

Application No: 19/00837/FULL Full Application

Site: 12 Dene Road, Ashurst, Southampton, SO40 7BJ

Proposal: Single storey extension; porch; detached garage; demolition of existing garage.

Applicant: Mr Mears

Case Officer: Claire Woolf

Parish: ASHURST AND COLBURY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 SP17 Local distinctiveness
 DP18 Design principles
 DP36 Extensions to dwellings
 DP37 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Ashurst and Colbury Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Ashurst and Colbury Parish Council: Recommend refusal (amended plans). Comment:

- No significant change in the plans and, despite the slightly lowered ridge height, objected the inappropriate size of the garage (DP37, a)

and its proximity to the neighbouring boundary

- There would still be a loss of the green border and consequent visual intrusion for the neighbouring property (DP2, a, c, d and e).

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

- 9.1 One representation received objecting on the following grounds:
- the proposed garage is excessively long and high
 - it would extend two-thirds of the length of the garden
 - the layout is unprecedented in the area
 - removal of the hedge at the property boundary

10. RELEVANT HISTORY

- 10.1 No relevant history.

11. ASSESSMENT

11.1 12 Dene Road is a detached brick built bungalow with an attached garage, set back in its plot with a front and rear garden. The dwelling lies within the defined village boundary of Ashurst. Dene Road contains many detached dwellings of similar proportions and styles.

11.2 Consent is sought for a 5m rear extension with a double hipped roof, and would comprise materials of tiles, bricks and white UPVC windows to match the existing dwelling. The attached garage would be demolished and a detached outbuilding is also proposed. This would have dimensions of 3.5m to ridge, a length of 8.5m and width of 3.5m and lie adjacent to the boundary with no. 14 Dene Road. A porch is also proposed to the front of the dwelling.

The key planning considerations are:

- whether the proposal would accord with Policies DP36 and DP37 of the Local Plan;
- whether the proposals would be of appropriate design and materials; and
- whether there would be any significant neighbouring amenity impact.

11.3 12 Dene Road is not a small dwelling, and as it lies within a defined village, there are no restrictions in terms of increasing the habitable floorspace as set out in Policy DP36. However, the total proposed floorspace would be 129 square metres.

11.4 In terms of design, the proposed extension would have a subservient roof form which would be acceptable to the existing dwelling as it would not result in an over dominant extension. The porch to the

front would also be suitably subservient and proportionate. Overall therefore, the extensions are considered would be appropriate to the existing dwelling and its curtilage and would comply with policy DP36.

- 11.5 An outbuilding is also proposed to the rear of the dwelling which would be close to the neighbour's boundary. It would be used as a garage and store. The outbuilding is considered would be for an incidental use to the main dwelling and not contain any habitable accommodation and would be sited within the residential curtilage. As it replaces an existing garage (albeit attached), it is not considered that the private amenity space would be compromised. The design of the outbuilding would be typical of outbuildings and garages in this area, comprising materials of tile and brick. Consequently, the outbuilding is considered would comply with Policy DP37.
- 11.6 The boundary treatment between nos. 12 and 14 currently comprises a hedge belonging to no. 12 and a metal mesh fence that belongs to no. 14. Whilst the outbuilding would necessitate the removal of a small hedge between the boundaries of the dwelling and the neighbouring property at no. 14, this, in itself does not need planning consent and therefore is not a material planning consideration.
- 11.7 The proposed outbuilding would be adjacent to the neighbouring boundary and of a relatively long length (8.5m); however, the roof pitch would slope away from the neighbouring property (no. 14). Through the course of this application, the proposed ridge height has been reduced slightly (3.7 metres to 3.5 metres) which has been accepted and it is not considered that the outbuilding would adversely harm the private amenities at no. 14. The neighbour has also suggested that the positioning of the outbuilding is unusual for this locality; however, it is clear that there are other outbuildings in similar locations and of similar lengths and widths in the vicinity. There are a number of windows proposed on the west elevation and these would face into the garden serving the dwelling and are not considered would give rise to any overlooking or unnecessary light spillage. It would be appropriate to impose conditions to ensure that the outbuilding would not subsequently be converted to habitable accommodation at a later date.
- 11.7 Consequently, permission is recommended subject to conditions, as the proposal is considered to accord with Policies DP2, SP17, DP18, DP36 and DP37 of the 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 Development shall only be carried out in accordance with

Drawing No: MEAR007.

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

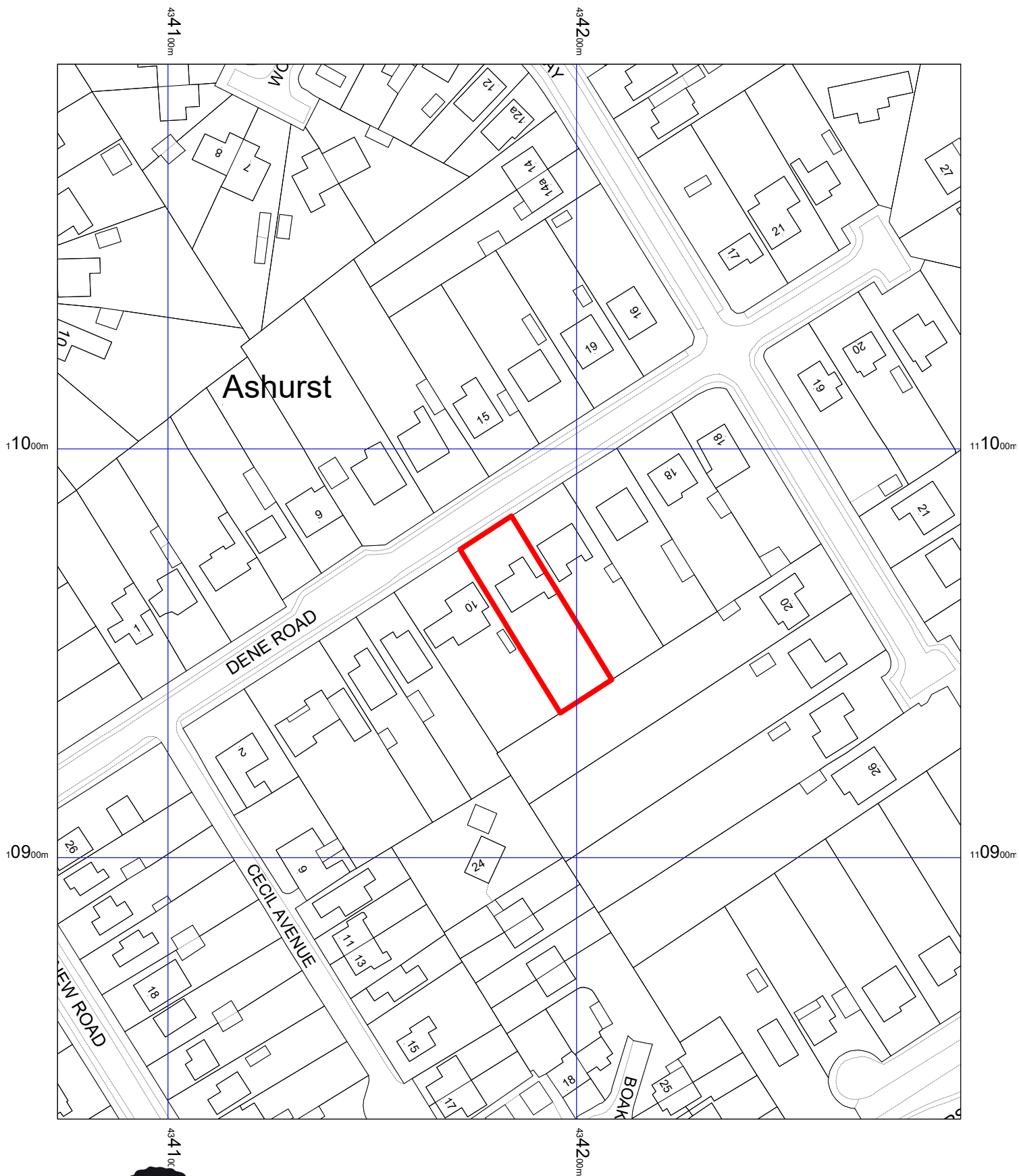
Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 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 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

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



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

Tel: 01590 646600 Fax: 01590 646666

Date: 02/03/2020

Ref: 19/00837 FULL

Scale: 1:1250

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Application No: 19/00958/VAR Variation / Removal of Condition

Site: Pound Bottom Landfill Site, Forest Road, Redlynch

Proposal: Application to vary conditions to revise restoration completion date in conditions 4, 5, 6, 7, 9, 11 & 12.

Applicant: Dr Carnell, Cleansing Service Group Limited

Case Officer: Katie McIntyre

Parish: REDLYNCH

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
- SP6 The natural environment
 - 1 Sustainable minerals and waste development
 - 4 Protection of the designated landscape
 - 9 Restoration of Minerals and Waste Developments
 - 10 Protecting public health, safety and amenity
 - 12 Managing traffic
 - 13 High-Quality design of minerals and waste development

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Godshill Parish Council: Godshill Parish Council recommend refusal but would accept the decision reached by the NFNPA's Officers under their

delegated powers:

- Lack of justification
- There should have been no shortage of available materials given the plethora of construction sites across the country
- Impact of traffic movements
- Further monitoring of the site is needed
- Further noise, dust, litter, verge damage and risk to animals from the vehicle movements

(The full comments of the Parish Council are available to view on the website)

Redlynch Parish Council: Redlynch Parish Council recommends refusal:

- No justification as to why the works have not been carried out.
- A 12 month extension is not acceptable or necessary. It should be no longer than 6 months

(The full comments of the Parish Council are available to view on the website)

Downton Parish Council: Downton Parish Council strongly support the comments of Redlynch Parish Council.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 One representation of objection:

- No justification as to why the restoration works have not taken place already.
- A shorter time scale should be agreed.
- A stop notice should be issued until the application is decided.

