

Application No: 20/00019/FULL Full Application

Site: Land Adjacent To 213 And 219, Lyndhurst Road, Ashurst, SO40 7AA

Proposal: Change of use to car park; Outbuilding to facilitate cycle hire and storage facilities; creation of vehicular access

Applicant: Mr P Harding

Case Officer: Liz Young

Parish: ASHURST AND COLBURY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 SP6 The natural environment
 SP7 Landscape character
 SP17 Local distinctiveness
 DP18 Design principles
 SP54 Transport infrastructure
 SP55 Access

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
 Ashurst and Colbury Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 2 - Achieving sustainable development
 Sec 9 - Promoting sustainable transport
 Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Ashurst and Colbury Parish Council: Recommend refusal:

- The concerns raised from the previous application have not been overcome.
- The site is located in an already busy area.
- The addition of 32 parking spaces and provision for bike hire will make this area considerably more congested and will have a detrimental impact on neighbouring amenity as it provides a valuable green barrier between those properties and the railway line.
- Access to the site is from the main A35, and despite the up to date traffic assessment, it is disingenuous to suggest that the designation of the junction is safe, as visibility is poor for vehicles accessing the A35 from the car park and increased use may make it even less safe. It was highlighted that these proposals do not overcome previous concerns regarding safety and access.
- The site is in close proximity to a designated SSSI and this development would put unnecessary pressure on that and would erode valuable habitat, as detailed in the Ecological Study (SP6).
- The proposals do not contribute to conserving the landscape character, especially not meeting the requirement of Policy SP7.
- Additionally, it was noted that there were plans from Southern Rail to cut services stopping at Ashurst and therefore this may mean additional car parking is not required.

8. CONSULTTEES

- 8.1 Highway Authority (HCC): No objections based upon additional information provided by the applicant and subject to appropriate conditions.
- 8.2 Ecologist: No objections subject to conditions.

9. REPRESENTATIONS

- 9.1 Seven letters of objection received:
- Existing car park is already busy and the proposal to provide more parking would exacerbate existing problems.
 - Vehicular accessed to the cottages can become blocked.
 - Increased activities and noise levels close to neighbouring properties.
 - Loss of privacy.
 - Proposals to plant hedgerows would not mitigate impacts.
 - Lighting required for security would lead to a loss of tranquillity.
 - Providing paid parking will lead to commuters parking on the surrounding road network.
 - Previous cycle hire facilities have been unsuccessful due to lack of demand.
 - The old post office in Ashurst (empty) could reasonably provide a cycle hire facility.
 - The local cycle network is not well connected to other forest

cycle routes and could lead to more cycle pressure on non-designated cycle paths.

- The application site should be considered as green space rather than wasteland.

10. RELEVANT HISTORY

- 10.1 Change of use to car park; 2 Outbuildings to facilitate cycle hire and storage facilities; creation of vehicular and pedestrian access (19/00902) refused on 15 January 2019 (appeal dismissed on 3 July 2019)
- 10.2 Outline application for 3 new dwellings and associated works; appearance, access, scale and layout to be considered (17/00515) withdrawn on 09 August 2017
- 10.3 Change of use of land to accommodate 3 No. Tourist cabins; bin store; cycle store; 1.8 m acoustic fencing; associated parking and landscaping (17/00135) refused on 26 April 2017
- 10.4 Change of Use of land to accommodate 6 no. tourist cabins; bin store; cycle store; acoustic fencing; access alterations (refused on 17 April 2015) (15/00127) Appeal against refusal dismissed on 23 February 2016
- 10.5 3 pairs of semi-detached houses; access; parking (07/92303) refused on 08 January 2008

11. ASSESSMENT

- 11.1 This application site relates to an area of open ground between the rear of two residential properties, No's 213 and 219 Lyndhurst Road and the north bound platform at Ashurst railway station. Access would be taken from an existing access off Lyndhurst Road (A35) which already serves a large public house/ restaurant, Ashurst station and its car park and a small number of residential properties, including No's 213 and 219. The site and the surrounding enclave of development lies outside the defined settlement boundary of Ashurst. The open forest, lies on the opposite side of the railway line from the appeal site and is a designated Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Ramsar site. The former use of the appeal site is stated to have been as a coal yard, but it is currently unused and largely open.
- 11.2 Consent is now sought to change the use of the site to a car park and to build a cycle hire facility on the northern end. The access into the site would be directly from the car park area which currently serves the train station. Planting and landscaping are proposed around the perimeter of the site.

