

Application No: 21/00978/FULL Full Application

Site: Lower Mead, South Sway Lane, Sway, Lymington, SO41 6BL

Proposal: Agricultural building

Applicant: Mr & Mrs Simonini

Case Officer: Carly Cochrane

Parish: SWAY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 DP18 Design principles
 DP37 Outbuildings
 DP50 Agricultural and forestry buildings
 SP17 Local distinctiveness

4. SUPPLEMENTARY PLANNING GUIDANCE

Sway Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Sway Parish Council: Response in relation to amended proposal:

Recommend refusal. Only very minor changes were apparent: the proposed outbuilding had been turned 90 degrees on the plot, and some surrounding hedging proposed. Whilst it wouldn't be seen from the road as a result of those changes, it would still impact on the rest of the landscape

around it. The proposed building still remains larger than the dwelling.

After refusing the initial application due to it being neither proportionate or subservient, it was felt that neither issue had been addressed. Further, the Committee had been asked to consider policy DP50 which covers the functional need and scale commensurate with that need, and the setting. The Committee consider that the conditions of this policy are not satisfied.

Response in relation to originally submitted application:

Recommend refusal. Whilst this proposed building is set within 13 acres, and to be placed on the site of an unused manege, the impact to the landscape will be significant, as it is such an enormous building. In respect of DP37 it is neither proportionate or subservient, being bigger than the main dwelling. Whilst other outbuildings are already present, this proposal will have a very industrial look in black or dark green steel panels. Sway would much prefer a less commercial, smaller building, but has no issue with the principle of an additional outbuilding.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

10.1 Double car port (21/00919) granted on 07 December 2021

10.2 Triple bay detached garage (14/00727) granted on 24 October 2014

10.3 Outbuildings (NFDC/98/65453) granted on 12 February 1999

11. ASSESSMENT

11.1 The application site is located to the western side of South Sway Lane and the property comprises the dwellinghouse set to the front of the plot with an enclosed garden area, a driveway which runs along the southern side of the dwelling leading to an incidental outbuilding. To the rear of this, the outbuilding as approved under 21/00919 would be located and continuing to the rear of the site with a manege and stables buildings (the subject of NFDC/98/65453), with a large grassed area between the incidental outbuildings and stables.

11.2 This application seeks planning permission for the erection of an agricultural building located upon the existing manege. The building would be orientated with its front elevation facing the stable building, and would measure approximately 18 metres in

width, 12 metres in depth and 4.4 metres in height to the ridge. The building would be constructed in profiled steel sheets and a corrugated roof, both in either black or dark green, with 10 translucent panels upon the roof and eight solar panels.

- 11.3 The application has been amended since its original submission in respect of the orientation of the building, and the plans were annotated to clarify that the roof 'lights' would be in the form of translucent panels.
- 11.4 The total land holding amounts to approximately five hectares, with agricultural land which immediately adjoins the site to the north, as well as land on the opposite side of South Sway Lane. The proposed building has been included within the 'red line' application site, which also includes the dwellinghouse and its defined garden area as well as the area to the front of the incidental outbuilding which has the appearance of a garden. The rear part of the site, which includes the large informal grassed area, manege and stables buildings, whilst linked to the front of the site by virtue of the driveway, is of a more equine/ agricultural character. As such, this part of the site is not considered to form part of the residential curtilage. No case has been made that the entire site is part of the curtilage and therefore the proposal is to be assessed under Policy DP50 of the Local Plan (Agricultural and Forestry Buildings), rather than under DP37 as a domestic outbuilding, as follows.
- 11.5 Policy DP50 of the Local Plan sets out that permission will be granted for buildings required for agriculture or forestry purposes where there is a functional need for the building, and its scale is commensurate with that need and its setting in the landscape; the building is designed for the purposes of agriculture or forestry; the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location; and they do not involve large or obtrusive structures or generate a level of activity which would have a detrimental effect on the National Park.
- 11.6 The wider site comprises five fields, with hedgerows and trees along their boundaries with South Sway Lane and the surrounding land. The building is required for the storage of machinery used in the maintenance and management of the land, including a tractor, roller, harrow and trailers, as well as for associated vehicles such as a horse lorry and for the storage of hay which is cut from the land. These items, including the hay, are currently stored outside, and there are no other such buildings either within the application site or upon the surrounding land.
- 11.7 The Parish Council have recommended refusal of the application in relation to concerns with regard the impact of the building within the landscape, the scale of the building in comparison to the main dwelling and the criteria of Policy DP50 not being satisfied.