10. RELEVANT HISTORY

10.1 Completion of landfill; restoration of phase 4; re-engineering works to landfill cap of cells 1 - 4; temporary retention of gas utilisation plant, leachgate storage tanks; stockpiling area; retention and enhancement of site conservation area (17/00878) granted on 27 July 2018

10.2 Breach of Condition Notice (98363) served on 07 February 2014 and complied with on 12 June 2014

10.3 importation of soils to improve the restoration of phases 1 and 2 (98363) granted on 19 June 2013

10.4 Temporary use of land for stockpiling; skip storage; site office; parking (98193) refused on 11 April 2013 and appeal allowed in part (temporary use of land for stockpiling) on 23 April 2014

- 10.5 Temporary use of land for the storage and processing of inert material (97365) refused on 20 July 2012
- 10.6 Enforcement Notice - importation of materials and engineering operations served on 02 December 2011 and appeal dismissed on 14 May 2012 and complied with on 14 May 2013
- 10.7 Importation of soils to improve restoration of phases 1 and 2 (96535) refused on 11 October 2011 and dismissed at appeal on 14 May 2012
- 10.8 Installation and operation of a landfill gas utilisation plant (92070) approved on 23 November 2007
- 10.9 Composting facility for shredded recycled and green waste (90326) approved on 6 September 2006
- 10.10 Extraction of building sand and backfilling with waste materials (90/00485) granted on 18 April 1991

11. ASSESSMENT

- 11.1 Pound Bottom landfill site is a longstanding minerals and waste site in the Wiltshire area of the National Park. The site lies within the West Wellow Heaths and Commons landscape character area with a landscape component type of 'heath associated estates'. It is adjacent to several important designated nature conservation sites (SSSI, SPA, SAC, Ramsar, Wiltshire Wildlife Sites) and is accessed by B-roads across the grazed open forest. There is a small cluster of residential properties to the north-west of the site.
- 11.2 There is an extremely long and complex planning history commencing in the 1980's when sand was first extracted. This resulted in four phases of mineral working with the resultant voids being permitted for landfilling. Phases one to three have been restored and permission was granted in 2017 for a comprehensive scheme pursuant to the final restoration and closure of the landfill site. This included an updated restoration scheme in relation to phase 4. It was a requirement of this latest permission that restoration (including planting) would be completed on or before 31 December 2019. Officers have been actively monitoring the site.
- 11.3 This application seeks consent to vary the completion date of the restoration of Pound Bottom from the 31st December 2019 to the 31st December 2020. The supporting statement states the applicant has not been able to complete the site within the required time scale as working has been hampered due to the inability to perform any work with restoration materials during the wettest autumn on record. This is set out in more detail in paragraph 11.6 below.

- 11.4 Phase 4 of the restoration consists of cells 1 - 7 and cells 8-14. Set out below is a summary of outstanding works for the various cells.

Cells 8-14:

Cells 8-14 are near to completion with no further materials required to be imported to complete their restoration. Cells 8, 9, 10, 13 and 14 have been capped and clay soils have been partially placed over these areas. There is a small area of cells 11 and 12 which still need an engineered cap to be finished prior to the restoration soils being emplaced. In order to finish the capping to cells 11 and 12 it will be necessary to expose the current engineering surfaces which have been temporarily covered to protect them from the elements and lay the final sheets of plastic membrane. This will then need to be welded together to create a waterproof seal. Once this is complete the restoration soils can be placed directly on top of the plastic.

Cells 1-7:

Cells 1 - 7 require more works than cells 8-14 and it is still necessary to import 25,000cm³ of material in order to suitably restore these cells. The supporting statement has stated that it has been difficult to source this inert material from the local area as the materials should have specific engineering characteristics required by the Environment Agency (clay rich soils). Since the submission of the application this material has, however, now been sourced from a single site and they are now in a position to start bringing the soil onto the site. It will be necessary for the material to be dried out in the first instance before it can be worked and put into place as per the agreed Environment Agency specifications. Once the material has been dried out, the infilling and capping works can commence.

The restoration soils will then be placed on all of the above cells, the cells will then need to be seeded in accordance with the approved Landscape and Restoration Management Plan. The agent has stated that all areas of the site where grass and heathland are to be located will be sown in the later summer / autumn and tree planting will commence from mid-October.

- 11.5 The key consideration in this case is whether the requested further 12 months is considered to be a reasonable time frame to ensure the final restoration and closure of the site and any associated impacts with an extended time period.
- 11.6 It is very unfortunate that the restoration of the site has not been able to be completed in accordance with the time scales as conditioned by consent 17/00878. The supporting statement, together with the additional information which was requested

during the course of the application, details that, due to the wet weather which was experienced from autumn onwards, it has not been possible to carry out the restoration works because of the conditions of the site and the fact that the material needs to be dry in order for it to be placed. It was evident from the Officer site visit undertaken earlier this year that the site is currently very wet, and this has not been helped by the clay soils and site topography. The applicant has attempted to complete the restoration to cells 8-14, however, they have had to abandon this on several occasions due to the weather. The process as outlined in paragraph 11.3, to allow the capping to be finished requires the existing material to be scrapped back to expose the engineering surface. The wet weather has resulted in the areas filling with water once the material has been removed and it is not possible to leave the engineering material exposed as this would put it at risk of being punctured. This would then also need to be replaced resulting in further delays. The soil is also very soft from the weather and as such the machinery required to move the soil has been sinking into the ground. Again, if the machinery were to puncture the engineering material or the final capping this would need to be removed and replaced which would result in longer delays. Delays have also occurred in relation to cells 1-7 because of the difficulty of sourcing the specific materials required by the Environment Agency in order to restore these cells. The applicant has confirmed that this material has now been sourced and as such, except for allowing time for the material to dry, this should no longer be an issue. Further, whilst it has not been possible to continue works in relation to the restoration of the site, the applicant has removed other on-site infrastructure such as the weighbridge and storage containers, and as such has continued with operations which have been possible during the wet weather. Although therefore very disappointing that the restoration works have not been completed, it is important to ensure works are completed to a high standard and in accordance with the approved restoration scheme.

- 11.7 In assessing the proposal, Officers have considered whether it would be appropriate to require those cells (8-14) which only require minimal works to be completed in a shorter period of time than the 12 months proposed. The main issue in relation to this is that the completed restoration includes the seeding and planting which can only be undertaken at certain times of the year during the planting season. In this case, the planting season would be late summer/autumn for the grass and heathland, and mid-October for the tree planting. A shorter time period would not therefore be practical to allow sufficient time for the planting to occur. Furthermore, the heavy rainfall experienced during January and February of this year has only resulted in worse ground conditions at the site delaying further works.
- 11.8 With regards to traffic movements, this application does not seek to change what has already been consented at the site. It has

always been necessary to import 25,000cm³ of material in order to restore cells 1-7. The material will be brought onto the site over approximately the next two months. The routes of the vehicles would be as per the already approved traffic route requiring HGVs to access the site from the north via the A338 and the B3080, and from the south via the A31 / M27 and the B3080. It is recognised there would be some disruption from increased traffic movements whilst this is taking place, however, this would be no greater than that which would have occurred last year had the material been available to source. Once the soil has been imported, the majority of activity will be restricted to the site only. Vehicles movements in the adjacent villages would thus decrease as this would be associated with staff trips only. It is not therefore considered there would be an adverse impact regarding vehicle movements over this short temporary period.

- 11.9 To conclude, although it is disappointing that the applicant has not been able to finish the restoration in accordance with the time scales as permitted by application 17/00878, by varying the completion date of the restoration to the 31 December 2020 this will ensure that restoration is achieved to a high standard and in accordance with the approved details. Officers will continue to closely monitor the site to ensure the progress of the restoration and the next visit is due to take place in April. It is therefore recommended that permission is granted for the proposed extension of time until 31 December 2020. As an application to vary a condition under Section 73 results in a fresh planning permission, it would be necessary to reimpose the relevant planning conditions.

12. RECOMMENDATION

Subject to the prior completion of a deed of variation to the original section 106 agreement, the Executive Director of Strategy & Planning be authorised to grant planning permission subject to the following conditions:

- 1 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and the recommendations contained within the reports, referred to below:
 - L.01 Rev A - Restoration Concept (dated February 2018)
 - L.02 - Landscape Details (dated July 2016)
 - SUR/53-4 Issue W1 - Proposed Presettlement Levels (dated 01/2/15)
 - PHS-01 Issue F - Cells 1 to 7 Restoration Phasing Plan (dated 11/07/16)
 - PLA-01 Issue F - Application Boundary (dated 15/01/16)
 - (Contours)

- LA.01 - Site Overview (February 2016)
- PLA-02 Issue W1 - Phase 4 Cells 1-7 (dated 18/01/16)
- Cells 8-14 Restoration Phasing Plan (dated 18/06/16)
- Figure 2 - Pound Bottom Compound Layout (dated 12/10/10)
- Planning Statement (dated September 2017) which includes the following; Phase 1 Habitat Survey (dated March 2016), Restoration Design Statement (dated April 2016), Litter Management Plan and Landscape and Restoration Management Plan (dated 26 February 2018)

Reason: For the avoidance of doubt and to ensure the satisfactory restoration of the site.

- 2 Except in the event of emergencies, or unless otherwise agreed in writing by the Waste Planning Authority, the waste management operations and restoration hereby approved shall only be undertaken between the following hours: 07:00 – 17:00 Mondays to Fridays and 07:00 – 13:00 on Saturdays. There shall be no working on Sundays or recognised public holidays. In the event of emergency access occurring outside of the permitted hours the Waste Planning Authority shall be notified in writing of the time and reason for the access within 7 days.