11.3 In terms of background, this application has been submitted in order to overcome the concerns raised at the time of the previously refused scheme (which was dismissed on appeal). The main concerns which led to the previous scheme being dismissed are summarised as follows:

- Out of date ecology survey.
- Insufficient information to assess highway impact.
- Intensification of use and associated noise levels would be detrimental to the amenities of neighbouring residents.

Whilst the Inspector noted that the introduction of a new car park outside the perimeter of the defined settlement boundary would be contrary to Core Strategy policies, it was considered that the proposal would meet the objectives of national policy through providing improved parking provision and other facilities at the railway station and also that it would be very closely associated with the existing car park. The conclusion reached was that the general principle of the development would be acceptable subject to ensuring the more specific concerns highlighted above could be fully addressed.

11.4 The main issues under consideration for the purposes of this current application would therefore relate to the extent to which this latest scheme incorporates changes which overcome previous concerns raised by the Inspector. In terms of the main changes between this application and the previous one, these are summarised as follows:

- The number of parking bays has been reduced from 41 down to 31 (and bays are no longer proposed on the south boundary which adjoins neighbouring properties).
- The cycle hire building has been re-positioned further from the residential properties on the other side of the access.
- The ticket machine has been re-positioned onto the west boundary of the site adjacent to the railway station.
- An up-to-date ecology survey has now been submitted (which also includes enhancement measures).
- An up-to-date transport assessment has also been provided.

11.5 In order to ensure the concerns raised by the planning inspector in relation to the living conditions of neighbouring properties are addressed, further amended plans have now been submitted. Based upon these changes (which have enabled a greater degree of separation between the neighbouring residential properties and the cycle hire area), it is considered that the proposal in its amended form would not give rise to an unacceptably harmful loss of amenity, as the main source of increased activity has been moved away from the private rear garden area of neighbouring properties. The reduced number of parking spaces would reduce the overall intensification which would result from the development and the re-positioning of the ticket machine and

cycle hire would reduce more direct impacts associated with increased levels of activity. Whilst it is accepted that the proposal (which would be located on a currently unused site) will inevitably increase activity and noise levels to some degree, the overall impact would not be unacceptable having regard to the close relationship between the residential properties and the railway line, the existing carpark and the public house. Having regard to the current circumstances, the development is therefore considered to be in accordance with Policy DP2 of the New Forest National Park Local Plan.

11.6 The application has also been accompanied by a more up to date ecology survey (December 2019) which concludes that the site has some potential to support nesting birds, commuting and foraging bats, slow worms and lizards. The survey includes specific mitigation measures which relate to forming habitats, exclusion fencing for reptiles, capture and timing of scrub clearance. Whilst the proposed bicycle hire potentially will result in additional visitor pressure on the designated sites, this does not appear to have been addressed in the ecological information as this only refers to the car park. However, the site is well linked into the cycle network and, in this context, the impact is not likely to be so significant. There is also some concern that the landscape plan does not accord with the objective for the translocation and receptor site management. The receptor site is also very small, and the landscape plan shows tree planting. Having regard to this and the absence of any mechanism to secure the recommended 5 year management of the receptor area and necessary resources and reporting to the Authority, it is considered necessary to impose conditions requesting a more robust mitigation strategy along with measures for biodiversity enhancement. The proposed bird and bat boxes would potentially have limited benefit and there could be greater benefit in utilizing the new building. Subject to securing appropriate measures for mitigation along with biodiversity enhancement, the proposal would meet the requirements of Policy SP6 of the Local Plan.