- 11.8 In relation to the criteria of DP50 and a functional need for the building, as aforementioned, no other such buildings exist upon the surrounding land and whilst there are incidental buildings and stables within the application site, and a stable building upon the agricultural land, these are not capable of meeting the storage requirements. The floor plans submitted show the need for the size of the building in terms of its footprint, and the eaves height of 3.1 metres is at the minimum required in order to allow the machinery and vehicles to enter the building. The utilitarian design, with no domestic features, and the use of the corrugated materials in either a black or green colour is appropriate for an agricultural building and numerous examples of similar buildings can be found across the National Park.
- 11.9 In terms of the siting of the building, the orientation has been amended so that the narrower elevations face east and west, into the site and towards South Sway Lane, and the wider elevation faces the stables. Whilst the building would not form part of the street scene, glimpses of it may be visible from South Sway Lane due to the ground levels, which rise away from the highway. However, this would be partially obscured by the incidental outbuildings. The rear of the site is surrounded by private agricultural land. The proposed building would therefore be set close and viewed in the context of existing buildings, with minimal visual intrusion in terms of the wider landscape impact. An alternative siting, being within the more open agricultural land, would arguably result in the building more prominent and visible from outside the site due to the ground levels and lack of any other structures on the land. Therefore the proposed location is not considered to result in any significantly adverse impact upon the character and appearance of the area. As the building would be used by the applicants for their private purposes, there would be no material increase in activity at the site. It is therefore considered that the proposal accords with the criteria of Policy DP50.
- 11.10 In order to ensure that the use of the building remains for agricultural purposes, a condition can reasonably be attached; should it be that the building is no longer used or required for such purposes, then the condition would require its demolition.
- 11.11 The site is surrounded by agricultural land, and neighbouring residential properties are therefore situated a significant distance from the site. It is therefore not considered that the proposal would result in any adverse impact upon neighbouring amenity.
- 11.12 It is therefore recommended that permission is granted subject to conditions, as the proposal accords with Policies DP2, DP18, DP50 and SP17 of the adopted Local Plan 2016-2036.

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 nos: 21/10 Rev B.