Reason: In the interests of local amenity.

- 3 There shall be no acceptance or deposit of non-hazardous waste or asbestos waste (i.e. the landfill operation) at the site.

Reason: To secure satisfactory restoration of the site.

- 4 The restoration of cells 1 – 7 in Phase 4 shall be completed in accordance with the phasing details shown on drawing no. PHS/01 - Issue F and shall be completed on or before 31st December 2020.

Reason: To secure satisfactory restoration of the site.

- 5 The restoration of cells 8 – 14 in Phase 4 shall be completed in accordance with the phasing details shown on Cells 8-14 Restoration Phasing Plan (dated 18-06-16) on or before 31st December 2020.

Reason: To secure satisfactory restoration of the site.

- 6 The landfilling and restoration shall be completed in accordance with the pre-settlement levels shown in drawing no. SUR/53-4 - Issue W1 on or before 31st December 2020.

Reason: To secure satisfactory restoration of the site.

- 7 The restoration of the site shall be completed in accordance with drawing L.01 Rev A Restoration Concept and the details of the

Landscape and Restoration Management Plan on or before 31st December 2020.

Reason: To secure satisfactory restoration of the site.

- 8 Only inert material for use in restoration works shall be stockpiled within the area shown on drawing no. CSG/A077797/PLA/02 Rev A. Stockpiles shall not exceed the levels shown on drawing CSG/A077797/PLA/03 as referenced from the approved datum point located as show on drawing CON-01.

Reason: In the interest of public amenity and to protect the landscape of the National Park.

- 9 The use of the land shown on drawing no. CSG/A077797/PLA/02 Rev A for stockpiling shall cease and the land restored in accordance with the pre-settlement levels shown in drawing no. SUR/53-4 Issue W1 on or before 31st December 2020.

Reason: To ensure the full and satisfactory restoration of the site.

- 10 The ditch forming the boundary of the stockpiling area to the north and east adjacent to the Site of Special Scientific Interest and Special Area of Conservation shall be retained and kept clear of all tipped material.

Reason: To protect the features and designation of the SSSI and SAC.

- 11 All structures forming the site office and welfare facilities, and the site weighbridge, shall be removed from the site and the land restored in accordance with the details shown on drawing L.01 Rev A and the details of the Landscape and Restoration Management Plan on or before 31st December 2020.

Reason: To ensure the full and satisfactory restoration of the site.

- 12 The former wheel wash area shall be restored in accordance with the details shown on drawing L.01 Rev A and the details of the Landscape and Restoration Management Plan on or before 31st December 2020. See point 7 of the covering email.

Reason: To ensure the full and satisfactory restoration of the site.

- 13 Unless otherwise first agreed in writing by the Waste Planning Authority, the leachgate management shall only be carried out in accordance with the approved Leachgate Management Plan dated September 2018. A biennial review to evidence the ongoing requirement for this infrastructure shall be submitted to the Waste Planning Authority. In the absence of this, or it is concluded by the Waste Planning Authority the leachgate storage tanks can be removed from the site, this shall be the case and the land

restored within 12 weeks of that date in accordance with the details shown on drawing L.01.

Reason: To ensure the full and satisfactory restoration of the site and enable the Authority to review the ongoing requirements for leachate and landfill gas management following completion of landfilling.

- 14 Unless otherwise first agreed in writing by the Waste Planning Authority, the gas utilisation plant shall only be operated in accordance with the approved Landfill Gas Infrastructure Plan dated September 2018 in conjunction with the email from Michael Jones dated 17th September 2019. A biennial review to evidence the ongoing requirement for this infrastructure shall be submitted to the Waste Planning Authority. In the absence of this, or it is concluded by the Waste Planning Authority the gas utilisation plant can be removed from the site, this shall be the case and the land restored within 12 weeks of that date in accordance with the details shown on drawing L.01.

Reason: To ensure the full and satisfactory restoration of the site and enable the Authority to review the ongoing requirements for leachate and landfill gas management following completion of landfilling.

- 15 Unless otherwise agreed in writing by the Waste Planning Authority all restoration planting and aftercare shall be undertaken in accordance with details contained in the Landscape and Restoration Management Plan (26 February 2018) as shown on drawing L.01 Rev A. For the avoidance of doubt the aftercare period shall run for 10 years after completion of the restoration.

Reason: To secure satisfactory restoration of the site.

- 16 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 secure satisfactory restoration of the site.

- 17 Unless otherwise agreed in writing by the Waste Planning Authority the management of litter shall be undertaken in accordance with the Litter Management Plan (as detailed in Appendix H to the Planning Statement (dated September 2017)). For the avoidance of doubt within 3 months of the cessation of landfill operations all litter deposited around the site shall be removed.

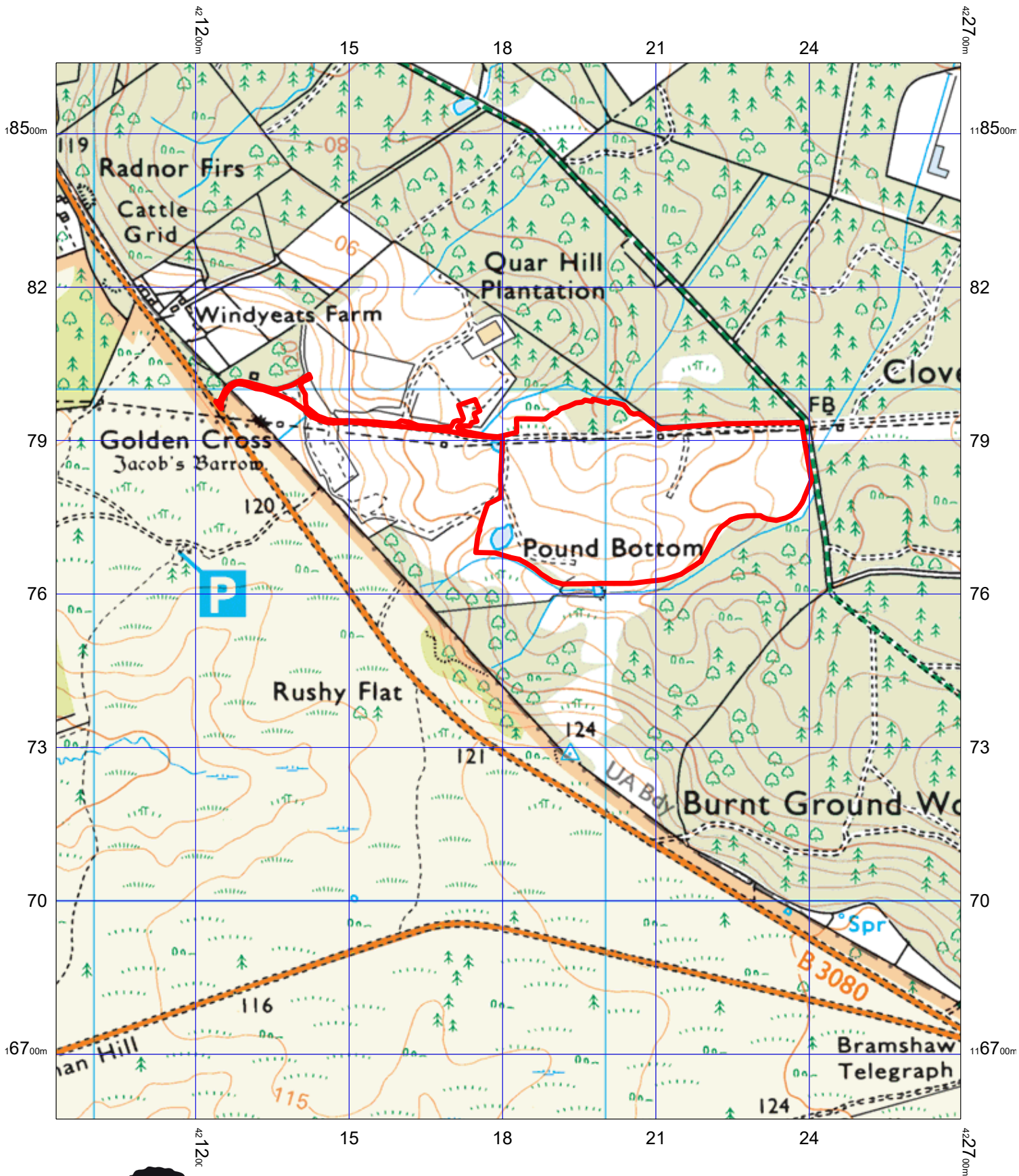
Reason: In the interests of public amenity.

- 18 Best practicable means must be used to ensure there is no noise or dust nuisance from the site. All mechanical equipment used on site shall be fitted with appropriate and effective silencers.
- Reason: In the interests of public amenity.
- 19 No external lighting shall be installed at the site without the prior written approval of the Waste Planning Authority. Details shall include measures to prevent light pollution and to protect the landscape character of the surrounding National Park landscape. Development shall be carried out in accordance with the approved details and shall be retained thereafter in accordance with those details.
- Reason: In the interests of public amenity and to protect the National Park landscape.
- 20 For the duration of the permitted waste management operations the site haul road shall be maintained so as not to result in the trafficking of mud from the site on to the public highway.
- Reason: In the interests of public amenity.
- 21 All materials, machinery, waste materials and spoil shall be stored within the site as shown edged red on Dwg. PLA-01 Issue F. All contractors working on site shall be made aware of the designation afforded to the New Forest as a SSSI/SAC and shall be provided with a map that clearly shows the defined boundary of the SSSI/SAC in relation to the development site.
- Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the New Forest National Park Local Plan 2016-2036 (August 2019).
- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no fixed plant or machinery, buildings, structures or erections, or private ways (other than private ways within the site of the approved restoration works) shall be erected, extended, installed or replaced at the site except those authorised by this consent, without the prior agreement in writing of the Waste Planning Authority.
- Reason: To protect the amenity and landscape of the National Park.
- 23 Commercial vehicles accessing the site shall adhere to the routing plan as shown on drawing TRA/01. All operators and drivers of commercial vehicles shall be made aware of the agreed routing plan in advance and this shall be strictly adhered to.