11.7 Whilst the original documents accompanying this latest application included an updated transport assessment, the Highways Authority highlighted specific concerns over a lack of information which were summarised as follows:

- Distribution of vehicular commuter trips across the day is unrealistic as it is more likely that the spaces would become occupied in the morning peak hour and vacated during the evening peak hour.
- Traffic models would be required to assess traffic impact at the junction with the A35 in relation to both existing traffic flows and also the additional development traffic at peak hours.
- A speed survey would be required to ascertain the level of visibility required at the junction with the A35.
- More recent Personal Injury Accident data required along with

- an analysis of the data.
- Vehicle visibility splays on the car park access have not been demonstrated.
- Swept path analysis for vehicle ingress / egress for the car park access has not been shown on the plan.

The applicant has been made aware of these concerns and further information was submitted (including accident data and assessment of junction capacity).

11.8 The additional information provided indicates that there will realistically be an accumulation of parking during the day for leisure use, although existing commuter patterns suggest that the majority of trips would arrive ahead of am peak hours. The updated information proposes no changes to splays but additional information now shows that there will be adequate visibility. Full accident data has now been provided for the last five years and the Highway Authority are satisfied that the proposal is unlikely to exacerbate any accident trends in the vicinity. No additional plans have been provided to show internal splays on the site access, but the Highway Authority are satisfied that this can be conditioned. Raised kerbs are proposed to protect the cycle hire building. The applicant has also provided a further assessment of the capacity of the junction with the A35 and the Highways Authority have concluded that this would be fit for purpose. Traffic generations associated with the proposal has also now been assessed and the Highways Authority have advised that the junction with the A35 (worst case scenario) will operate within theoretical capacity limits.

11.9 Based upon the additional information provided by the applicant, the Highways Authority advise that they raise no objections to the proposal subject to conditions relating to the raised kerbs and provision of visibility splays. The proposals have been scaled down significantly since the previously refused scheme and further amendments have been made to reduce the impact upon the living conditions of neighbouring properties. The submitted ecology report has provided sufficient information to rule out a harmful impact upon protected species. It is therefore recommended that planning permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country

Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 No 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 and biodiversity of the area in accordance with Policies DP2, SP6 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

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

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

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

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

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

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

- 5 No development shall take place above slab level until samples or exact details of the facing and roofing materials for the cycle hire

building 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).

- 6 The approved development shall not be brought into use until full details of visibility splays on the site access have been submitted to the New Forest National Park Authority and have been approved in writing. These visibility splays shall thereafter be kept free of any obstacles over 600mm in height at all times.

Reason: In the interest of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).and Section 9 of the National Planning Policy Framework.

- 7 The approved cycle hire facility shall not be brought into use until the raised kerb shown on drawing reference C20/002.03 REV C has been implemented. The raised kerb shall remain fully in place for the lifetime of the approved development.

Reason: In the interest of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).and Section 9 of the National Planning Policy Framework.

- 8 The approved development shall not be brought into use until a scheme for internal signage has been submitted to the New Forest National Park Authority and has been approved in writing. The development shall be carried out fully in accordance with the approved details and shall remain in place for the lifetime of the development.

Reason: In the interest of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).and Section 9 of the National Planning Policy Framework.

- 9 No development shall take place until a construction management plan has been submitted to the New Forest National Park Authority and has been approved in writing. The development shall be carried out fully in accordance with the approved details.