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

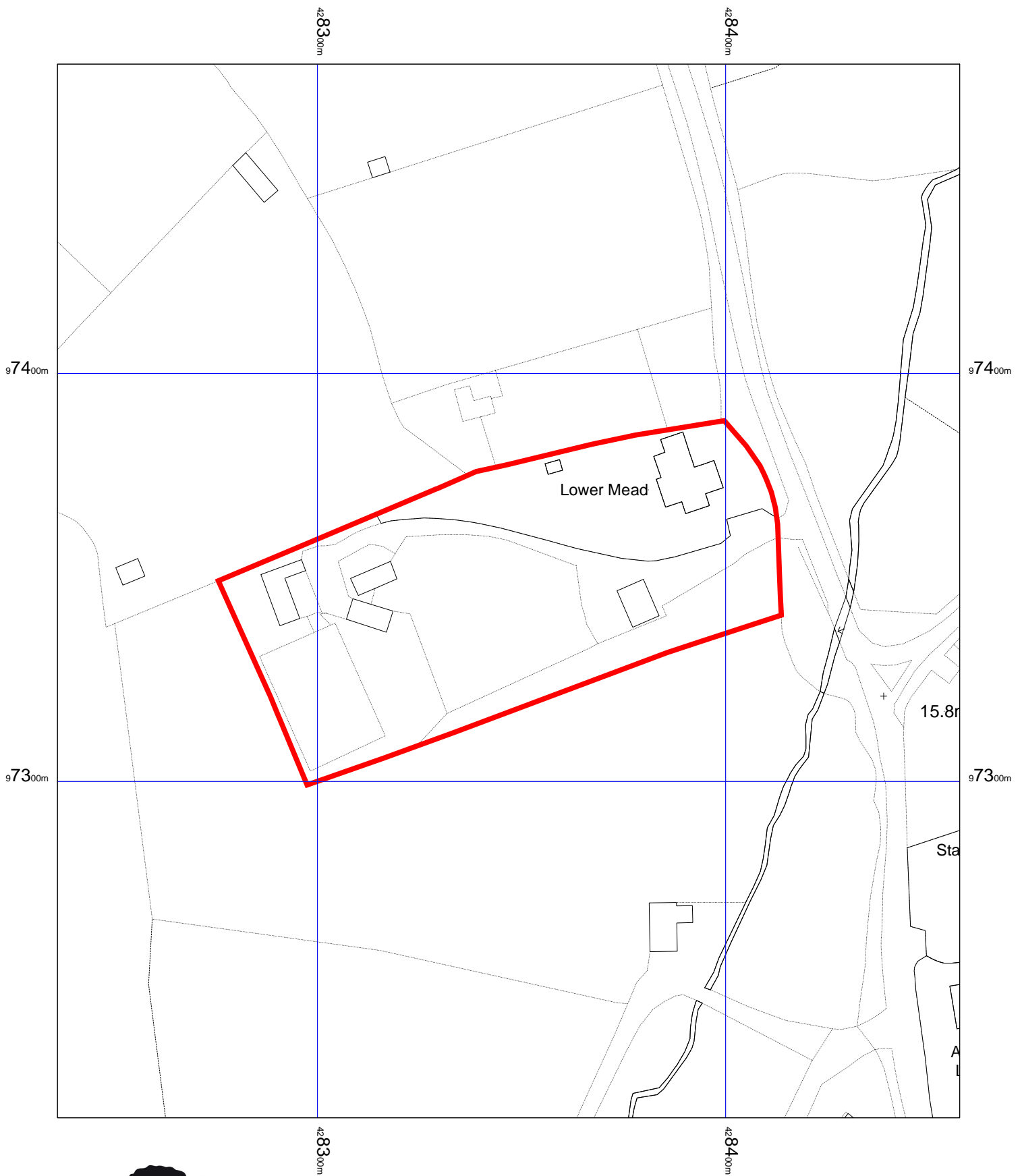
Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 The building the subject of this permission shall only be used for agricultural purposes and for no other commercial, business or storage purposes whatsoever. Should this use cease the building shall be removed from the site, and the land reinstated to a condition which has been agreed in writing by the Local Planning Authority beforehand, within 6 months of the cessation of that use.

Reason: The building is only justified on the basis that it is necessary for agriculture and in accordance with Policy DP50 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

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

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



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Lymington Town Hall, Avenue Road,
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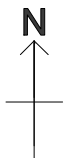
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Application No: 21/01089/FULL Full Application

Site: Land Opposite Meadens Skoda, Sway Road, Brockenhurst, SO42 7SH

Proposal: Use of land for storing and parking of vehicles associated with neighbouring car dealership operation (application for temporary permission)

Applicant: Gates Engineering Ltd

Case Officer: Carly Cochrane

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP42 Business and employment development
SP43 Existing employment sites
DP45 Extensions to non-residential buildings and uses

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal. This site is not an appropriate street scene and is not in keeping with the character with the village. It is noted that there is a demand to build more homes within the National Park