Reason: In the interests of local amenity.

- 24 Notwithstanding the provisions of planning permission (S/90/0485) and planning permission (APP/B9506/A/13/2206968) all working shall hereafter be undertaken in accordance with this permission.

Reason: To secure the satisfactory restoration of the site.



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

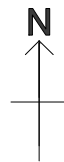
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Date: 03/03/2020

Ref: 19/00958 VAR

Scale: 1:10000

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Application No: 19/00978/FULL Full Application

Site: 2 Harewood Cottages, Winsor Road, Winsor, Southampton, SO40 2HN

Proposal: Single storey extension.

Applicant: Ms S Alford

Case Officer: Liz Young

Parish: COPYTHORNE

1. REASON FOR COMMITTEE CONSIDERATION

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

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 DP36 Extensions to dwellings
 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 permission:

- Entirely appropriate request given the circumstances.
- Long standing member of the community.

Would enable the applicant to stay local with an established support network.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 Three letters of support:

- Whilst the proposal would exceed floorspace limits, the applicant has no realistic prospect of recovery.
- The applicant and her family have lived in the Parish most of her life and she will now be more reliant upon her family.
- The proposal is an essential facility to meet the needs of a person with a life changing condition and no chance of recovery.
- No harmful impact upon the immediate neighbour.
- Proposal will allow the applicant to remain in her current home.

10. RELEVANT HISTORY

10.1 2 storey side extension with new porch; new vehicle access and driveway (08/92561) approved on 20 March 2008

11. ASSESSMENT

11.1 This application relates to a modest semi-detached cottage which lies within the Forest North East Conservation Area. The property lies within a row of modest cottages of varied styles which are accessed off a small layby adjacent to, and slightly elevated above, Winsor Road. The plot is moderate in size with an enclosed rear garden. The house itself is characterised by a fairly compact footprint, a gabled roof line, facing brick work and a slate roof. Ground floor accommodation currently comprises a living room, kitchen / diner and utility room.

11.2 Consent is now sought to add a single storey extension to the rear of the property, infilling the corner between the kitchen / dining room and the utility room. The extension would provide a new bedroom and wet room area at ground floor level. External facing materials (facing brick work, felt roofing and UPVC) would match those on the existing building. The roof of the extension would be flat with a central roof lantern.

11.3 It was established on site that the development would not lead to any direct or harmful implications for the amenities of neighbouring residents and the design of the extension would not be detrimental to the character of the house or the wider conservation area. The extension would be low key and unobtrusively sited to the rear of the site and well distanced from

boundaries with neighbouring properties.

- 11.4 The issue to be assessed now relates to floor area as the property would, as a result of the proposed extension, be extended beyond the size that would normally be allowed under Policy DP36. In exceptional circumstances, this policy does allow the limit to be exceeded to meet a genuine need which is defined as:

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

- 11.5 The applicant has suffered a medical condition which has resulted in her becoming wheelchair bound. Additional medical information was requested by the case officer to clarify in more detail the need to improve the accommodation within the dwelling. Supplementary information received from the occupational therapist is summarised as follows:

- The applicant will need lifelong use of the adaptations and equipment required to support her to remain living in her home with her partner.
- Wheelchair access is required to the front and rear of the house.
- The applicant requires access to a downstairs bedroom with a ceiling track hoist to support with personal care, transfers to wheelchair and shower chair.
- The applicant also requires an en-suite level access shower with tilt and space shower chair and to allow space for one or two carers.
- Wheelchair access to the living room and kitchen are also required.

- 11.6 Following an internal and external inspection of the building in its current form, it has been established that the current configuration would not enable the requirements listed above to be met. The room sizes are very small and there is no scope to provide any form of ground floor bedroom accommodation (without displacing the modest primary habitable uses currently on the ground floor). There is also only a very small shower room available on the ground floor (the main bathroom being positioned on the first floor). The proposed extension would enable the formation of a ground floor bedroom with wet room area and new wider door openings directly onto the kitchen area. It is therefore clear that the proposed extensions and alterations would be essential to

meet the daily living needs of the applicant and that the house in its current form falls short of meeting these requirements.

- 11.7 It is a further stipulation of Policy DP36 that an exception to normal restrictions may be made for the genuine family needs of an occupier who works in the immediate locality. This is designed to cater for those applicants whose employment means that moving house is not a practical option. The applicant does not work in the immediate locality but has occupied the property for the last 12 years. It is evident that the recent sequence of events which led to her becoming wheelchair bound could not have been anticipated. Additional information provided by the agent sets out that the applicant's family are important to the local history of Copythorne and the applicant is also a practicing commoner with a nearby field (under the same postcode) being used to accommodate the applicant's livestock.
- 11.8 The original dwelling was classed as a small dwelling with a floorspace of 77 square metres. The further extension now proposed would take the property up to the 120 square metre limit which applies in the case of exceptional circumstances under Policy DP36. The case for exceptional circumstances has been made and is accepted. In the absence of any other identified harm to the amenities of neighbouring residents or the character and appearance of the conservation area, it is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

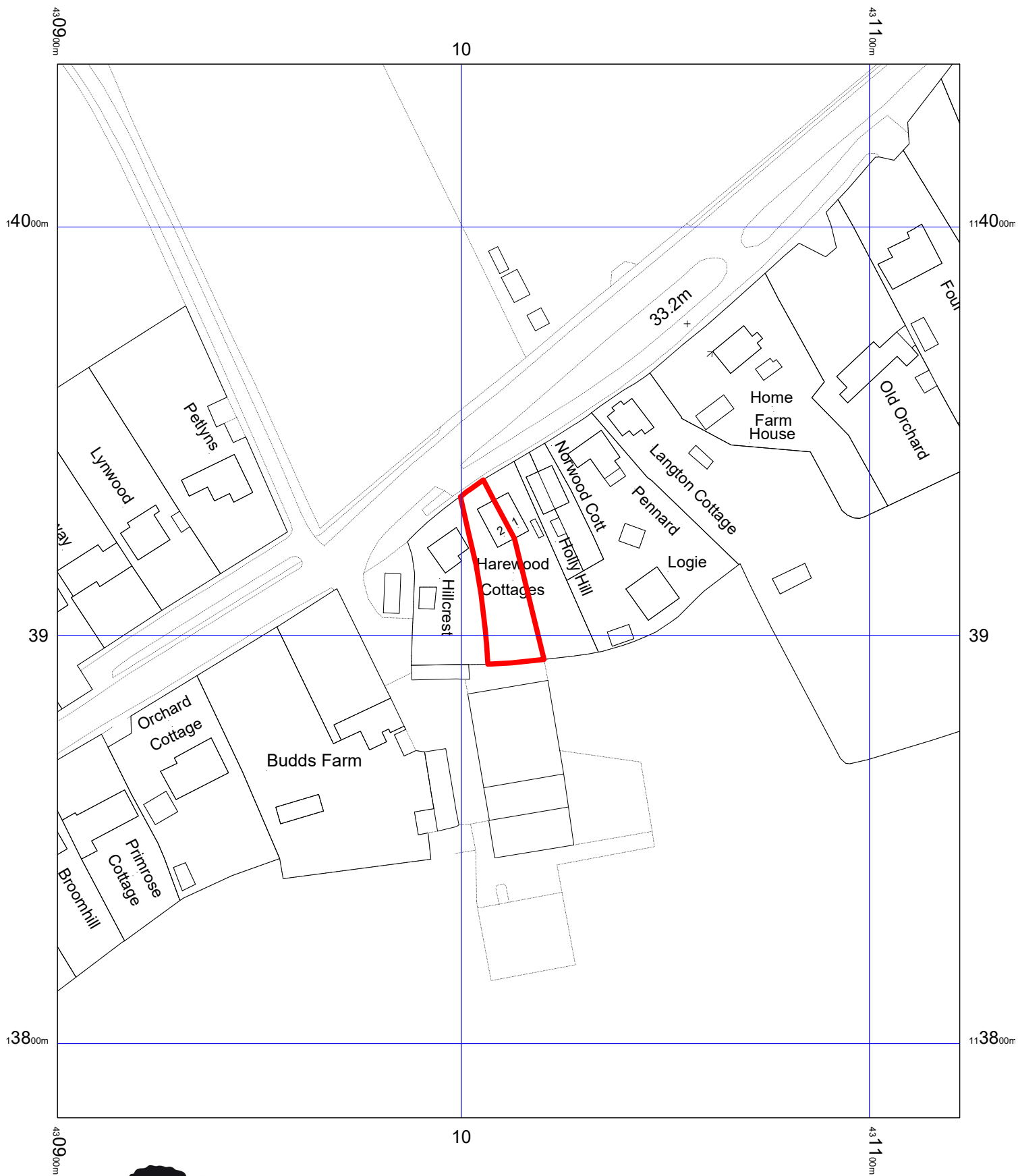
Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external facing brickwork to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.
- Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 Development shall only be carried out in accordance with drawing numbers: PL/01, PL/02, PL/03, PL/04, PL/05, PL/06. 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

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

Tel: 01590 646600 Fax: 01590 646666

Date: 02/03/2020

Ref: 19/00978 FULL

Scale: 1:1250

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Application No: 19/00979/FULL Full Application

Site: Holme Leigh, Bull Hill, Pilley, Lymington, SO41 5RA

Proposal: Single storey extension; new porch; rooflight; removal of existing conservatory

Applicant: Mrs G Tose

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

- SP6 The natural environment
- DP2 General development principles
- SP7 Landscape character
- SP16 The historic and built environment
- SP17 Local distinctiveness
- DP18 Design principles
- DP36 Extensions to dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Boldre Parish Council: Recommend refusal:

This proposal appears just as inappropriate as the previous one in the picturesque locality on the Open Forest.