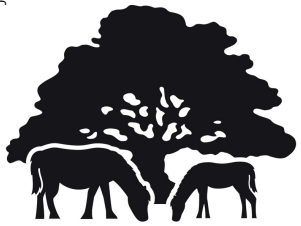
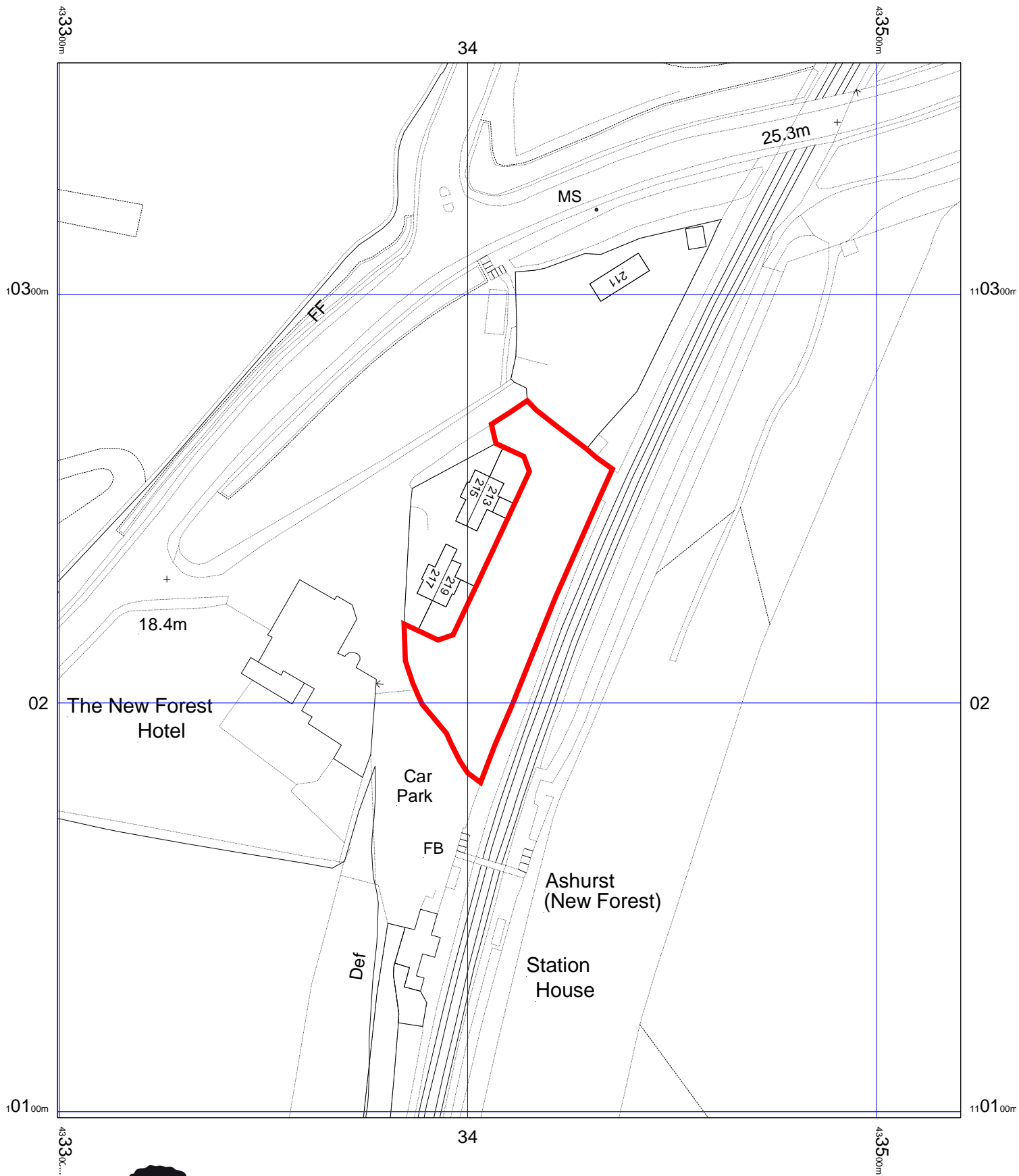
Reason: In the interest of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).and Section 9 of the National Planning Policy Framework.

- 10 Development shall only be carried out in accordance with drawing numbers: C20/002.01, C20/002.04 REV A and, C20/002.03 REV C. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

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

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



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

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