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 One letter of representation have been received from a member of the public, in objection to the application. The comments made are summarised as follows:

- Concern that a further temporary permission may lead to an application for a permanent use.
- The continued use of the land detracts from the appearance of the street scene and is an unwelcome and unnecessary urbanisation of a New Forest village.
- The requirements of the previous application should be adhered to in relation to the restoration of the land.
- The site does not contribute to local employment development as per SP42.
- Staff parking should have been considered as part of the application for the main Meadens site (17/01037).
- No historical connection between the land and motor trade; all other uses have been unauthorised.
- Inappropriate land use.
- Concerns with regard to highway safety.

9.2 Friends of Brockenhurst have objected to the application on the basis that:

- The applicant took no action to regularise the situation following the expiration of the previous temporary permission.
- There are no exceptional circumstances why the temporary arrangement should be further extended.

10. RELEVANT HISTORY

10.1 Continued temporary use of land for the parking of cars and vehicles (18/00383) temporary permission granted on 22 August 2018

10.2 Formalisation of car park; alterations to access; associated landscaping (17/01037) granted on 20 February 2018

10.3 Installation of 1no. non-illuminated Skoda projecting flag sign mounted on 3.7 metre high pole (Application for Advertisement Consent) granted on 30 January 2018

10.4 Erection of dwelling, garage & create new access (Variation of condition on planning permission 74014 to allow a further 3 years for commencement of the permission) (06/90446) refused on 20 September 2006

- 10.5 Use of land adjacent to station forecourt for display and sale of cars, associated screen wall and fencing (06/90020) refused on 26 May 2006. Appeal against refusal dismissed on 07 December 2006
- 10.6 Use land alongside of filling station forecourt for display and sale of cars; associated screen wall and fencing (06/86921) refused on 06 March 2006
- 10.7 Erection of dwelling, garage and create new access (02/74014) granted on 21 March 2002
- 10.8 Temporary change of use for private car park (NFDC/94/54758) refused on 26 August 1994
- 10.9 Erect petrol filling station with access (NFDC/93/51776) granted on 27 August 1993
- 10.10 Use of land as carpark for motor vehicles awaiting sale (NFDC/87/36523) granted on 28 January 1988

11. ASSESSMENT

- 11.1 The application site is located to the western side of Sway Road, within the defined New Forest village boundary, to the west (opposite) of Meadens Garage and to the south of the petrol filling station. The site is currently used for the parking and storage of vehicles in association with Meadens Garage, which itself has recently undergone changes to its external areas pursuant to planning permission reference 17/01037. The site is enclosed by a high close boarded fence along the western, southern and northern boundaries, with a post and rail fence along the eastern boundary adjacent to Sway Road. The site is flat and partially laid with gravel, and prior to the temporary permission granted in 2018, had been used for the storage of vehicles for a significant period.
- 11.2 This application seeks planning permission for the continued use of the land for the purposes of the storage and parking of vehicles in association with Meadens Garage, for a further and final temporary period of two years.
- 11.3 By way of background, the use of the site for the storage and parking of vehicles was granted a temporary two year permission in 2018. The need put forward at the time of the application was that the land was required in connection with the above-mentioned works at the main Meadens site (17/01037). Permission was granted on the basis that the

"proposal is considered to present an opportunity to bring the site back within the control of the Authority through the use of appropriate and necessary planning conditions, being the

requirement for the use of the land for the storage and parking of vehicles to cease upon the expiry of 2 years, or the completion of the Meadens development, whichever is the sooner; and also restricting the use of the site during the maximum 2 year time period for use as storage and staff parking only, and not for the sale of vehicles. It is understood that upon the cessation of the use by Meadens, the extant permission for a new dwelling (02/74014) would be completed. Overall then, whilst it is acknowledged that this type of development is not normally encouraged within the National Park, it is considered that in this particular instance the proposed temporary use is justified to secure the implementation of the approved scheme for the main site which on completion would result in an overall improvement to the character and appearance of the area."