8. CONSULTEES

8.1 Building Design & Conservation Area Officer. No objections to the amended plans

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Two-storey extension; removal of conservatory; alterations to front porch (19/00795) withdrawn on 11 December 2019

10.2 Single-storey additions with room in roof and dormer; detached double garage / carport and manege (02/75997) granted on 28 October 2002

11. ASSESSMENT

11.1 The application site is a detached, 18th century cob thatched cottage which is sited outside of the defined New Forest Villages in the Forest South East Conservation Area and has been identified in the Conservation Area Character Appraisal as a non-designated heritage. The site is accessed via an un-made track and is surrounded by open forest. This application seeks consent for a single-storey extension, porch and rooflight; the existing conservatory would be removed.

11.2 The relevant considerations are:

- The impact upon the character and appearance of the locality and the conservation area; and
- Whether the proposal would be in keeping with the existing dwelling and its curtilage.

The relationship with the adjacent dwellings is such there would not be a greater impact upon their amenities.

11.3 By way of background, this application follows a previously withdrawn scheme for a two-storey addition and porch at the application site. This application seeks consent for a single-storey addition to the dwelling on the same footprint as the existing conservatory which it is proposed would be demolished. Consent is also sought in relation to a new porch. The drawings submitted with the application also originally sought consent for a larger replacement dormer window. Following concerns raised by

Officers, this element of the proposal has, however, been removed from the proposal and amended plans have been received. In order to allow extra light within this habitable room a conservation rooflight has been proposed on the north side elevation. Confirmation has also been received in relation to the rainwater goods which would be cast iron or zinc.

- 11.4 The proposed extension would have the same footprint as the conservatory in situ and would have an Oak timber frame with a brick plinth. The Conservation Officer has raised no objection to the proposed addition as it is considered that it would improve the overall appearance of the cottage and, as such, would not have any greater harm than the addition already in situ. With regards to light pollution and the impact upon the dark skies of the National Park, as the proposed addition would have a slate roof, rather than glazed as per the existing, the amount of light pollution would be reduced, which is also considered to be an overall enhancement. In terms of the proposed porch, this would replace the current front addition and is also considered to be of an acceptable scale and design which would not have an adverse impact upon the character of the cottage or the surrounding conservation area. It is therefore considered the proposal would comply with Local Plan Policies DP2, DP18, SP7, SP16 and SP17 and the National Planning Policy Framework.
- 11.5 With regards to the floorspace restriction set out in Policy DP36, the property when it was extended in 2002 utilised its full 30% allowance. The proposal comprises replacement floorspace and would not result in a net increase in floorspace above that currently in situ which would be considered acceptable and in accordance with Policy DP36. It is recommended that a condition is attached removing permitted development rights in relation to extensions and roof alterations to ensure that the property remains of a size which is appropriate to its location within the countryside in accordance with Policy DP36.

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: 01A, 02C, 05C and 06D. 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 development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

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

a) Typical joinery details of windows and doors at a scale of 1:5 section and 1:10 elevation.

b) Rainwater goods at a scale of 1:10

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).

- 5 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).

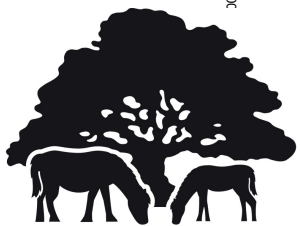
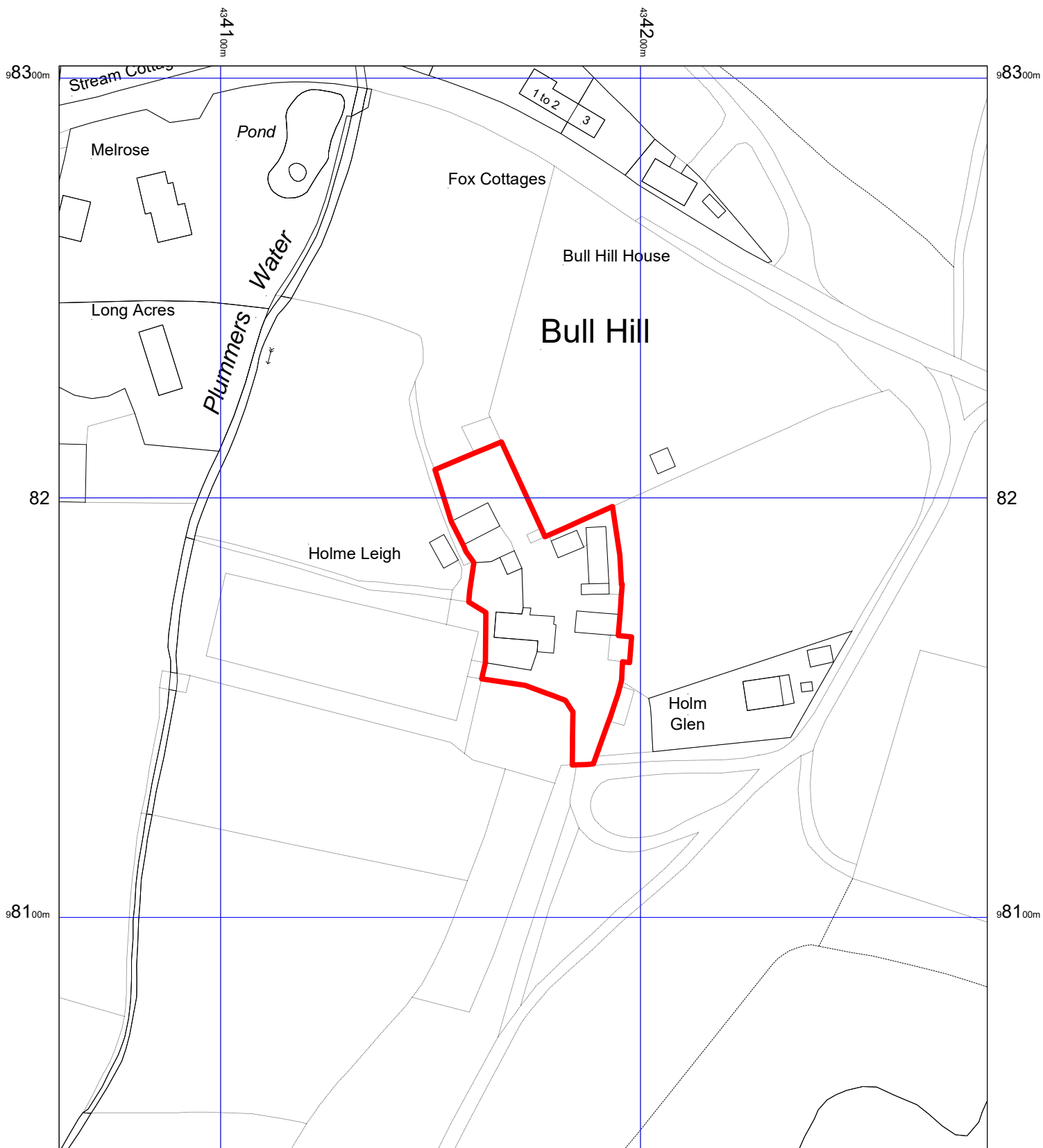
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order, shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is

appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 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).



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 02/03/2020

Ref: 19/00979 FULL

Scale: 1:1250

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Application No: 20/00008/FULL Full Application

Site: Golden Bush, Sandy Down, Boldre, Lymington, SO41 8PN

Proposal: 1no outbuilding.

Applicant: Mr Percy

Case Officer: Claire Woolf

Parish: BOLDRE

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
 SP17 Local distinctiveness
 DP18 Design principles
 DP37 Outbuildings

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

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

It is felt this proposed outbuilding is overly large and tends to dominate the house. Furthermore, it extends well in front of the main building and is very close to the neighbour's boundary.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 Four comments of support:

- Sensible and sympathetically designed proposal which is in keeping with the surrounding area and properties.
- If the outbuilding proposed was any smaller it would have an awkward appearance.

10. RELEVANT HISTORY

10.1 Two storey front and rear extensions; porch (19/00678) granted subject to conditions 23 October 2019.

10.2 Addition of a conservatory (NFDC/84/26661) granted on 11 June 1984

11. ASSESSMENT

11.1 The application site is located to the northern side of Sandy Down, and contains a two-storey detached dwellinghouse. The dwellings in Sandy Down are substantial and of varied design. The site backs onto woodland. In 2019, extensions to the dwelling were approved which are now under construction.

11.2 Consent is sought for an outbuilding in the shape of an 'L' sited adjacent to the dwelling. The outbuilding would include space for three cars and a workshop with a footprint of 64 square metres. Part of the outbuilding would project forward of the front elevation of the dwelling by approximately 4.8 metres.

11.3 The key considerations are:

- Whether the proposal complies with Policy DP37;
- Whether it would be of an appropriate design; and
- The impact upon neighbouring amenity.

