions (120 square metres total internal habitable floorspace) in exceptional circumstances which provides sufficient flexibility for the needs of agricultural/forestry workers and commoners if so required. On this basis, we are satisfied that the approach is justified and effective.

The policy therefore remains as valid now as it has over the preceding years. The Local Plan Inspectors raised no objection to the restrictive nature of the Policy either during the Examination or in their report. It is worth noting that other National Parks in England have a similar floorspace restriction including Exmoor National Park and the South Downs National Park.

- 11.9 The supporting statement submitted with the application concludes that, notwithstanding the technical breach of the Local Plan policy, its retention does not have any impact on the balance of the housing stock which is the principal purpose of the small dwellings policy. As per the above paragraph, the Inspector's endorsed the policy during the Local Plan examination. Furthermore, as a result of evidence collected during the Local Plan preparation, a further

policy was included within the Local Plan (Policy SP21) which restricts the size of all new dwellings to a maximum total internal habitable floor area of 100m². This policy was informed by evidence on the mix of the existing dwelling stock in the National Park, the size of dwellings required to meet local needs, and the viability of development.

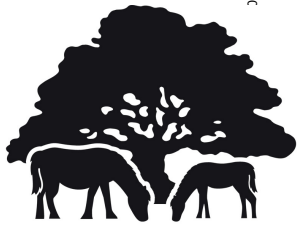
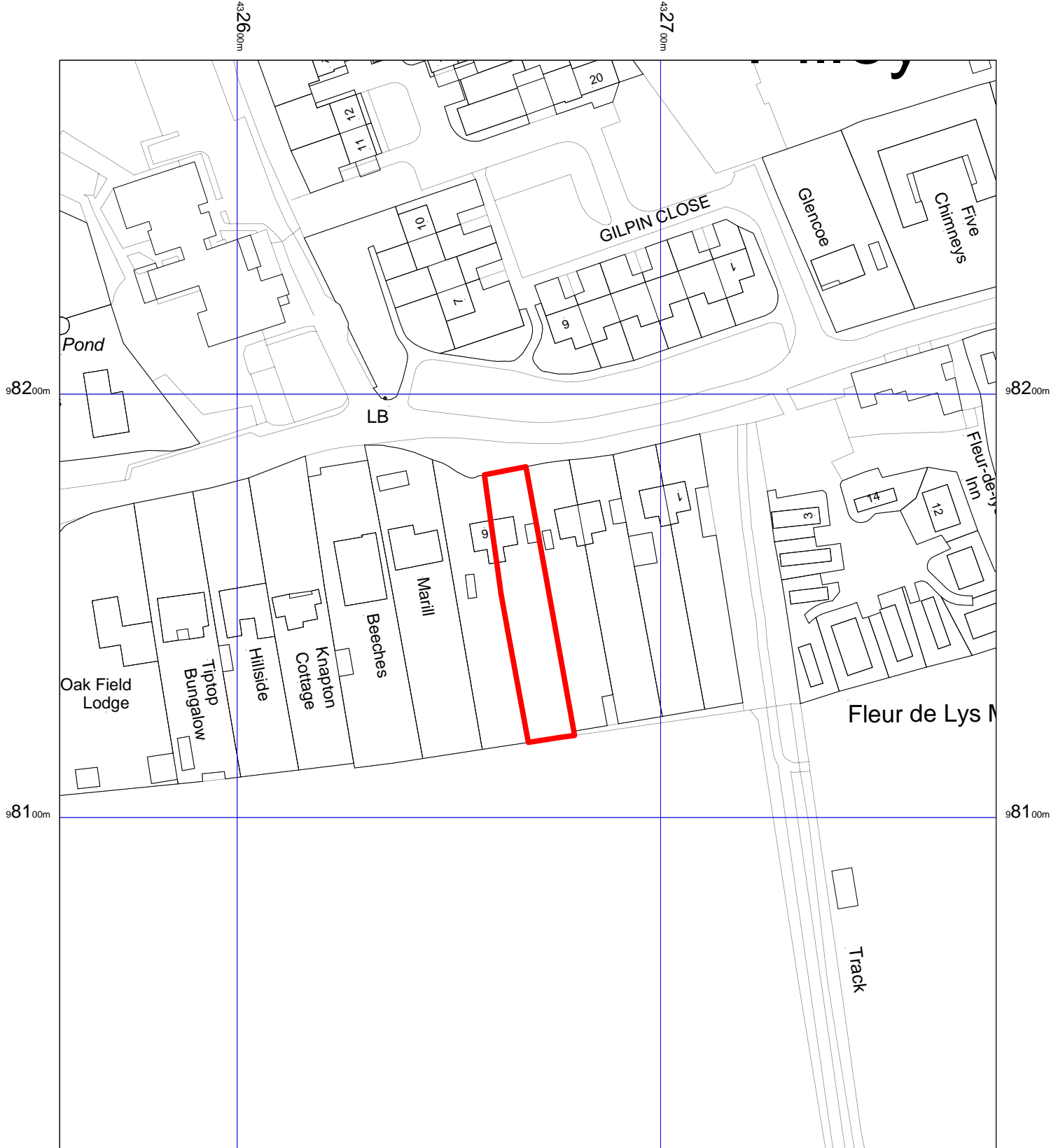
- 11.10 Policy DP36, which has recently been endorsed by Local Plan Inspectors, is thus an appropriate way to protect the National Park and its housing stock from the successive, cumulative enlargement of dwellings. For all these reasons, the enlargement of this dwelling is contrary to long standing local and national planning policies designed to protect the New Forest National Park and as such the application should be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 In order to help safeguard the long term future of the countryside, the Local Planning Authority considers it important to resist the cumulative effect of significant enlargements being made to rural dwellings. Consequently Policy DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park recognising the benefits this would have in minimising the impact of buildings and activity generally in the countryside and the ability to maintain a balance in the housing stock. This proposal, taking into account a previous enlargement, would result in a building which is unacceptably large in relation to the original dwelling and would undesirably add to pressures for change which are damaging to the future of the countryside.



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