The temporary period expired in August 2020, however the use of the land did not cease.

- 11.4 Planning Practice Guidance states that it will rarely be justifiable to grant a second temporary permission, except in cases where changing circumstances provide a clear rationale, and this is recognised by the applicant. In this case, the applicant has put forward that, since the expiry of the previous two year period in August 2020, the business has had to adapt to economic conditions brought about by the pandemic. This impacted the levels of stock on site which in turn put more pressure on the space available at the main Meadens site, necessitating the continued use of the application site. However, Meadens have secured a new premises in Christchurch and planning permission for the use of the site was granted in October 2021. Due to the requirement for extensions and alterations, as well as ground contamination investigations, it is anticipated that the new premises will not be open until mid-2023. Once operational, the Christchurch site would ease the pressure off the Brockenhurst site, with approximately half the staff being transferred, along with part of the stock. This will reduce the overall number of vehicles parking at the application site, as well as number of vehicles being stored, to the point where the need for the use of the application site will cease. It is put forward that, as set out in the 2018 application, once the use of the site in association with Meadens has ceased, the intention is to revisit the use of the site for residential purposes.
- 11.5 The Parish Council and local residents have raised objections to the application on the grounds that, overall, the continued use of the site for the parking and storage of vehicles is inappropriate. The use of the land is in conjunction with an existing business within the defined village for a further temporary period of two years. Policies SP42 (Business and Employment Development) and SP43 (Existing Employment Sites) of the adopted Local Plan seek to support and retain employment sites within the National Park. However, it is acknowledged that the use of the site, until

2018, was unauthorised, and does not enhance the character and appearance of the area. Notwithstanding this, the applicant has put forward a reasoned justification for the need to remain on site for a further temporary period, and has taken substantial steps to alleviate the pressure at the Brockenhurst site through acquiring an additional site, with planning permission in place. It would therefore appear that the need for the site will cease once part of the operations can be moved to Christchurch, and therefore is it considered reasonable to grant permission for a further temporary period.

- 11.6 There would be no change in the number of vehicles parked and stored at the site (35). Whilst the site would be used for staff parking, it is reasonable to expect there to be daily comings and goings, however, the storage element should not result in any significant levels of noise being generated. As such, it is not considered that the use of the site for a further temporary period would result in any significantly harmful impact upon neighbouring amenity.
- 11.7 Finally, the appearance of the site would not change from its current state. The visual impact of the vehicles is not one which is desirable, however, on the basis that the use would be for a temporary period, and considering the surrounding land uses, it is not considered that the proposal would result in any significant harm to the character or appearance of the area.
- 11.8 It is therefore recommended that temporary permission is granted, for a period of two years, subject to conditions.

12. RECOMMENDATION

Grant Temporary Permission

Condition(s)

- 1 The use of the site shall cease on or before 15 February 2024 and the land be restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The long term use of the land as such would harm the character and appearance of the area contrary to policies DP2 and SP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 2 Development shall only be carried out in accordance with drawing numbers: 4380/18 Rev A, DR1.

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 site shall be limited to a maximum of 35 vehicles, and shall only be used for the storage of vehicles and staff parking.