11.4 Policy DP37 of the New Forest National Park Authority Local Plan 2016-2036 (August 2019) states that outbuildings should be proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing. The dwelling is not a small dwelling and is currently being extended to have a two-storey front and rear extension. The height of the dwelling to the ridge is 8.3 metres tall. The outbuilding would be subservient to this at 4.88 metres tall and would be located within the residential curtilage. The proposed use for the outbuilding would be incidental, comprising a workshop and garage for three cars. It would be appropriate to

impose a condition to ensure it would not subsequently be converted to habitable accommodation at a later date. Whilst the proposal is large in scale, it would not dominate the site or house and would be proportionate to the dwelling.

- 11.5 The outbuilding would project forward of the front elevation of the dwelling. However, given the plot size and the siting of the existing dwelling, it is not considered that the proposal would have an unacceptable impact in the street scene. The materials proposed would comprise tiles and bricks to match the dwelling and are considered to be appropriate.
- 11.6 Whilst the outbuilding is proposed to be sited close to the site boundary with the neighbouring property to the west, this would be partly screened by a hedge and the outbuilding would be located 13 metres from the neighbouring dwelling. Given the separation distance and the screening, it is not considered that the proposal would have a significant adverse impact on neighbouring amenity.
- 11.7 Permission is recommended subject to conditions, because the proposal complies with Policy DP2, SP17, DP18 and DP37 of the New Forest National Park Local Plan 2016-2036 (adopted August 2019).

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 The 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).

- 3 Development shall only be carried out in accordance with

Drawing numbers: MBA/100/202, MBA/100/203, MBA/100/204,

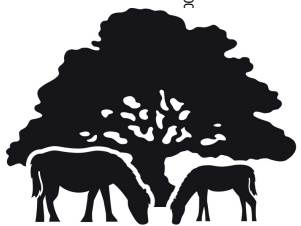
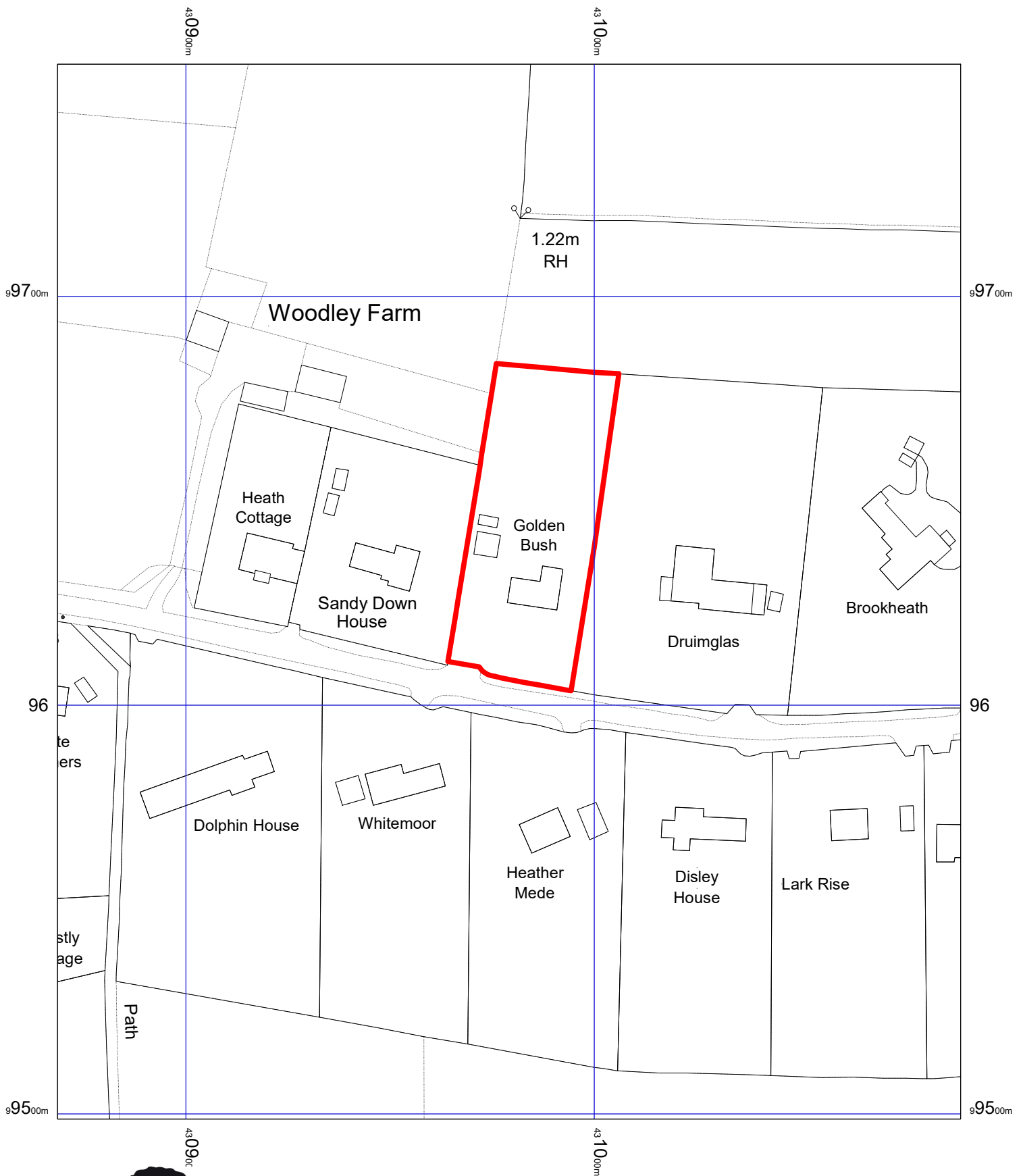
MBA/100/205.

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).

- 4 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

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



NEW FOREST
NATIONAL PARK

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

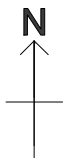
Tel: 01590 646600 Fax: 01590 646666

Date: 04/03/2020

Ref: 20/0008 FULL

Scale: 1:1250

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Application No: 20/00011/FULL Full Application

Site: Ashley View Farm, Hyde, Fordingbridge, SP6 2QE

Proposal: Replacement building for use as stables

Applicant: Mr D Cotter

Case Officer: Liz Young

Parish: HYDE

1. REASON FOR COMMITTEE CONSIDERATION

Referred by Authority Member.

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

- DP2 General development principles
- DP52 Field shelters and stables
- SP7 Landscape character
- SP16 The historic and built environment
- SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

- Design Guide SPD
- Guidelines for Horse Related Development SPD
- Hyde Village 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

Ann Sevier: Has requested that the application should be referred to Planning Committee.

7. PARISH COUNCIL COMMENTS

Hyde Parish Council: Recommend refusal but will accept a delegated decision:

- The building is considered to be non-compliant with policies DP52, DP18, DP2 and SP7 as the design is not of a high standard and is inappropriate for a stable within a conservation area.
- Does not enhance the environment.
- A reduction in size may comply with DP52 in terms of scale and location to the main property.

In the event that consent is granted conditions should be imposed to ensuring lighting would be low level to preserve dark skies (tranquility policy SP15) and also to ensure the accommodation would be ancillary to the main property and to ensure all equipment and machinery would be stored off the designated SSSI.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 No comments.

10. RELEVANT HISTORY

10.1 Retention of replacement building to provide holiday let (C1 use) (18/00400) refused on 04 September 2018 (Appeal dismissed on 2 July 2019)

10.2 Re-roofing and cladding to existing building; alterations to fenestration (16/00688) approved on 19 October 2016

10.3 Determination as to whether prior approval is required for proposed change of use of agricultural building to a flexible use class C1 (hotels) piggery at Ashley View (15/00676) no objections raised on 29 October 2015

11. ASSESSMENT

11.1 The application site comprises a detached building, a recently constructed replacement of an agricultural building, located on agricultural land immediately north of Ashley View. It is apparent that the building, alongside a further agricultural outbuilding to the west, lies on the boundary of the residential curtilage with the surrounding agricultural land (to the north, west and south west). The site is within the Western Escarpment Conservation Area (Character Area H, Hungerford, Hyde Common, Gorley Common and Ogdens). The eastern site boundary is adjacent to the New Forest SSSI. The site is not located within a defined New Forest village. A network of public rights of way and forest tracks lie immediately to the east and north of the site and the paddock itself is one of the field encroachments along the perimeter of Hyde Common which date from the 18th century. Ashley View Farm itself is specifically noted within the Conservation Area

Character Appraisal for its vernacular interest.

- 11.2 By way of background, an application for Prior Approval for the change of use of the agricultural building which originally existed on site to a C1 use was submitted to the Authority in 2015. Planning permission for related physical works to the building ("re-roofing and cladding to the existing building plus alterations to fenestration") was subsequently granted in October 2016. During the work the structure evidently became unstable when the roof was removed, with cracking in several parts of the walls. This resulted in the walls being replaced and, once this was brought to the Authority's attention, the applicant was advised that this was development in breach of the 2016 permission. The resulting application for planning permission for "Replacement building to provide holiday let (C1 use)" was refused and an enforcement notice issued. This enforcement notice was appealed and then subsequently dismissed on the grounds that it would result in the introduction of a new dwelling in the open countryside contrary to Policy SP19. The Inspector noted that *"the building when completed internally would provide all the necessary facilities for independent day to day living, and the authority were right to treat it as a dwelling."*
- 11.3 Following on from this appeal decision, permission is now sought to retain part of the building (the external footprint being reduced down from 114 square metres to 91 square metres based upon the proposed plans) and carry out some minor external alterations to enable the building to be used as a stable block. The roof (tiled in slate) would remain unchanged but the patio doors would be replaced with timber doors. The reduction in size and minor external alterations have not yet been implemented.
- 11.4 It was established on site that the development does not have any direct or harmful implications for the amenities of neighbouring residents and the main issues under consideration would be the extent to which the building could be regarded as modest in size and unobtrusive in the landscape whilst having regard to the character and appearance of the Conservation Area and New Forest landscape.
- 11.5 Policy DP52 of the Local Plan seeks to ensure field shelters and stables would be sensitively sited and unobtrusive in the landscape, simple in appearance, modest in scale and constructed with appropriate materials. This policy explicitly seeks to limit the proliferation of buildings in the New Forest, primarily because of their impact upon the landscape. Since the 2019 appeal decision referred to above a new policy has been introduced through the adoption of the New Forest National Park Local Plan (SP7) which relates specifically to Landscape Character. This policy has in part been informed by the Landscape Character Assessment which closely reflects the requirements of paragraph 172 of the NPPF. This policy seeks to

ensure the Landscape Character Assessment is used to inform decisions regarding the location and design of development and the capacity of the landscape to absorb potential changes. The policy also makes reference to the key issues identified within the Landscape Action Plan and notes the importance of intrinsic character. Importantly this policy states also that landscape character cannot solely be determined by what is visible from a publicly accessible location.

- 11.6 The proposal is to reduce the floor area of the structure currently on site, and whilst Policy DP52 of the Local Plan does not set out a maximum size for stables nor seeks to define the term "modest", the overall proposed size of just over 90 square metres would be very significant having regard to the sensitivity of this edge of forest location and the existence of other structures across the site. Furthermore, the very significant depth of the building would remain unchanged and would continue to add significantly to its overall impact upon this part of the Conservation Area. The more typical form of stabling which prevails across the forest would comprise two to three loose boxes (externally accessed) with a narrow depth, simple form and modest canopy.
- 11.7 Additional information was requested from the applicant to obtain some further background on the applicant's intentions for the building (in light of the recent intention to introduce a residential use) and to establish the need for stabling (having regard to the existence of other buildings on site). The suggestion was also made to the applicant to provide amended plans reducing the floor area of the stable to bring external footprint down to 50-60 square metres. Whilst no amendments have since been forthcoming the information received in response is summarised as follows:
- There are currently three ponies (one Shetland on loan) grazed on three acres and four sheep.
 - The other buildings on site are used for domestic storage.
 - The building immediately adjacent is intended to be used for hay storage.
 - The application gives the opportunity to upgrade stabling on site.
- 11.8 Whilst these points provide useful background, the overall size of the stable could not reasonably be considered "modest", particularly when having regard to the fact that the "piggery" is also to be retained immediately alongside. The overall site area is modest and the impact of the building is particularly significant having regard to its prominent site immediately adjacent to the open forest. Furthermore, it would appear to be the case that three ponies could reasonably be accommodated within a much smaller building than the one now under consideration as the layout shown suggests only half the internal area would be used for stabling. The additional information is therefore not considered

to provide sufficient justification for a building if the size now under consideration.

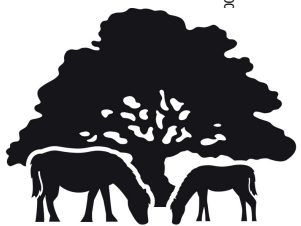
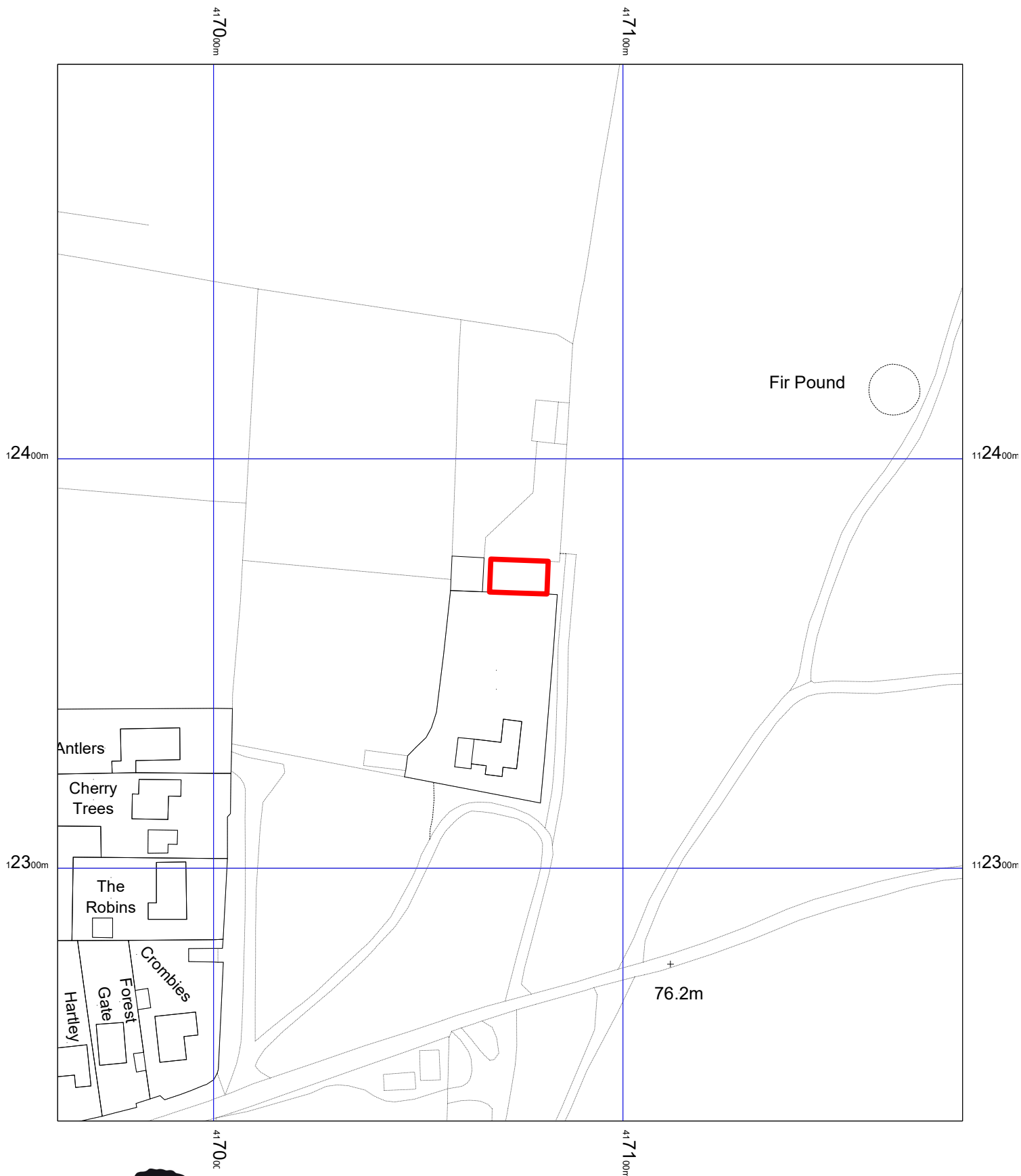
- 11.9 Notwithstanding the alternative use now proposed together with the slight reduction in size, it remains the case that, although the effect of this small-scale development on the rural character of the wider National Park might not be considered large scale, it would be significant. This would be a key concern, bearing in mind the need to consider the cumulative impact and gradual suburbanising effect mentioned in Local Plan policy SP17, and the high priority given to conservation interests in National Parks by national policy guidance. The development would contribute to that suburbanising effect, and thereby harm the rural quality of the National Park, contrary to local and national planning policies. The building is not a modest, simple structure designed solely to accommodate three horses and it is therefore recommended that the application should be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The proposed stable block would, by virtue of its size, form, prominence, siting and encroachment onto open countryside, fail to preserve the character and appearance of the Western Escarpment Conservation Area and the wider New Forest landscape. In addition, it would be disproportionate in scale with the associated landholding, with no justification for its size, and therefore would be and would be contrary to Policies DP2, SP7, SP17 and DP52 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 04/03/2020

Ref: 20/00011 FULL

Scale: 1:1250

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Application No: 20/00028/FULL Full Application

Site: Forest View, Lyndhurst Road, Landford, Salisbury, SP5 2AS

Proposal: Change of use of the site for two permanent gypsy and/or traveller's pitches in accordance with Policy SP33.

Applicant: Mr Webb

Case Officer: Clare Ings

Parish: LANDFORD

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP5 Nature conservation sites of international importance
 SP33 Gypsies, Travellers and Travelling Showpeople
 DP2 General development principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Landford Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Landford Parish Clerk: Recommend refusal for the summarised reasons listed below (the full objection can be read on the web site):

- History - consistent theme in that permission for the current incumbent of the site has only ever been temporary
- Landscape - adverse impact on the landscape of the National Park, and contrary to Section 4 of the Landford Village Design Statement. In addition, the site would not meet its own criteria for further selection of

sites as set in Policy SP33

- Ecology - the application site shares a boundary with a Site of Special Scientific Interest and the use of the site for residential activity could result in pollution risks
- Contrary to a number of policies of the Local Plan
- The occupation of the site by Mr Webb under the current temporary arrangement and conditions is acceptable to most residents in the parish

8. CONSULTEES

8.1 Planning Policy Officer: No objection

9. REPRESENTATIONS

- 9.1 Four representations received objecting on the following grounds:
- Potential risk of pollution of Landford Bog and impact on ecology in this area, including Natterer's Bat
 - Not in keeping with rural landscape of Landford due to prominent location
 - Would result in two other caravans without having to meet the criteria of being family members
 - Difficulty in controlling future use
 - Outside housing policies for area
 - Would result in intensification of the use
 - Suburbanising impact on area
 - Does not comply with own policy on gypsy sites
 - Contrary to terms of various permissions and conditions