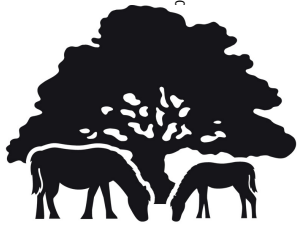
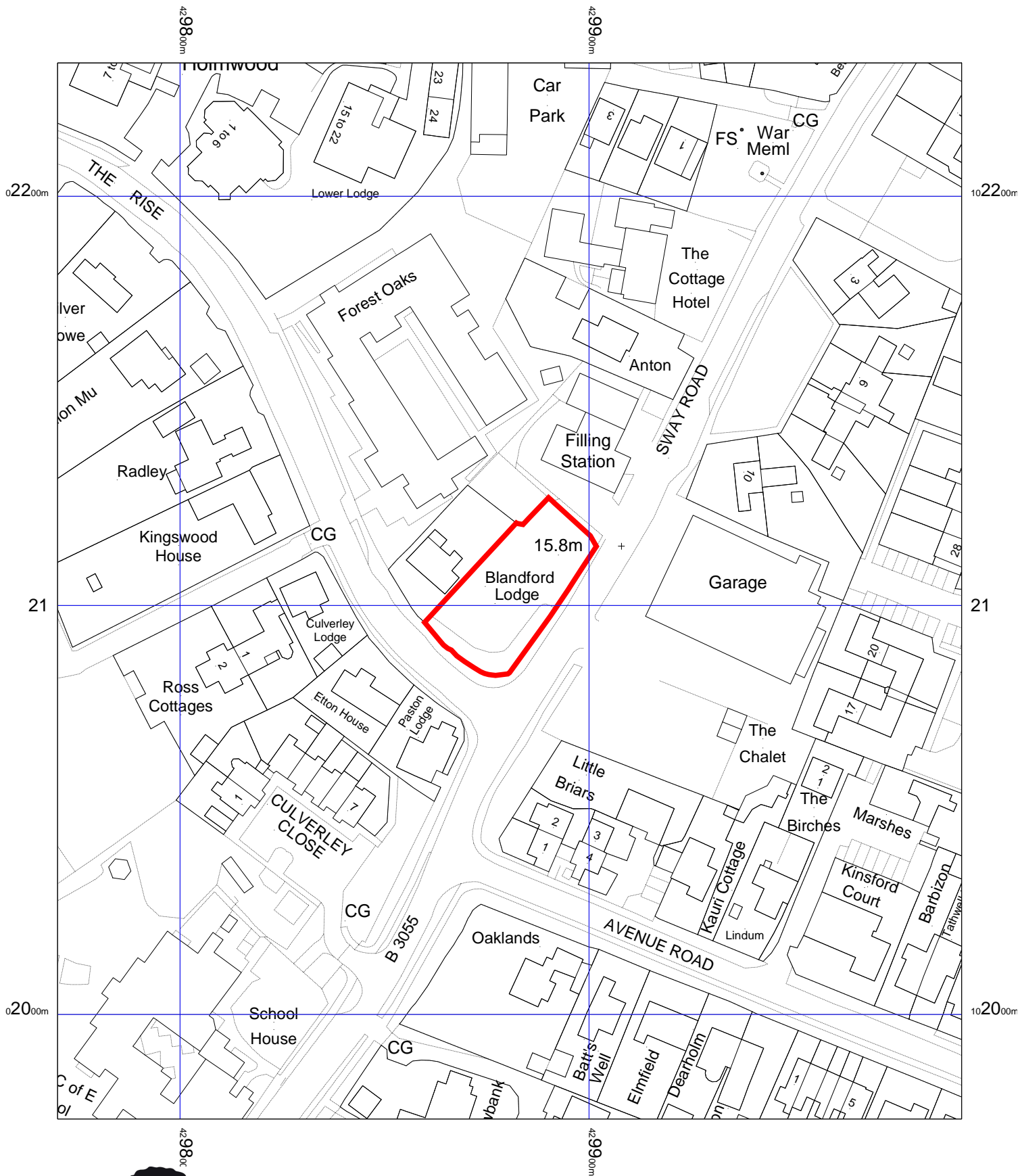
Reason: In the interest of the amenities of the area in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 No additional hardstanding shall be laid or alterations to the boundary treatment shall be carried out.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policies DP2 and DSP17 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

Informative(s):

- 1 Please be advised that the Authority will not be minded to support any further applications for the temporary storing and parking of vehicles associated with neighbouring car dealership operation and expects the temporary use to cease in a timely manner in accordance with condition 1.



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