9.2 Two representations in support

10. RELEVANT HISTORY

10.1 Application to remove conditions 1 and 2 of planning permission 09/94036 to allow permanent stationing of a residential mobile home and ancillary buildings for occupation by any person within the definition of a gypsy (13/98900) granted on 2 June 2014

10.2 Continued use of land for the stationing of a residential mobile home and ancillary domestic buildings (09/94036) temporary permission granted on 16 June 2009

10.3 Variation of condition 1 of planning permission S/2004/330 to allow permanent occupation (07/91839) refused on 31 August 2007

10.4 Variation of conditions 1 and 2 of planning permission S/2004/330 to allow: a) permanent occupation; and b) Miss Donna Webb to also occupy the site (07/91531) refused on 20 June 2007

10.5 Stationing of residential mobile home and ancillary wc and

11. ASSESSMENT

- 11.1 The site lies to the west of Lyndhurst Road in Landford and falls into two parts: that to the front of the site (Plot 1) comprises an area used for the stationing of a mobile home, a gravelled area of hardstanding and a smaller ancillary building, and also space for a touring van; the part to the rear (Plot 2) is currently vacant. The part of the site with the mobile home is screened from the road by a 2m high fence, double gates and brick pillars, whilst that to the rear is separated from the adjoining paddocks by a post and rail fence. There is also some vegetation along the southern boundary. An area of hardstanding lies outside the fenced part of the site. Adjoining to the south is a stud farm and agricultural land and paddocks, whilst opposite is mixed residential development. The land slopes down to the rear where it adjoins part of the Landford Bog SSSI.
- 11.2 The proposal is for the change of use of the site to two permanent gypsy and/or traveller's pitches. The proposal indicates the inclusion of a new native hedge with native trees along the north-eastern and south-eastern boundaries.

Local Plan allocation

- 11.3 The site has been allocated in the adopted Local Plan (August 2019) for an additional permanent gypsy and traveller pitch (Policy SP33), and therefore the key consideration in this case is the policy.
- 11.4 This allocation followed discussions over the need to provide for future permanent accommodation needs for gypsies, travellers and travelling showpeople during the local plan process and was undertaken by a consortium of Hampshire Authorities. This concluded that there was a need for one additional pitch for gypsy or traveller household to be provided in the National Park. The assessment of the Forest View site for inclusion in the Local Plan concluded *"the site has been used as a single gypsy pitch for a number of years. It is well screened from the surrounding area and benefits from an existing access. Landford itself has a basic range of local services."* The site was therefore put forward and allocated in the Local Plan, with the Inspector concluding that:

"Policy SP33 allocates land for one additional Gypsy and Traveller pitch on an existing site at Forest View, which would meet the identified need. The policy contains suitable criteria to ensure that the site is developed appropriately." The principle of an additional gypsy/traveller pitch is therefore accepted.

Background

- 11.5 By way of background to the allocation, the original consent for the stationing of the mobile home (SD/S/04/330) was granted in 2004 (by the predecessor local authority) and was subject to a number of conditions, including that the use would only be temporary (for five years) and that occupation was restricted to Mr David Webb and any resident dependents. The permission was granted due to Mr David Webb being acknowledged as a bona fide Romany gypsy, well-known to the Gypsy Liaison officer at Wiltshire (County) Council, and also with strong family connections to the area. The temporary permission was extended in June 2009 (09/94036) for a further five years.
- 11.6 A further permission (13/98900) was then granted in 2014 which was conditioned to allow Mr David Webb to reside at the site until he no longer required it.

Other issues

- 11.7 In allocating the site, its proximity to the Landford Bog SSSI was taken into consideration, and the policy therefore required certain mitigation measures to be put in place. In line with the criteria of the policy, these can be conditioned, together with details as to precisely how the site would be laid out. It should be noted that Natural England did not object to the allocation.
- 11.8 The site, however, lies in close proximity to the New Forest SAC and measures would need to be put in place to adequately mitigate against the potential for additional recreation on the sensitive areas and, specifically to this site, to prevent the introduction of invasive species through fly tipping of garden waste. A contribution would therefore be sought.
- 11.9 Natural England have recently advised that there is uncertainty as to whether future housing (which would include gypsy/ traveller's pitches) and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's recent advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application and a condition is included to address the issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) are met.

Conclusion

- 11.10 The comments raised by the objectors and the Parish Council are noted, but it has to be emphasised that its use for a single

additional gypsy/traveller's pitch would be fully compliant with the allocation of policy SP33. The objections raised are not dissimilar to those made at the time of the Local Plan process, and it was concluded then that the allocation was appropriate. It is therefore recommended that 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 Development shall only be carried out in accordance with Drawing numbers: DR1 and DR2. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 Occupation of the site shall be limited to gypsies or travellers as defined in Planning Policy for Traveller Sites (2015) or any subsequent amendment and with a local connection to the New Forest National Park only.

Reason: Residential occupation of the site is only justified on the basis that it is necessary to provide accommodation for gypsies/travellers in accordance with Policy SP33 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)

- 4 No development shall take place until a detailed site layout and scheme of landscaping of the site, the latter to include the removal of the existing high walls and fences, 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) indicating an enhancement of the site;
- (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).

- 5 Prior to the commencement of development ecological mitigation for the New Forest Special Protection Area, Special Area 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.

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.

- 6 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.

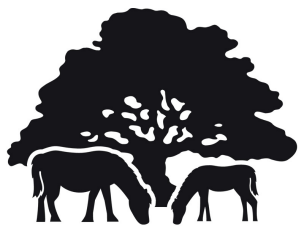
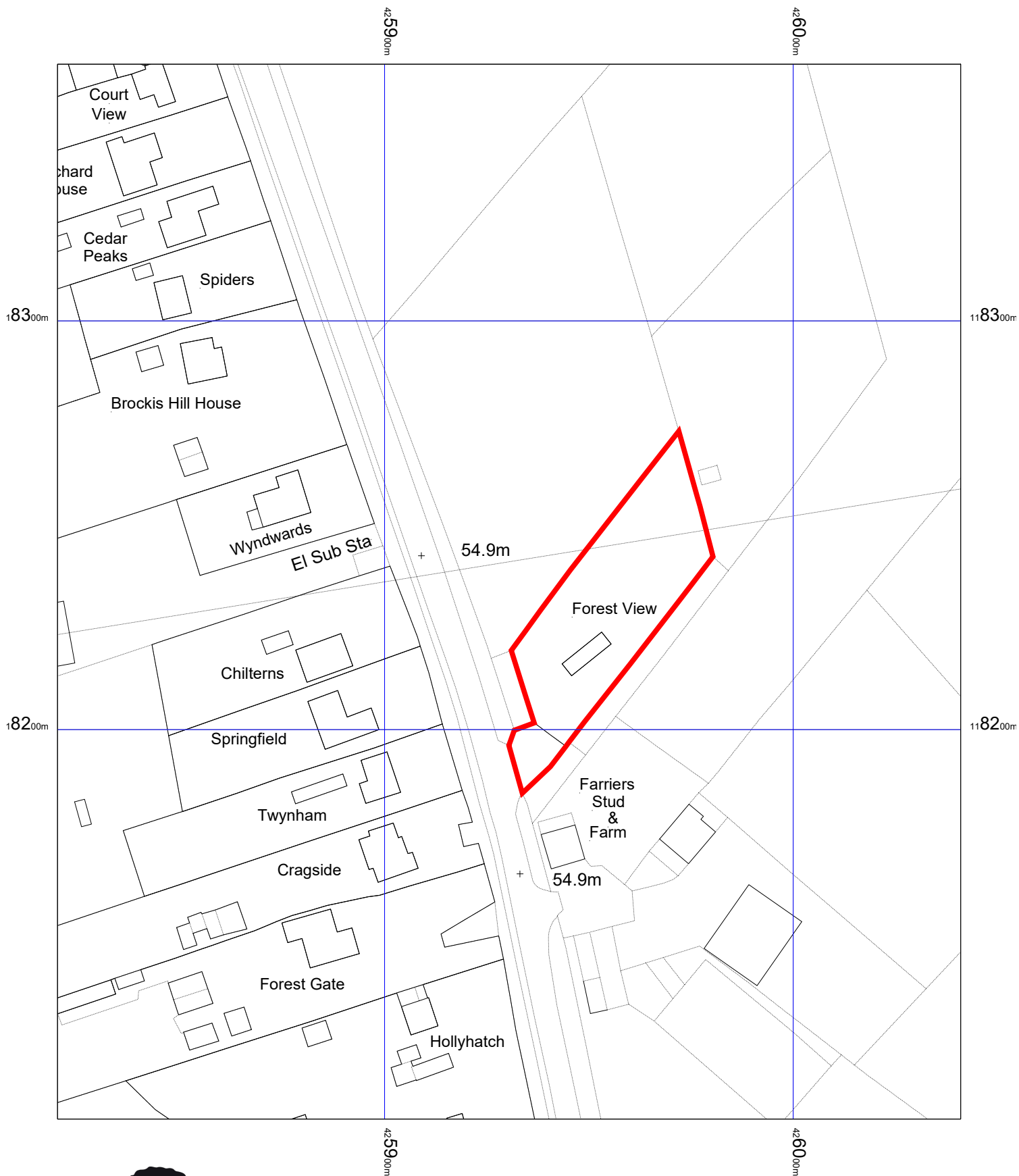
The development shall be carried out in accordance with and subject to the above details.

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 DP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 7 No more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than one shall be a static caravan) shall be stationed within each of the two plot at the site at any time.

Reason: The site is only justified on the basis that it is necessary to meet the needs for Gypsy/Traveller sites in the National Park in accordance with Policy SP33 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).



NEW FOREST
NATIONAL PARK

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Date: 02/03/2020

Ref: 20/0028 FULL

Scale: 1:1250

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